

JOURNAL

OF THE

# House of Representatives

OF THE

TWELFTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL, IN DES MOINES, IOWA, JAN. 13, 1868.

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DIV. OF  
CALIFORNIA

DES MOINES:  
F. W. PALMER, STATE PRINTER.  
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OF THE

## HOUSE OF REPRESENTATIVES.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, January 13, 1868.

At 2 o'clock p. m. the House was called to order by the Hon. J. H. Hatch of Polk county.

On motion of Mr. Hatch, Hon. Samuel McNutt of Muscatine, was elected Speaker *pro tem.*

On motion of Mr. Wilcox of Buchanan county, Charles Aldrich of Marshall county, was elected Chief Clerk *pro tem.*

On motion of Mr. Cotton of Clinton county, Benjamin Van Steenburg of Jackson county, was elected Assistant Clerk *pro tem.*

On motion of Mr. Lambert, George Bailey of Dallas county, was elected Door-keeper *pro tem.*

On motion of Mr. Dudley, E. G. White of Wapello county, was elected Sergeant-at-Arms *pro tem.*

On motion of Mr. Brown, Jonathan Thacher of Van Buren county, was elected Post-Master *pro tem.*

Mr. Cotton of Clinton county, moved that a Committee on Credentials be appointed to consist of five members, which motion prevailed.

The Chair appointed Mr. Cotton of Clinton, Mr. Lambert of Dallas, Mr. Hatch of Polk, Mr. Wilcox of Buchanan, and Mr. Irish of Johnson as such committee.

Mr. Grantham of Henry, moved that the Committee on Credentials be instructed to report at 10 o'clock, A. M., to-morrow, which motion prevailed.

On motion of Mr. Williams of Winneshiek, the House adjourned to meet at 10 o'clock to-morrow morning.

HALL OF HOUSE OF REPRESENTATIVES, }  
 DES MOINES, January 14, 1868. }

House called to order by the Speaker *pro tem.* Prayer by Rev. Mr. Trusdell.

Journal of yesterday read and approved.

Mr. Cotton from the Committee on Credentials, submitted the following report.

Your committee to whom were referred the credentials of persons claiming to be members of this House, beg leave to report that they find the several districts to be represented as follows:

- 1st District. — C. C. Bander, William Werner, and Gibson Browne.
- 2d District. — Joel Brown and Seth H. Craig.
- 3d District. — William G. Wilson and J. M. Garrett.
- 4th District. — Bannock Phillips.
- 5th District. —
- 6th District. — H. W. Peck.
- 7th District. — A. G. Adams and Robert Allen.
- 8th District. — John P. Grantham and Jacob Hart.
- 9th District. — John Hayden and A. R. Fulton.
- 10th District. — Charles Dudley and Samuel T. Caldwell.
- 11th District. — A. A. Ramsey.
- 12th District. — Samuel D. Wheeler.
- 13th District. — Barclay Burrows.
- 16th District. — John Y. Stone.
- 17th District. — Albert Ellis.
- 18th District. — Joseph D. Miles and M. Goodspeed.
- 19th District. — John Morrison and William Hartsock.
- 20th District. — Charles Stanley and Thomas Ballinger.
- 21st District. — E. Mechem and Banner G. Bowen.
- 23d District. — Benjamin F. Murray.
- 24th District. — Lysander W. Babbitt.
- 25th District. — Samuel McNutt and R. M. Burnett.
- 26th District. — John P. Irish and Jacob Y. Blackwell.
- 27th District. — Abraham Bolton.
- 28th District. — Leonard F. Parker.
- 29th District. — Merritt W. Atwood.
- 30th District. — John A. Kasson and Joshua H. Hatch.
- 32d District. — M. J. Rohlf, Charles Kelley and M. C. Davis.
- 33d District. — Charles G. Trusdell, Charles E. Leffingwell and Aylett R. Cotton.
- 34th District. — John Russell and John McKean.
- 35th District. — William S. Chase and C. P. Sheldon.

- 36th District. — L. W. Stuart and John A. Tritz.  
 37th District. — William B. Leach and Adam Perry.  
 38th District. — John W. Traer.  
 39th District. — James Wilson.
- 41st District. — Thomas S. Wilson, R. B. Lockwood, John B. Longueville and Dennis Donovan.  
 42d District. — Cummings Sanborn.  
 43d District. — P. C. Wilcox.  
 44th District. — George Ordway.
- 46th District. — Horace Hamilton, James Newbury and P. G. Bailey.  
 47th District. — Aaron Brown and Curtis R. Bent.  
 48th District. — D. P. Walling.  
 49th District. — William Tucker.  
 50th District. — P. G. Wright and George R. Miller.  
 51st District. — Horace B. Williams and Jeremiah T. Atkins.
- 53d District. — James Hawthorne.
- 55th District. — Joseph H. Smith.  
 56th District. — J. H. Brown.  
 57th District. — Eli Johnson.  
 58th District. — Roderick A. Smith.  
 59th District. — Charles W. Tenney.  
 60th District. — Eugene Criss.  
 61st District. — John D. Hunter.  
 62d District. — Samuel Rees.  
 63d District. — Stephen Tillson.  
 64th District. — Henry C. Rippey.  
 65th District. — Leonard T. McCoun.  
 66th District. — G. F. Kilburn.  
 67th District. — J. A. Guthrie.  
 68th District. — N. W. Rowell.

Your committee further report that Thomas B. Knapp of 45th District, Joseph Cramer of 14th District, William Glasgow of 5th District, Le Roy Lambert of 31st District, Benjamin W. Johnson of 40th District, Mark A. Dashiell of 22d District, Jackson Orr of 52d District, and Wilberforce P. Gaylord of 54th District, are present without credentials, but the records in the office of the Secretary of State show that they are entitled to seats in this House, and their admission is recommended.

AYLETT R. COTTON, LE ROY LAMBERT, J. H. HATCH, C. P. WILCOX, J. P. IRISH,	}	Committee.
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On motion of Mr. Wilson, of Dubuque, the report of the committee was adopted, and the committee discharged.

On motion of Mr. Fulton, the oath of office was administered to the Speaker *pro tem.*, by Mr. Cotton.

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

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

*Resolved*, That the House now proceed to the election of its officers in the same order in which said officers were named in the proceedings of the Eleventh General Assembly.

The House then proceeded to the election of Speaker.

Mr. Trusdell nominated Hon. John Russell, of Jones.

Mr. Irish nominated Hon. T. S. Wilson, of Dubuque.

Whereupon a vote was taken with the following result:

Whole number of votes cast.....97

Mr. Russell received.....81

Mr. Wilson received.....16

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

The Chair appointed Messrs. Wilson and Trusdell a committee to conduct the Speaker to the chair.

On taking the chair, Mr. Russell spoke as follows:

*Gentlemen of the House of Representatives:*

Before entering upon the discharge of the duties of the position you have assigned me, permit me to return to you my heartfelt thanks for the high honor you have seen proper to confer upon me.

It is with much diffidence and with many doubts of my ability that I enter on the discharge of the duties of the position. I can only hope to be successful by a continuation of that kindness and partiality on the part of the members of this House which has been so liberally manifested on the present occasion.

Being the successor in this position of one whose ability as a presiding officer, is seldom equalled, I will no doubt, come far short of being able to present a favorable contrast to the minds of those who are familiar with his promptness, accuracy and decision.

I can only say that I will try to perform the duties of the position according to the best of my knowledge and ability, relying on each one of you for aid in all efforts to enforce the rules which you may adopt for our government.

I would bespeak in advance, your indulgence and forgiveness for the many errors I will no doubt inadvertantly commit, assuring

you that they will be errors of judgment only. I will again tender to you my most profound appreciation of the distinguished consideration you have seen proper to confer.

Let us now proceed to the discharge of the duties of our positions, always having in view a supreme regard for those great principles of liberty and justice which are the basis of American government.

The House then proceeded to the election of Chief Clerk.

Mr. Knapp nominated M. C. Woodruff, of Hardin county.

Mr. Irish nominated A. M. Barnhart, of Muscatine.

Whole number of votes cast..... 96

Mr. Woodruff received..... 81

Mr. Barnhart received..... 15

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

The House then proceeded to the election of First - Assistant Clerk.

Mr. Colton nominated Benj. Van Steenburg.

Mr. Irish nominated Charles Doerr.

The following was the result of the ballot :

Whole number of votes cast..... 97

Mr. Van Steenburg received..... 80

Mr. Doerr received..... 17

Benj. Van Steenburg having received a majority of all the votes cast, was declared duly elected First - Assistant Clerk.

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

Mr. Adams nominated Mr. S. A. Flanders.

Mr. Irish nominated T. S. Bailey.

The roll was called, and the result was as follows :

Whole number of votes cast..... 96

Mr. Flanders received..... 79

Mr. Bailey received..... 17

Mr. S. A. Flanders having received a majority of all the votes cast, was declared duly elected Second Assistant Clerk.

The House then proceeded to the election of Engrossing Clerk.

Mr. Irish nominated C. H. Babbitt.

Mr. Hunter nominated John S. Ring.

The following was the result of the ballot :

Whole number of votes cast..... 95

Mr. Ring received..... 78

Mr. Babbitt received..... 17

Mr. Ring having received a majority of all the votes cast was declared duly elected Engrossing Clerk.

The House then proceeded to the election of Enrolling Clerk.

Mr. Irish nominated Charles Schromm.

Mr. Tilsen nominated J. A. Stright.

Thereupon a vote was taken with the following result :

Whole number of votes cast,.....	97.
Mr. Stright received.....	81.
Mr. Schramm received.....	16.

Mr. Stright having received a majority of all the votes cast was declared duly elected Enrolling Clerk.

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

Mr. Brown of Fayette nominated J. P. Patrick.

Mr. Irish nominated H. H. Rich.

Whereupon a vote was taken with the following result :

Whole number of votes cast,.....	97.
Mr. Patrick received.....	81.
Mr. Rich received.....	16.

Mr. Patrick having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

The House then proceeded to the election of Door-keeper.

Mr. Lambert nominated George Bailey.

Mr. Irish nominated Neal Keeney.

The result of the ballot was as follows :

Whole number of votes cast,.....	93.
Mr. Bailey received.....	78.
Mr. Keeney received.....	15.

Mr. Bailey having received a majority of all the votes cast, was declared duly elected Door-keeper.

Mr. Brown of Van Buren offered the following resolution :

*Resolved*, that the Speaker be authorized to appoint the messenger-boys, janitor and paper-folders of the House, for the Twelfth General Assembly.

Mr. Parker moved to amend by adding "assistant doorkeeper."  
Lost.

The resolution was then adopted.

#### MESSAGE FROM THE SENATE.

A committee from the Senate consisting of Senators Patterson, Fairall, and Tuttle, informed the House that the Senate was now organized, and ready to proceed to business.

Mr. Rohlfis offered the following resolution, which upon motion of Mr. Parker, was laid upon the table :

*Resolved*, That the paper-folders and messengers of this House shall be selected from the inmates of the Iowa Soldiers' Homes at Davenport and Cedar Falls, and that the selection shall be made on request of the Speaker of this House, by the respective superintendents of the homes, and that temporary messengers and paper-folders be appointed by the Speaker until the orphans arrive at the Capitol.

Mr. Burnett offered the following resolution :

*Resolved*, That the Speaker in appointing the messengers and

paper-folders and janitor, appoint either those who have been soldiers, or are orphans whose parents, or relatives on whom they depended, have died in the military service.

Mr. Reese moved that the resolution be laid upon the table, upon which question Messrs. Irish and Babbitt demanded the yeas and nays, which were as follows:

Yeas, 30; nays, 66.

The yeas were Messrs. Adams, Allen, Atkins, Bowan, Brown of Howard, Brown of Van Buren, Craig, Cramer, Criss, Garrett, Gaylord, Goodspeed, Hamilton, Hart, Knapp, Leffingwell, McKean, Miles, Newberry, Ordway, Phillips, Rees, Smith of Dickinson, Smith of Harrison, Tucker, Walling, Wheeler, Wilcox, Williams and Wilson of Davis—30.

The nays were Messrs. Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Glasgow, Grantham, Guthrie, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Lockwood, Longueville, McCoun, McNutt, Mechem, Miller, Morrison, Murray, Orr, Parker, Peck, Perry, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Warner, Wilson of Tama, Wright, and Mr. Speaker—66.

Absent and not voting, Messrs. Browne of Lee and Wilson of Dubuque.

The motion to lay on the table was lost.

Mr. Adams moved to amend the resolution by writing the words "and orphans of deceased or disabled soldiers." Adopted.

Mr. Grantham moved to add the words, "so far as the same may be compatible with the public interest." Adopted.

The resolution as amended was adopted.

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

*Resolved*, That the several clergymen in actual charge of the churches in the city of Des Moines, be invited to officiate as chaplains of the House, and that they arrange among themselves the order in which they shall act; and that the Chair appoint a committee of two to carry the above into effect.

Mr. McNutt offered the following resolutions which was adopted:

*Resolved*, That the rules of the last House be adopted as the standing rules of this House, and that the Chief Clerk be instructed to have four hundred copies printed for the use of the members; and that he shall prepare and have attached to said rules the name, age, occupation, county, post office address, length of time in the State, religious denomination, nativity, and boarding place of members, and officers of the House.



Mr. Wilson, of Dubuque, offered the following resolution which was adopted :

*Resolved by the House of Representatives, the Senate concurring,* That the Secretary of State be directed to furnish to each member of the General Assembly, a copy of the Revision of 1860, and also all the statutes passed subsequent thereto. The latter bound together in one volume.

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

*Resolved,* That there shall be added to the usual standing committees of this House, a Committee on Horticulture, and that the Speaker is hereby requested to announce such additional committee.

Upon motion of Mr. Wilcox, the officers elect then came forward and took the oath prescribed by law.

Mr. Wilson, of Dubuque, moved that a committee be appointed to inform the Senate that the House is now organized, and ready to proceed to business, which motion prevailed, and the Chair appointed Messrs. Wilson, of Dubuque, and Wilcox, as such committee.

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

*Resolved,* That the Chief Clerk be instructed to have prepared a diagram of the House for the use of the Speaker.

Mr. McNutt moved that a committee of two be appointed to inform the Governor that the House is now ready to receive any communication that he may see fit to communicate, which motion prevailed.

The Chair appointed Messrs. McNutt and Trusdell, as such committee.

Mr. McNutt moved that the House adjourn to 2 o'clock, P. M., which motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Brown, of Van Buren, offered the following resolution, which was adopted :

*Resolved,* That the clerk in making out the list of members by resolution of to-day, be instructed to add a column showing the number of the regiment and branch of service in which those members who have been in the United States army have served.

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

*Resolved by the House of Representatives,* That the compensation of officers and employes shall not be more than the following sums per day :

Chief clerk.....	\$5.00
First and second assistant enrolling clerks.....	4.50
First and second assistant engrossing clerks.....	4.50
Sergeant - at - arms.....	3.50
Door-keeper.....	3.50
Janitor.....	3.50
Post - master.....	3.50
Assistant post - master.....	3.50
Messengers.....	2.00
Paper - folders.....	2.00

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed the concurrent resolutions transmitted herewith, in which the concurrence of the House is asked :

*Resolved by the Senate, the House concurring,* That the Senate and House will meet in joint convention for the purpose of canvassing the votes for Governor and Lieutenant-Governor, on Wednesday, January 15, at 10 o'clock A. M. ; and that the inauguration of Governor and Lieutenant-Governor shall take place on Thursday, January 16, at 2 o'clock P. M.

*Resolved by the Senate, the House concurring,* That a committee of three on the part of the House, and two on the part of the Senate, be appointed to examine the condition of the capitol building, and report a place wherein to hold the inauguration.

*Resolved by the Senate, the House concurring,* That the Senate will meet the House in joint convention this afternoon at 3 o'clock for the purpose of hearing read the biennial message of His Excellency, Gov. Wm. Stone; and that a committee of one on the part of the Senate and two on the part of the House be appointed to wait upon the Governor, and invite him to read his message to the joint convention.

*Resolved by the Senate, the House concurring,* That Jonathan Thacher be elected Post-master and George F. Work assistant Post-master of the Twelfth General Assembly; and that it shall be the duty of the assistant Post-master to carry the mail.

JAMES M. WEART, Secretary.

On motion of Mr. McNutt, the Senate resolution relative to joint convention was taken up and concurred in.

Mr. Brown of Van Buren, moved to concur in Senate resolution in relation to examination of capitol building.

Which motion prevailed.

The Chair appointed Messrs. Dudley, Irish, and Rees a committee on the part of the House.

The Senate resolution relative to Post-master and Assistant Post-master was taken up.

Mr. Rees moved to strike out "Geo. F. Work" and insert "J. C. Cusey" of Humboldt.

Mr. Irish moved to amend by striking out "Thacher" and inserting "Holden" as Post-master.

The amendment to the amendment was lost.

Mr. Wilson of Davis moved to strike out "Cusey" and insert Baker.

Which motion did not prevail.

The motion to strike out "Geo. F. Work" and insert "J. C. Cusey," did not prevail.

The Senate resolution was then concurred in.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has appointed Senator Donnan as a member of the joint committee to wait upon the Governor and invite him to read his Biennial Message to a joint convention of the two Houses.

Also, that the Senate has appointed Senators Robertson and Fellows as members of the joint committee to examine the condition of the capitol building, and report a place wherein to hold the Inauguration.

JAMES M. WEART, Secretary.

Mr. Rippey introduced the following resolution, and moved its adoption.

*Resolved*, That the Chief Clerk be instructed to order for each member of this House forty (40) copies of daily papers, or their equivalent in weeklies, provided all said papers be published in this state.

Mr. Dudley moved that the resolution be laid upon the table.

Which motion did not prevail.

Mr. McKean moved to amend by inserting five papers printed out of the state.

Mr. Wilson of Dubuque, moved to amend by striking out all after the word "weeklies." Prevailed.

Mr. Wilson, of Davis, moved to amend by striking out forty and inserting thirty. Which motion did not prevail.

The question then recurred upon the adoption of the resolution as amended, upon which motion Messrs Dudley and Sheldon demand the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowan, Brown of Howard, Burnett, Burrows, Cotton, Cramer, Criss, Dashiell, Davis, Donavan, Ellis, Gaylord, Glasgow Goodspeed, Guthrie, Hamilton, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson, of Cherokee, Johnson, of Marshall, Kelly, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller,

Murray, Newberry, Orr, Ordway, Perry, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith, of Dickinson, Smith, of Harrison, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Warner, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson, of Tama and Wright—73.

The nays were, Messrs. Atwood, Brown of Fayette, Brown of Van Buren, Caldwell, Chase, Craig, Dudley, Fulton, Garrett, Grantham, Hart, Hayden, Lambert, McCoun, Morrison, Parker, Peck, Phillips, Ramsey, Sheldon, Wilson of Davis, and Mr. Speaker—23.

Absent and not voting, Messrs. Browne of Lee, and Kasson.

So the resolution was adopted.

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

*Resolved*, That the reporters of the different newspapers be furnished with desks on the floor of this House.

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

*Resolved*, That the Secretary of State and Adjutant-General be directed to furnish each member of the House with a copy of the Adjutant-General's Report for 1863, and that the Secretary of State furnish each member of the House with one copy of the Reports of 1864 and 1865, and two copies of the Report of 1866, and three copies of the Report of 1867.

Mr. Williams, of Winneshiek, moved that a committee of two be appointed to inform the Senate, that the House is now ready to go into joint convention for the purpose of hearing the Governor's Biennial Message, which motion prevailed.

The Chair appointed Messrs. Williams, of Winneshiek, and Rippey, as such committee.

Committee returned and reported that they had performed their duty, and were discharged.

Mr. Rees moved that the House take a recess of five minutes. Carried.

The House was called to order, when the Senate, preceded by the President, entered the hall and took seats assigned them.

Lieut. - Gov. B. F. Gue called the joint convention to order, stating that it had met for the purpose of receiving the Biennial Message of his Excellency, the Governor.

*Gentlemen of the Senate and House of Representatives :*

In communicating to the General Assembly the condition of the State, as enjoined by the Constitution, I am permitted to review, with sincere gratification, a period of uninterrupted prosperity in the history and growth of our Commonwealth.

The success of our financial transactions during the last biennial term, with public and private faith co-existing and unimpaired, inspires confidence in our fiscal relations, and relieves us of any reasonable apprehension of future derangement. The prosperity

of the people in their various pursuits, and the ample returns they have realized from well-directed industry, have enabled them to discharge their obligations to the State government with commendable promptitude, and impart vigor and stability to the execution of its powers.

An exhibit of our fiscal operations will show that, while we have been liberal in appropriations designed to promote the public interests, we have also been just to ourselves by observing a system of economy that has confined the total expenditures of the State safely within its available resources. The result of this considerate policy is observable in the facts that the State is not only free from embarrassment, and, as will be seen, practically exempt from debt, but the resources at our disposal, after meeting all demands, arising from current expenditures and appropriations for special and extraordinary purposes, will furnish the basis for a liberal estimate of future disbursements.

While the State disburses more revenue now than at an earlier period, yet it by no means follows that there is less frugality in the management of its finances. As a state advances in age and population, its fiscal responsibilities become more extended and complex. Not only is the necessity for ordinary outlays continued and increased, but new exigencies arise for the application of its revenue.

All governments derive their support from that form or system of taxation, which the circumstances of the country, and the condition and pursuits of its people render most expedient and available. Accordingly, a wise government will so direct its affairs, and determine the limits of its expenditures, that the revenue required for the performance of its functions may be obtained without oppression or delay. Within these legitimate boundaries, taxation ceases to be onerous, and herein also a well-constituted government exemplifies the soundness and wisdom of its financial policy.

Among the grave subjects to which your attention will be earnestly directed during the present session, none will be more important than those measures demanding special appropriations of the public revenue. While it is my conviction that the people of Iowa will freely meet taxation on a scale adequate to the maintenance of the public credit, and the proper support of their state government, I am nevertheless admonished by well developed symptoms of monetary derangement, consequent in part upon hazardous experiments with the national currency, that extravagant or inconsiderate appropriations, in the midst of this uncertainty, may produce unnecessary embarrassment.

#### FINANCIAL STATEMENT.

The Reports of the Auditor and Treasurer, herewith presented,

will furnish you with a detailed statement of the financial transactions of the State, under the various appropriations made by the last General Assembly, and also with the estimated resources and expenditures for the present biennial period.

At the close of the fiscal term ending November 4th, 1865, there was a residue of \$47,236.62 remaining in the Treasury, which entered into the resources of the period that has just expired. Including this residue, there was received into the State Treasury during the last fiscal period from all sources, \$1,412,395.19, and the total disbursements during that time amounted to \$1,314,654.74 leaving an unexpended surplus, November 2d, 1867, of \$97,740.45.

These statements show that, notwithstanding the unusually large disbursements required under the appropriations of the last session, the increase of salaries, payments on the public debt, and the various exigencies which augmented the total of ordinary expenditures, we have, out of the revenue thus received, carried the State through the past two years without incurring new liabilities, and have left a larger balance in the treasury than has been found there at the close of any preceding fiscal period.

In order to understand this exposition more clearly, it may be well to state that nearly \$300,000 of these disbursements were required under the extraordinary appropriations made to the Orphans' Home, Agricultural College, Asylums for the Blind and for the Insane, and other purposes, including also \$114,000 in liquidation of the bonded debt of 1858. Deducting these items from the total expenditures, and it will be observed that the ordinary outlays of the state government during this time were materially curtailed from the former period.

The estimated expenditures for the present fiscal period is \$941,659.31, and to this amount must be added, of course, such appropriations for special and extraordinary purposes as the General Assembly in its wisdom may consider necessary for the public good. The resources for the next two years are estimated at \$2,175,754.21, which may be anticipated with reasonable certainty. In this amount is included \$300,000 due us from the United States on claims for military expenditures, which are now in process of successful adjustment, and will, as I am advised, be audited and paid at an early day.

#### PUBLIC DEBT.

Since the adjournment of the last session, we have, as before remarked, discharged \$114,000 of the bonded debt of 1858, leaving \$86,000 unpaid; but as the bonds are overdue and the State has taken the proper steps to liquidate them, they ceased to draw interest from the first of the present month. Although these bonds were not due, yet the entire amount of them would have been paid over one year ago, if their surrender for payment could have been



procured. Deeming it advisable to save for the State the accruing interest on these bonds, the treasurer and myself made diligent inquiry for them among the leading bankers of the country, but our efforts to find them, except as to the amount already paid, were unavailing. The amount required to liquidate the balance of this indebtedness is on deposit at the Metropolitan Bank, New York, and will be disbursed on presentation of the bonds.

There being no warrants outstanding, the only remaining indebtedness of the State is the \$300,000 of seven per cent. bonds, issued for war and defense purposes in May, 1861, and due January 1st, 1881. Whether the holders of these bonds could be induced to surrender them for payment, in advance of their maturity, I am not advised; but if this desirable arrangement can be effected, I would recommend that out of the proceeds derived from our claims against the United States, the amount required for this purpose be appropriated and set apart. These bonds having been issued in raising money for military expenditures incurred in behalf of the Federal Government, there would be a manifest propriety in applying the proceeds derived from this source to the extinguishment of the debt thus created; or, in other words, to so manage that this debt will pay itself.

This measure may receive additional weight from the reflection that by adopting it, we shall save to the State \$21,000 as interest annually paid to the holders of the bonds. The policy of permitting our obligations to remain outstanding for a series of years at this high rate of interest, when the State has the means at hand to discharge them, is one which can not be justified by principles of sound economy. But if the surrender of these bonds can not be secured, would it not be advisable, as a measure of economy, to invest the requisite amount, when received from the United States in some class of interest bearing securities, and thereby relieve the people from the burden of this accruing interest. With the principal so invested, we could anticipate the maturity of the bonds, and effect thus early the practical liquidation of the entire debt.

The total amount anticipated from the payment of these military claims exceeds \$500,000, and appearances now indicate that we shall realize the whole amount within the present year.

The record here presented, reaching back to the commencement of the late civil war, and embracing a period of imminent peril to the national government, and of grave responsibility to the States, may be contemplated with profound satisfaction by every citizen of Iowa.

#### POPULATION.

Twenty-one years have elapsed since this Commonwealth passed from its territorial condition, and became a member of the Federal

Union. Within a period quite brief, when compared with the history and progress of older countries, this generation has witnessed the origin and marvelous growth of a state that now contains one million of inhabitants, and which, in all the elements of continued advancement and enduring wealth, bids fair to exceed the highest anticipations of its early settlers. The rapid progress we have already made under circumstances which, during most of this period, were quite unfavorable to a speedy development of our resources, is the result of obvious and natural causes. Organized out of territory which the Fathers had wisely dedicated to Freedom, with a genial and invigorating climate, with a soil of unsurpassed productiveness, and amply supplied with the materials required in the various departments of industrial enterprise, the foundations for the prosperity and ultimate greatness of this State existed at the very period of its birth.

The history of Iowa as a distinct political organization dates from July 4th, 1838, when it was created a Territory, although it was not until the 28th of December, 1846, that it became a sovereign State. We started as a Territory with 22,859 inhabitants, and, at the time of its admission, the State contained a population of 97,588, principally confined to the earlier settlements along the eastern border, and in counties most convenient of approach from the Mississippi River. Of this population the counties of Lee, Van Buren, Des Moines, Henry, Dubuque and Jefferson contained over one-half, and there were only twenty-one other counties which, at that date, had reported any inhabitants at all.

When it is considered that the State contains no navigable streams within its boundaries, that during ten years subsequent to its admission it was entirely destitute of railroad-facilities, and that more than two-thirds of the immigration was compelled to reach us by toilsome journeys over rude and often impassable wagon-roads, the subsequent rapid increase of our population appears altogether remarkable.

During the ten years that followed our organization as a Territory, the average yearly increase of population was 11,196; and during the succeeding ten years, ending in 1858, the average increase per annum was 46,404. It will be observed that this last decade embraces the heavy immigration we received from 1854 to 1856, during which years, as the older citizens will not fail to remember, the population of the State was augmented more rapidly than at any other equal period of its history. The total increase for these two years was 193,400, or a yearly average of 96,700, showing that our advance during this period was greater than the entire population under the national census of 1850, and that our increase in a single year was equal to the total growth of population from the first settlement of the Territory up to the time of our admission as a State.

We now approach a period during which, in consequence of the



late civil war, the population, commerce and general progress of the State were seriously retarded. From the taking of the national census of 1860 to the close of the rebellion, a period of nearly five years, the entire increase of population was only 79,186, producing a yearly average of less than 16,000. In the midst of so much derangement and calamity, while the young and enterprising men of other States were so generally devoting themselves to the public service, and while one-ninth of our own people were connected with the national armies, it may be regarded as worthy of note that our population should have increased even to this extent. Since the return of peace, however, the State appears to have developed new energies, and received a wonderful impetus in every department of enterprise. The census returns for 1867 show a total population of over 900,000, and an addition since the census of 1865 of about 150,000, or nearly double the total amount of our growth during the five years which terminated with the rebellion.

In representing the present population of the State, I have only given the number actually returned by the different township assessors, who, in too many instances, are neither accurate nor thorough in their work. These returns having been made early in the season, include but little of the spring and none of the summer and fall-immigration. They also omit the productions of the last, and confessedly the most prosperous year with which Providence has blessed our State. From careful observation and a thorough analysis of the data thus furnished, I feel altogether warranted in saying that there are, at this time, not less than 100,000 inhabitants not included in the census of last year, which, added to the number returned, give us 1,000,000 as the present population of the State.

It is gratifying to contemplate that while we have thus steadily gained in population, the material wealth of the State has been augmented at a corresponding rate, and the labor and enterprise of our people have been abundantly rewarded. Upon this subject the census returns carefully compiled and published by the Secretary of State, will afford much interesting and valuable information. It will appear that with the advance of railroad enterprises, there has been a rapid appropriation of our vacant domain to agricultural purposes, and that far in the interior, and on the western slope, flourishing towns, and even cities, have sprung up at points where, until recently, the adjacent country has remained in its primeval condition. The rapid and constant yearly addition to the number of cultivated acres indicates the progress of agricultural interests, and the immense annual surplus of grain and stock, shipped to the markets of other States, demonstrate beyond all question that our soil and climate are favorable to the highest measure of agricultural development.

It is not, however, in the pursuit of agriculture alone that the

enterprise and wealth of our people are advancing. In the general development of our varied resources, other departments of enterprise and of remunerative labor are likely to command a large share of attention, and realize an adequate measure of success. Our coal, peat, gypsum, rock, timber, and plentiful supplies of water, together with the various kinds of raw material produced within the State, or readily obtainable in exchange for our own productions, present the strongest inducements that can exist for the introduction and promotion of manufacturing enterprises. That these advantages are already understood and realized is sufficiently illustrated by the fact that the capital employed in manufacturing purposes, as shown by the census returns of last year, amounts to \$15,757,599, and that the capital thus invested has been more than doubled within the last two years.

It would be well if the people of this State more fully realized the important fact that the various implements adapted to agricultural and mechanical pursuits, and the machinery required in various manufacturing purposes, may be abundantly supplied by the labor of their own artisans and mechanics. The vast sums now annually expended in the purchase of these articles from the princely establishments of the Eastern States should be retained to augment home capital, and encourage the enterprise and reward the industry of our own citizens. We should understand, as a grave question of political economy, that buying more than we sell, whereby the balance of trade is turned against us, exhausts capital and prevents the accumulation of wealth. I hope to see the attention of our people more fully awakened to the importance of a subject which so intimately concerns individual interests not only, but also the general welfare of the State.

#### COMMON SCHOOLS.

The carefully prepared and comprehensive report of the Superintendent of Public Instruction, will explain to you the condition and progress of our common schools. If shielded, as they wisely have been for several years, from the disturbing hand of attempted legislative improvement, and if liberally sustained by an intelligent public sentiment, our common schools may continue to advance in usefulness, and become an enduring monument to the eminent men by whose wisdom this admirable system of popular education was devised.

Our law generously extends the benefits of common school education to all persons within the State, between the ages of five and twenty-one years, while in many States school ages begin at six and end at fifteen or eighteen years. In this manner the total number to be provided for is largely increased, and educational advantages are thereby more widely extend. The enumeration for 1867 shows the whole number of persons of school age to be

372,969, being an increase over the former year of 24,471. The total number of teachers employed during the last year was 10,343, and an addition of one thousand to that of the preceding year, and showing that for every number of thirty-six persons having a right to common school privileges, one teacher has been employed. There are 5,454 school-houses reported, making an average of fifty-six for every organized county in the State, many of which counties contain less than one thousand inhabitants each, and averaging over five school-houses to each organized township. And these, it should be remembered, are independent of the sixty-two academies, colleges and universities established at different points in the State.

The total amount expended for the support of common schools during the last year, was \$2,069,597.82, making eight dollars and four cents paid for each pupil in attendance during the year, and five dollars and fifty-five cents per capita for the entire number of school age, and the sum of two dollars and twenty-nine cents per capita for the entire population of the State, as shown by the recent census.

Without going into farther details, I submit the foregoing facts as sufficient to illustrate the practical workings and great success of our common school system. These liberal and wise provisions for the diffusion of educational advantages impartially among the youth of all classes, furnish contributions of imperishable value to the legacy which the people of this generation will bequeath to posterity.

I heartily concur with the Superintendent in his well-matured suggestions in favor of the establishment of a Normal School, and respectfully invite your attention to the views presented on this subject in my communication to the Eleventh General Assembly.

#### STATE UNIVERSITY.

The report of the Trustees of the State University at Iowa City will be laid before you. The additional building provided for under the appropriation made by the General Assembly in 1864 is completed and is now in use. The high rank which such a seat of learning should occupy, the fact that it is permanently established by the Constitution and placed under our control, and that its endowment is not fully adequate to its current wants, all impose upon the State peculiar obligations. Whatever, therefore, will contribute to the advancement and promote the usefulness of this valuable auxiliary to our educational system, should be promptly afforded.

#### CHARITABLE INSTITUTIONS.

The reports of the proper officers having charge of the Insane,

Blind, and Deaf and Dumb, prepared with evident care and much labor, will explain with intelligent particularity the past transactions and present condition of their respective institutions.

It affords me much pleasure to assure you that these institutions, under their present management, are fully sustaining the high reputation they have hitherto borne. As the State advances in population, the unfortunate class of citizens for whose benefit these institutions were designed will continue to increase in number, and require additional facilities for their accommodation and treatment. The duty of providing for these afflicted persons, is one of unavoidable obligation, and appeals, with peculiar force, to the noblest sentiments of our nature. Whatever is required to ameliorate their condition, and promote their comfort, should be promptly and generously bestowed. To withhold the means necessary to render the capacity of these institutions adequate to the growing demands upon them, because of the pecuniary burden imposed, is equivalent to saying that considerations of dollars and cents are of greater moment to the people of Iowa than the performance of Christian obligations.

The inadequacy of the building at Iowa City, now temporarily occupied as a deaf and dumb asylum, induced the General Assembly at its last session to pass an act permanently locating this institution at Council Bluffs. By this act commissioners were appointed to select the location, procure the plan and specifications for the building, receive proposals for its construction, and put the same under contract. It was also made the duty of these commissioners to report their proceedings to the Governor, on or before the first of October last, which report he was required to transmit to the General Assembly for its approval. This report was received too late for any examination at this department. I am advised by the commissioners that the delay has been occasioned by the destructive fire which occurred in that city in June last. I am informed, however, that the plan for this building has been selected, and a contract entered into for its construction, at a cost of \$310,000. An eligible site has been selected for the institution, within the required distance of that thriving city. It now remains for the General Assembly to determine whether the action of these commissioners shall be ratified, and the amount of money appropriated necessary to erect this building according to the plan adopted, and at the cost agreed upon in the contract. This subject is invested with so much importance, in all its bearings, that I can not too strongly urge it upon your careful and considerate attention.

#### ORPHANS' HOME.

The Home established for the care and maintenance of the children of our deceased soldiers is recommended to your thoughtful care. This institution, first established as a private corporation,

and supported by voluntary donations from soldiers in the army and other sources, was finally adopted by the State and taken under its exclusive authority. The principal department is established near the city of Davenport, with branches at Cedar Falls and Glenwood. By this distribution the Home is rendered more accessible to the children of the State entitled to its benefits. It affords me pleasure to state that this institution is in excellent condition, and appears to have been managed with much practical ability and economy. Schools have been established and conducted by a competent corps of teachers, thus combining educational advantages with the support of the children committed to its care.

Under the act of the Eleventh General Assembly, by which the State assumed the control of the institution, a levy of three-eighths of one per cent was required to be made for its support, allowing eight dollars and thirty-three cents per month for each child in attendance. Since this change occurred, July 1st, 1866, the sum of \$101,864.58 has been drawn upon the proper vouchers from the State Treasury for its support. The report of the Trustees, which will be submitted for your information, shows the total number of children now maintained at the Home to be 834, distributed as follows: Davenport branch, 537, Cedar Falls, 270, and Glenwood 27. The trustees recommend that the allowance for support and current expenditures be increased to the rate of twelve dollars per month, for each child in attendance, which amount, in their opinion, will furnish no more than an adequate support for the proper and efficient maintenance of the institution. They also recommend that the buildings be improved and extended, in order to provide suitable accommodations for the present and increasing number of inmates. For this purpose, according to the estimate of the Trustees, about \$27,000 will be required.

This subject deserves and should receive your deliberate and considerate attention. The responsibility of providing for these children was assumed under a sense of duty to the men who nobly filled the largest measure of responsibility to the country, by laying down their lives in its defense; and, in doing this, we but discharge, to a limited extent, the highest obligation that can be imposed upon a patriotic and grateful people.

#### PENITENTIARY.

Your attention is respectfully invited to the condition of the penitentiary, and to the necessity which exists for additional appropriations to increase its capacity and security. The report of the Warden and accompanying documents will fully explain to you the condition and wants of this institution. The necessity for an increase of cell-room is so manifest and urgent that I trust it will receive your prompt and favorable attention. The biennial period just elapsed began with eighty-seven convicts, and one

hundred and forty - eight cells, and closed with one hundred and sixty convicts, and one hundred and sixty - two cells, leaving only two unoccupied. It will be observed that the number of convicts has nearly doubled within the last two years; and with the progress of population it is but reasonable to anticipate a continual increase of crime, requiring additional facilities for the keeping and accommodation of convicts.

It should be borne in mind that these additional cells must be provided for immediately, unless the State is prepared to adopt the vicious and discarded system of doubling the convicts in their cells, which is prejudicial to health not only, but destructive of proper discipline.

With the large amount of combustible material unavoidably kept in the various workshops and about the prison inclosure, the danger from destructive fires is constant and imminent, and its occurrence would produce immense loss both to the State and the lessees of the convict labor. To provide against such a catastrophe, inasmuch as no insurance can be effected upon the buildings or their contents, it is necessary to construct a reservoir of sufficient dimensions, at some point on the prison walls, with suitable pipes and other fixtures requisite for flooding the various buildings when necessary, in any alarm of fire. This reservoir must be supplied with water obtained from the river by means of hydraulic power; all of which, as I am advised, can be accomplished at a moderate expense to the State.

The accounts and vouchers of the warden have been examined from time to time and found to be correct. The business and affairs of this institution appear to have been managed, in all respects, with commendable prudence. Its sanitary condition is excellent, not a death having occurred among the convicts during the last two years, and the good order and system which prevail are evidence that the discipline of the prison is efficient and complete.

#### STATE REFORM SCHOOL.

The report of the warden shows that out of one hundred and sixty convicts now in the penitentiary, there are 59 under twenty one years of age, and 34 of these vary in age from twelve to eighteen years. An examination of our criminal returns will reveal the melancholy fact that a very large and increasing proportion of those arraigned in our Courts, upon criminal accusations, are persons of tender age, many of whom find their way into the penitentiary, there to serve for a term of years in companionship with old and confirmed offenders. A large majority of these unfortunate youth are either orphans, cast out upon their own resources, or the neglected offspring of parents who are either too poor to support, or have, with criminal indifference, neglected the education and moral training of their children. Thus neglected, or deprived of



the restraining influences of a well-ordered home, these unfortunate children are often driven into association with older companions, by whose corrupting manners and vicious propensities they are conducted, by sure degrees, into the perpetration of crimes, from which their better natures, if they had been properly directed, would have turned with horror.

Some years of observation and experience both as a judicial and executive officer have deeply impressed me with the conviction that the soundest considerations of public economy, and every sentiment of an enlightened and Christian philanthropy, imperatively demand the erection of a reform school, for the instruction and reformation of juvenile offenders. Instead of working the reformation of such persons, a term in the State Penitentiary, by keeping them in the pernicious atmosphere of prison-life, constantly subjected to the demoralizing influences of confirmed and hopeless criminals, only serves to prepare them for entering upon a higher and bolder career of crime.

Many other States have deemed it expedient to adopt the policy here suggested, and the signal success which has marked the experiments of Reform Schools, and their universal popularity wherever they have been tried, serves to encourage me in urging the General Assembly to establish one in this State at the earliest day practicable. For this purpose, I would recommend that a tract of land, say from fifty to one hundred acres, be procured by donation or otherwise, at some eligible and convenient point, and that an appropriation be made for the erection of suitable buildings to put the school into immediate and successful operation.

Reference should be had to the erection of workshops where these offenders may also acquire a knowledge of some mechanical art, which, combined with well-directed intellectual and moral instruction, will serve to qualify them for a useful manhood, and stimulate them to higher and nobler aims after their terms of sentence shall have expired. With the income derived from these industrial operations, the institution may also, to a great extent, if not altogether, be rendered self-sustaining.

In my opinion a subject more grave and far-reaching in its character can not engage the attention of an enlightened and humane legislator.

#### SCHOOL - FUND.

I respectfully and earnestly renew the suggestions contained in my biennial message to the Eleventh General Assembly, in reference to the urgent necessity of requiring the permanent school-fund, now on loan to the counties, to be returned to the State Treasury, for the purpose of a more safe and available investment.

This suggestion did not originate with me, nor am I alone in entertaining the opinion that it has become a subject of grave

concern. My predecessors, Governors Grimes, Lowe and Kirkwood, wisely directed legislative attention to this subject and, in forcible terms urged the necessity of a more prudent management of this fund. In these views they were cordially sustained by the accounting and financial officers of the State, whose duties and means of observation entitled their opinion to additional consideration. But, for reasons which I am unable to understand, these wholesome recommendations have been disregarded, and this sacred fund, which the Constitution commits to our care, is permitted to float about the State under the precarious guardianship of county authorities. The immense and continued losses already resulting to the State, is deemed a sufficient argument to illustrate the impolicy of thus creating a hundred local banking shops out of this invaluable fund, designed for the education of our youth. The principal of this fund has already been diminished to the amount of over \$125,000; and while the State has obligated itself to pay to the schools interest on the entire amount at the rate of eight per cent., yet the aggregate of interest actually realized, owing to these losses, is only six per cent. on the entire principal, constituting thereby an annual loss to the State in this direction of \$50,000. Under the Constitution, the State is made the responsible guardian of this fund, the principal of which is intended as a permanent endowment to our common schools, the interest thereon being applied to their temporary support.

The State is thus rendered liable for every dollar of both interest and principal, and the people must inevitably be taxed to reimburse all losses which occur. How long this loose manner of performing constitutional obligations will continue, is a question which rests in the sound discretion and foresight of the General Assembly. I can not, however, divest myself of the conviction that our imperfect discharge of this solemn trust is a dereliction of duty, which must, in the calm judgment of posterity subject us to merited reproach.

The efforts of the present Auditor to obtain a satisfactory settlement with the delinquent counties have, owing to the imperfect manner in which their accounts are kept, so far resulted only in partial success. The county of Allamakee acknowledges the receipt of \$113,144.61 from this fund, over \$22,000 of which, so far as the State knows or can ascertain, have been lost sight of since the month of June, 1865. Losses of a similar character might be cited from other counties.

I therefore again recommend and urge the General Assembly to recall this money from the counties, and appropriate it to the establishment of normal and reform schools, or other State institutions; and that bonds be issued therefor to the school-fund, bearing interest at eight per cent., and payable semi-annually.



## STATE HOUSE.

The unsafe condition of the present State House, with its cracked walls and insecure foundation, and its admitted incapacity for the purposes required, will suggest to your minds the urgent necessity for the construction of a new edifice of a size and character commensurate with the prospective demands and just pride of the State. Constructed largely of wooden materials, with articles of a combustible character scattered through its various apartments, and having no vaults or fire-proof rooms as safe depositories for the documents, libraries, and archives belonging to the State, the building we now occupy, with its invaluable contents, is at no time secure from total destruction by fire. It is impossible to contemplate the magnitude of the loss that would result to the state from such a calamity, and the bare possibility of its occurrence is deemed sufficient to command your intelligent consideration of the subject.

In the prosecution of this work, if it be done in a proper and substantial manner, we can not economically expend more than \$150,000 per annum. An appropriation of this amount from year to year, basing our estimate in part upon the continued increase of taxable property, will require an average yearly assessment of less than one-twentieth of one per cent.

As to the plan and dimensions of the proposed structure, I shall interpose no views or suggestions of my own. The whole subject must be left to the considerate judgment and intelligent action of the General Assembly. We should bear in mind, however, that this edifice is not designed for the use of this generation only, but for future generations also; and in laying its foundations we should endeavor to anticipate the probable requirements of the State for many years to come.

It matters not how soon this building is commenced, or how vigorously the work may be advanced, a period of six to ten years will necessarily elapse before it can be completed, ready for occupancy. The durability of the edifice, and its perfect security from fire and other casualties, are the leading and essential objects to be kept in view, and to this end, it should be constructed entirely of stone and other incombustible material.

In my judgment every year's delay in the erection of a new Capitol, is unwisely jeopardizing the best interests of the State. I would, therefore, recommend that Commissioners be appointed to determine the plan, character and dimensions of the building, under such directions as you may consider advisable to adopt, and that they be empowered to commence the work at the earliest day practicable, and that an appropriation be made sufficient to carry it forward until the next meeting of the General Assembly.

## GOVERNOR'S MANSION.

In retiring from the Executive Chair, I deem it my duty to recommend and urge upon the General Assembly, as a provision eminently calculated to advance the public service, that a suitable residence be provided for the incumbent of this office, and that he be required to reside at the Capital during his official term. While in a position to be personally affected by it, I could not with propriety have made this recommendation, and anticipating that the distinguished citizen who succeeds me may be restrained by like motives of delicacy from making it the subject of an official communication, I am constrained to avail myself of the opportunity now presented to urge this subject as a measure demanded alike by the interests and the credit of the State. Iowa is among the very few states which have not already adopted such a provision. Since its organization, the Executives of the State have never been required to reside at the Capital, neither have they done so; and I feel well assured that until an Executive mansion is provided, or a material addition made to the salary, none will, in the future, desire to incur an expenditure far in excess of the compensation allowed by law. Although during the period of my first administration, in consequence of the military responsibilities it involved, the duties were unusually diversified and extended, yet even then, had my residence been at the Capital, I could have given much more attention to the ordinary business of the Executive office which, owing to absence, I was compelled to entrust to others. My own experience, therefore, as well as general observation, have impressed me with the importance of this addition to the office of Governor, and I can not, therefore, too strongly urge it upon your attention.

## PUBLIC LANDS.

The report of the Register of the State Land Office will furnish the General Assembly with an accurate and comprehensive view of all matters connected with the several grants made by Congress for the benefit of the State.

Since the former report from that department was submitted, there have been patented to the State, under the several grants for educational purposes, 67,979 acres of land, all of which has been sold and patented by the State to individual purchasers. The claims for Swamp Land and Indemnity, filed by the different counties, are being earnestly pressed before the proper department at Washington, and I am able to assure you that they are gradually approaching a final and favorable adjustment. During the last biennial period, and up to the date of Col. Carpenter's report, the state has received, under the Swamp Land grant, patents for 247,947 acres, and since the date of said report patents for 42,720

additional acres have been received at the Executive office. These lands have all been patented to the proper counties, in pursuance of law and of the grant made by the State.

It will be observed that questions of an intricate and somewhat vexatious character, arising from adverse claims to lands embraced within the respective limits of the railroads and Des Moines River grants, remain unadjusted, and are likely to produce still further conflicts between these rival grantees and those who claim by purchase from them. But, as the settlement of these various and conflicting claims involves the adjudication of legal questions, and a judicial interpretation of the Acts of Congress under which these grants were made, it is obvious that legislative action, however prudently devised, will contribute but little toward their ultimate determination.

#### RAILROADS.

While some of the railroad companies organized under the various land grants made by the State, have failed in many respects to comply, even substantially, with the conditions of their grants, yet, in view of the many difficulties which have confronted their efforts heretofore, and the assurances now given of an earnest and vigorous prosecution of their respective enterprises, we shall, in my judgment, be fully justified in the exercise of still farther leniency toward them.

It is manifestly the part of wisdom to encourage and assist, by well conceived and liberal measures, the prosecution of these needed enterprises in our State. Any system of legislation therefore tending to their discouragement, should be avoided, unless clearly demanded by considerations promotive of the public good.

I regret, however, that I am unable, with due regard for the public interest, to approve the conduct of the Dubuque and Sioux City Company, or commend their transactions to your favorable attention.

Under the provisions of the Act adopted by the General Assembly, at its extra session (in July, 1856) this company became the beneficiary of the grant designed to secure the construction of a railroad leading from Dubuque to Sioux City, and this valuable donation was accepted from the State with all the terms and conditions imposed. A large portion of this grant has already been absorbed by the company, in various ways, by pretended sales and incumbrances. This road has been constructed to Iowa Falls, a distance of one hundred and forty - three miles from Dubuque, but I am unable to discover any reliable evidence of earnest intention on the part of this company, to construct the line to its terminal point on the Missouri river.

The General Assembly need not be reminded that the development of the extensive and fertile region west of the Iowa river,

would be greatly accelerated, and the State largely benefitted, by the early construction of this road as originally contemplated. It becomes our duty, in the judicious exercise of conceded authority over the subject, to so provide that the unappropriated portions of this grant shall be faithfully applied to the early completion of that enterprise. As the present company can not pretend to have complied with any essential conditions of their grant, their past derelictions and evidences of bad faith have been such as to preclude confidence in any assurances they may offer for the future.

I therefore earnestly recommend that the General Assembly pass an act, resuming to the State the control over these lands, and that they be held by state authority for the benefit of some responsible company that will prosecute this work to its final termination.

#### PUBLIC SURVEYS.

The surveys of the State have been entirely completed ; and the office of Surveyor General discontinued by the United States. The possession of the various surveys, field - notes, maps and other records of that office by the State, is of great value for purposes of general reference and public information ; and is almost indispensable to the accurate performance of the duties of the Register of the State Land Office. These archives can not be turned over to this State until the General Assembly shall by law have provided for their reception and safe keeping, and for free access to them by the authorities of the United States.

In view of the great importance of these documents, I would urgently recommend that the State at once properly accept the custody of these surveys and records, and suggest the Register of the State Land Office as the proper person to be made custodian, and his office as the most desirable place to deposit.

#### GEOLOGICAL SURVEY.

The reports for the years 1866 and 1867, of the State Geologist and assistants, comprising all copies of the articles communicated from time to time to the papers of the State, have been received and will be laid before the General Assembly. The State Geologist has conducted the labors assigned him with praiseworthy energy and faithfulness ; and, although his work, on account of its scope, is only partially performed, yet it has already developed practical information of great value to the people of the State. Whatever tends to open up and make known in authoritative and reliable form the resources of Iowa, should receive your careful attention.

I recommend that a new appropriation be made, and that Dr. White be instructed to complete the geological survey as already

inaugurated, by December, 1869, and prepare in due form a full and accurate report for publication.

#### MISSISSIPPI RIVER IMPROVEMENT.

I am officially advised by Major-General J. H. Wilson, engineer in charge of the Mississippi River Improvement, that in prosecuting this enterprise, it will be necessary to enter upon and appropriate real estate owned by individuals, bordering upon the river.

The only restriction, imposed by constitutional provisions, upon the taking of private property for public use, is the requirement that just compensation shall be made or secured therefor to the owner. I am unable to discover any law of this State applicable to the case, and without some legal mode being provided, authorizing the accredited agents of the United States to use and appropriate the land required, unnecessary delays may occur in the prosecution of the work. In order, therefore, to avoid the likelihood of any hindrance in the advancement of this great enterprise, from the want of proper state action, and to relieve these agents from the necessity of perplexing controversies with individuals, I respectfully recommend the early enactment of a law, authorizing the United States to appropriate private real estate along the Mississippi River, to the extent of 1,500 feet therefrom in width, when required in aid of said improvement, and determining the mode of assessing the damages by jury, the United States paying or securing the compensation awarded to the owners, before using the property condemned.

Improvements designed to enlarge the avenues of commerce and equalize its advantages, are, at all times, considerations of such vital and universal importance to the country, that a more extended and explanatory view of this great enterprise may not be deemed out of place in this communication.

The only serious natural impediments interposed to the navigation of the Mississippi River, between St. Paul and New Orleans, exist along the borders of Illinois and Iowa in the form of what is known as the Des Moines and the Rock Island Rapids. These rapids, though quite dissimilar in their formation and general characteristics are so developed as to render the navigation of this great stream, at certain seasons of the year, exceedingly hazardous and sometimes impassible for boats of ordinary tonnage. By reason of these obstructions the Northwestern States especially, are deprived of the inestimable advantages which this great commercial highway would otherwise afford. By removing these obstructions a safe and uniform medium of transit would be opened to the commerce of these states, from St. Paul to the Gulf of Mexico. The annual productions of this vast agricultural region, so largely in excess of local demands, would thereby secure a cheap and reliable

mode of transportation to the markets of the Atlantic sea-board. To what extent the agricultural interests of the entire North-West would be promoted by this inter-state achievement, I need not undertake to show; indeed, its real magnitude, viewed with reference to the future, surpasses all computation. In my judgment the period has arrived when the substantial interests of this portion of the country require some system of transit-facilities, whereby the enormous cost of transporting agricultural productions may be essentially reduced. The injudicious and discriminating system of railway tariffs now existing, is the subject of almost universal complaint, and by some is regarded as the most effectual means that ingenious selfishness can devise, for subordinating the proceeds of industrial pursuits to the interests of an imperious monopoly. And the people of these producing States, unless blind to their own welfare, will readily embrace that mode of transmission which imposes the lightest tax upon their productions. The profit realized by the producer is measured by the difference between the actual cost of production, and the price obtained for the commodity, after deducting therefrom the amount expended in getting it to market. It is obvious, therefore, that every dollar which the farmer pays in transport duties diminishes to that extent, the real value of his product, and augments, in like proportion, the amount of his inert capital. The sum expended in transportation, curtails the profits of the producer, and increases the cost, without enhancing the value of the product, to the consumer. The different modes of transportation being questions of relative waste or loss, considerations of economy require the adoption of the cheaper and equally available mode.

A reference to well ascertained facts, will afford us much light in solving this question. The cost of river transportation does not exceed two and one-half mills to the mile for a ton of average freight, ocean one and one-half, lake two, and canal five, while that of railway ranges from twelve to fourteen mills per mile. The loss to the producer in transportation by water, being so materially less than that by rail, most clearly recommends the former as the superior mode, whenever accessible. This comparison also discloses the fact, that the agricultural productions of this State can reach New York City at cheaper rates by river and ocean transit, than by railroad, lake and canal; and when the intermediate delays of transshipment are considered, it may not be inaccurate to assume that the latter is also a less expeditious route.

Nor is this the only or most important consideration involved. Being deprived of the advantages of continuous river transportation, the farmers of Iowa are practically excluded from the desirable markets of St. Louis and New Orleans, and deprived of the advantages which a more intimate commercial intercourse with those great cities would afford.

The most practical remedy for existing complaints will be found



in the establishment of rival transit lines, and the choice of competing and equally available markets.

Commencing in the year 1829, five different surveys of these rapids have been made by engineers detailed from the military service of the United States, and acting under orders and instructions from the War Department. These surveys, though of a general character, served to develop the extent of the obstructions, and to confirm the idea that they could be permanently removed. The most thorough and scientific survey yet made is the one recently conducted by Gen. J. H. Wilson, the accomplished engineer in charge of the work.

A brief description of the character and extent of these obstructions, may serve to illustrate the feasibility of the present undertaking to remove them. The Rock Island Rapids extend from the city of Davenport to Le Claire, a distance of fourteen and a quarter miles, developing a fall of about twenty-one feet between these points. The obstructions here presented consist mainly of a series of reefs or chains of solid rock, with navigable spaces between them.

Such being the character and extent of these obstructions, the mode adopted for removing them is, by excavating the rock from these reefs to an extent sufficient to procure a channel of two hundred feet in width, with a low water depth of not less than four feet, which will be sufficient for the safe passage of boats, with their barges attached, during the entire navigating season. These excavations are effected by means of coffer dams, chisel boats and subaqueous blasting. This work will require the removal of about 57,000 cubic yards of solid rock, at an aggregate cost of \$813,000. For this purpose Congress appropriated, in 1866, \$100,000, and in 1867, \$200,000. The contract for this work has been entered into, and if Congress makes the additional appropriation required, it will be completed during the summer of 1869.

The Des Moines Rapids extend from the city of Keokuk to Montrose, a distance of eleven miles, with a fall of twenty-one feet. These rapids are formed by a succession of reefs, or chains of rock, with only short intervals or "pockets" between them, and they form, during the low water season, a serious, and, at times, an absolute barrier to navigation. An attempt to establish a channel here for the passage of boats, by excavation, as at the upper rapids, was deemed utterly impracticable. For the improvement of these Rapids, therefore, the plan of a canal on the Iowa side was adopted. The proposed canal will be established in the bed of the river, except at two or three places where it will be necessary to make cuts through projecting points of land. The embankment on the river side will be protected by a "rip-rap" wall, and will be raised through its entire length two feet above the high water mark of 1851. When completed, this canal will have the capacity for floating the largest river steamers at any season of the year.

The estimated cost of this work is \$2,100,000, of which Congress appropriated in 1866 the sum of \$200,000, and in 1867, \$500,000, and if the required amount is provided, General Wilson expresses the opinion that the entire work will be completed by the month of July, 1869.

It is hoped that Congress will not fail to make the additional appropriations required, to complete these improvements. I trust the importance of this great work will not be overlooked by the General Assembly, and, that we may aid in its advancement, I recommend a memorial and joint resolution to Congress, urging an immediate appropriation to complete the work.

I indulge the anticipation, that, in our day, this great national artery will teem with the commerce and carrying trade of the mighty States which border upon it. I hope to see magnificent cities, with their extended and ever-increasing commerce, flourish on its banks. And what people have a higher claim to the full advantages of this noble river, than they, who during the great war, bravely covered it with the national emblem, and crimsoned its waters with their blood!

#### AGRICULTURAL COLLEGE.

The Agricultural College building is nearly completed. This structure, in its architectural designs and mechanical execution, is one of the most imposing and substantial in the State. An appropriation will be required to furnish and prepare it for use. The farm should also be stocked and greatly improved. I recommend a liberal appropriation for the purpose of thoroughly testing by an experimental orchard the kinds of valuable fruits that may be grown in the State, and the most feasible and economical methods of cultivation.

We must not hesitate to do what is required to put this institution into practical operation. When this shall have been done, its rich endowment will be sufficient to continue and sustain it. The Board of Trustees will submit their report in due time for your information, rendering the giving of details on my part, unnecessary.

#### STATE HISTORICAL SOCIETY.

The officers and members of the State Historical Society, whose report will be submitted, have labored with great care and commendable zeal in collecting and preserving facts and relics of various kinds for the purpose of completing and perpetuating the history of the State. This valuable labor has been performed under serious disadvantages for the want of that assistance which, in my opinion, it was the duty of the State to render. Its operations have so far been conducted by individual enterprise, and to



a great extent by private means. If this society, is to be regarded as a state institution, it is necessary, in order to promote its efficiency, that it be taken under state control and furnished with needed and appropriate aid.

#### CONSTITUTIONAL AMENDMENTS.

I transmit for your action the joint resolution of Congress, adopted June 16, 1866, proposing to the legislatures of the several States a "Fourteenth Article to the Constitution of the United States."

This proposed amendment embraces considerations of vast importance to the peace of the country; and is designed to secure in a more permanent form the dear-bought victories achieved in the mighty conflict carried on by the loyal men of the country for the preservation of the American Union. A large number of the States have already ratified the proposed Article; and the decision of the General Assembly of this State is now required, and I recommend that it be promptly and affirmatively given.

I discover, on examining the act (chapter 101, acts of 1866) proposing to the present General Assembly the pending amendments to the Constitution of this State, and prescribing the manner of publishing notice thereof, that grave doubts exist as to its regularity.

The Constitution (section 1, article 10) requires that three months' notice of a proposed amendment, be published "as *provided by law.*" In the enrolled bill which submitted it, and which required the Secretary of State to publish the proposed amendment in one paper in each congressional district in the State, the enacting clause, which our Constitution requires all laws to contain, was inadvertently omitted. In my opinion the validity of the act and of the notice published in obedience to it, admit of most serious doubts, and you may find it necessary to re-submit the proposition of the last session. The question thus presented should be carefully considered before any law is adopted by the present Legislature, finally submitting the proposed amendments to a vote of the people.

I feel assured, however, that you will not falter upon this great question of popular rights, as I shall not myself; and I know the people of Iowa will not take any backward step, or permit their flag to be lowered.

#### OPINION OF JUDGES.

The legislative and executive departments of the state government are not unfrequently required, in the performance of their functions, to act upon matters important to the public interest, where grave questions of constitutional or statutory law are

involved. The embarrassment experienced in such cases is greatly augmented by the fact that the immediate action of the department is required, when an error of judgment, in the legal questions concerned, may result in much detriment, both to public and individual rights. As the law now stands the members of the judiciary are not authorized to render any opinion upon questions, unless in the adjudication of a case regularly brought and submitted. To obviate these difficulties, some mode must be provided for a resort to judicial assistance in a manner that will render it authoritative upon the questions involved.

In many other states their constitutions provide that "the justices of the Supreme Court shall be obliged to give their opinion upon solemn occasions, when required by the Governor, Council, Senate, or House of Representatives."

This provision has been thoroughly tested in States where it prevails, and their experience has amply demonstrated its wisdom and utility. By this means also, much uncertainty and expensive litigation might be avoided in settling the constitutionality of legislative enactments. In the absence of any provision in the Constitution on this subject, I entertain no doubt that you have power to pass a law establishing such a regulation, and earnestly recommend that it be done.

#### COURTS.

The attention of the General Assembly is respectfully invited to the importance of introducing some material change in the structure of our judicial department, whereby the increasing business of the present courts may be curtailed, and the prompt administration of justice more perfectly secured.

The Constitution wisely provide that courts, inferior to the Supreme Court, may be established from time to time by the General Assembly. An additional court of common law jurisdiction in the more populous portions of the State, has become necessary for the speedy administration of justice, and the vindication of individual rights. To meet the present requirements, a change can be made in the organization of the county court, making it a court of quarter sessions, giving it appellate jurisdiction in causes determined before justices of the peace, and such additional jurisdiction concurrent with the District Court as you may deem it expedient to confer. This provision should be limited in its application, to counties above a prescribed minimum population. The objection that the judges of the county court are not generally chosen with a view to the performance of judicial duties, would probably cease after the court itself is thus reconstructed. Should this plan meet your approbation, it would be advisable to so provide that the new system will not go into operation until the close of the present year, and afford the people an

opportunity at the ensuing fall election to select judges with reference to the increased duties and responsibilities of the new court.

#### COUNTY AUDITOR.

Concurring with the Auditor of State in the opinion that a change can be made in the present system of county government, which will conduce to greater accuracy and dispatch in the transaction of local business, and also render more satisfactory the fiscal relations which must always exist between the State and the counties, I recommend that a law be passed establishing the office of Auditor in all counties having 15,000 inhabitants and upward. The incompatible duties now imposed upon the clerks of the district court, rendered onerous and exceedingly complicated in the populous counties, cause much delay and sometimes fatal errors in important matters pertaining to the public revenue.

#### REVENUE LAW.

Under our present revenue law, and the generally loose manner of its execution, opportunities are afforded for withholding a large amount of concealed capital from the tax lists. To a great extent, moneys and credits are not faithfully returned to the assessors, and thereby much of this class of property escapes its full share of taxation. In this manner, it can not be denied, frauds are perpetrated upon the State and local revenues. This system of abuse can, in my judgment, in part be avoided. The law should be so amended as to require the assessor to take the affidavit of every person whose property is enlisted; and return the same with the tax lists as evidence for all purposes, civil and criminal. The county treasurer should also be required, upon information received that a false return of property has been made, to summon the party before him for examination under oath, and also to take other testimony, and decide the case according to the facts. It should be the duty of the treasurer to do this, under a severe penalty for its omission. Such a law would doubtless produce beneficial results. Capital should not be permitted to assume any form or take any direction that will shield it from a just and equal share in the burdens of government.

#### REGISTER LAW.

The attention of the General Assembly has frequently been invited to the importance of a well-devised registry law, whereby increased regularity may be imparted to our electoral system, and the perpetration of frauds prevented. The purity of the elective franchise is essential to the stability and perpetuation of Republican government; and while the elective privilege should be

impartially distributed, its exercise may and should be defined and regulated by statutory enactments calculated to preserve it from abuse. I therefore repeat the recommendations heretofore made, and urge the adoption of such a law.

#### ADJUTANT GENERAL'S OFFICE AND REPORT.

In December last, on the completion of the State Arsenal at Des Moines, I directed Adjutant-General Baker to remove his office with all the property thereunto belonging, to the Capital. This building has cost some \$4,000 more than the special appropriation made for its erection, although the Commissioners have performed their duties faithfully and economically, and constructed the only fire-proof building belonging to the State. I recommend that an appropriation be made sufficient to meet this deficiency, and also to put the Arsenal and grounds in proper condition.

The report of the Adjutant General for the past year, containing the finale of the history of Iowa soldiers, and necessary to complete our record of the war, has been made to me, and will be duly submitted for your inspection. I recommend that this valuable document be printed and a sufficient number of copies ordered to supply all proper demands. The affairs of this office, from the beginning of the late war to the present time, have been conducted with distinguished ability, and have reflected great credit upon the officer in charge.

#### CONCLUSION.

Other subjects I might have presented, but space will not permit. What has been omitted, however, your individual intelligence and collective wisdom will readily supply.

Accepting this high office at a critical juncture in public affairs, the duties which devolved upon me were grave and difficult. In the discharge of these duties I have endeavored to advance the public welfare, and my conscience acquits me of any motive incompatible with the honor of the State. Whatever errors may have occurred are mitigated by the reflection, that the State has emerged from its vicissitudes, and enters upon a new period, with its finances and institutions unimpaired, with a name high on the roll of fame, and its people prosperous and contented. With these auspicious omens to cheer us, and no cloud above, the helm passes to another.

In a broader field great events have transpired. The power of treason has been crushed, although its spirit still lingers in the land. Freedom has been exalted, and a gigantic nation redeemed. From shore to shore of the great Oceans, from the Lakes to the Gulf, strong arms and resolute hearts are uniting to strengthen the institutions of liberty and perpetuate a government which their valor and blood have defended.

Will this nation pause at the threshold of destiny, and forget its noble army of martyrs? Shall the progress of the revolution started amid the carnage of war and the agonies of men, be thwarted by a perfidious arm? Iowa answers, with a voice emphatic as the thunder of her guns: No!—NEVER! NEVER!

As there is but one Throne before which all can bow, so may there exist but one form of government for all, extending its blessings, under the providence of God, until they encircle the whole brotherhood of man.

Mr. McNutt moved that the joint convention be now dissolved, which motion prevailed, and the joint convention was declared dissolved.

The Speaker then called the House to order.

Mr. Kilburn moved that the House do now adjourn until to-morrow morning at 10 o'clock.

The motion prevailed, and the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, January 15, 1868.

House met at 10 o'clock. Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of yesterday read and approved.

The Speaker announced the following appointments:

*For Janitor* — James A. Crystal.

*For Paper-folders* — M. C. Davis, William F. Tucker, and William Boyer.

*For Messenger* — Samuel Lyon.

The Chair announced committee on chaplains, Messrs. Dudley and Hatch.

PETITIONS.

The Speaker presented a memorial from Judge Cole, of the Iowa Soldiers' Orphans Home, which was ordered to lay on the table and be printed.

Mr. Kasson presented a petition from Hon. Martin J. Townsend, for legislation to encourage the growing of trees in Iowa. Referred to the Committee on Horticulture.

The oath of office was administered to Mr. Browne, of Lee county, by the Speaker.

Mr. Trusdell presented a petition from John L. Haskell, and

sundry citizens of Olinnton county, praying that women may be admitted to the Agricultural College.

Referred to Committee on Agriculture.

Mr. Rippey presented a petition from teachers of Greene county, asking for a State Normal School.

Referred to committee on education.

#### RESOLUTIONS.

Mr. Knapp offered the following resolution, which was adopted:  
*Resolved*, That the Chief Clerk, and the Assistant Clerks of this House be allowed ten daily papers each, or their equivalent in weeklies.

Mr. Rohlf's offered the following resolution which was adopted:  
*Resolved*, That two thousand copies of the Governor's Biennial message be printed in the German; one thousand in Norwegian and one thousand in the Holland; one thousand in Bohemian, and that seventy-five dollars is hereby appropriated for the translation into the different languages

Mr. Brown, of Van Buren, offered the following Resolution which was adopted:

*Resolved*, That Henry Courtney, of Polk county, and Arthur Garrett, of Davis county, be appointed messengers *pro tem* of the House.

Mr. Tillson offered the following resolution which was adopted:  
*Resolved*, That it is the policy of the State of Iowa to encourage artificial timber-culture.

Mr. Wilson, of Dubuque, moved the appointment of a committee of two, to wait upon the Senate and inform that body that the House was ready to receive it in joint convention for the purpose of canvassing the votes of Governor and Lieutenant-Governor. The motion prevailed, and the Speaker appointed Messrs Wilson, of Dubuque, and McNutt, as such committee.

On motion of Mr. McNutt, the House took a recess of five minutes; at the expiration of which time, the House was called to order by the Speaker.

Mr. McNutt asked leave of absence for himself and Mr. Burnett, which was granted.

The Sergeant-at-Arms announced the Senate, who entered the hall, and took their seats assigned them.

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 to declare the result; and that Hon. Mr. Reed had been appointed teller on the part of the Senate, and Hon. Mr. Knapp, teller on part of the House.

The Speaker proceeded to announce the votes of the several counties of the State.

Pending the counting of the votes, Senator Cattell moved that the joint convention take a recess until two o'clock, P. M.  
The motion prevailed, and the convention took the recess.

—

TWO O'CLOCK, P. M.

Joint convention met pursuant to adjournment, in the hall of the House, when the canvass was concluded with the following result :

FOR GOVERNOR.

Whole number of votes cast.....151,838  
Of which Samuel Merrill received..... 89,144  
Charles Mason received..... 62,657  
Scattering..... 37

LIEUTENANT-GOVERNOR.

Whole number of votes cast.....152,358  
Of which John Scott received..... 89,251  
D. M. Harris received..... 62,746  
Scattering..... 361

ABSTRACT

Of votes cast in the several Counties of the State of Iowa for Governor and Lieutenant Governor of said State, at the general election held on the 8th day of October, A D. 1867.

COUNTIES.	GOVERNOR.					LT.-GOVERNOR.				
	Sam'l Merrill.	C. Mason.	Thos. Mason, W. Smith, Wm. Muirley, Wm. Magoun, F. M. Knoll.	Total.	John Scott.	D. M. Harris.	T. H. Benton, Thos. Duncan, B. M. Harris, D. N. Harris, D. H. Harris.	Total.		
Adair.....	235	108	.....	343	237	108	.....	345		
Adams.....	310	132	.....	442	310	135	.....	445		
Allamakee.....	1216	1307	.....	2523	1217	1310	.....	2527		
Appanoose.....	1347	1151	.....	2498	1346	1161	.....	2507		
Audubon.....	80	92	.....	172	80	91	.....	171		
Benton.....	1510	788	22	2270	1500	759	.....	2269		
Black Hawk.....	1410	610	1	2021	1405	611	.....	2016		
Boone.....	1079	870	.....	1949	1081	873	.....	1954		
Bremer.....	1000	480	.....	1480	999	482	.....	1481		
Buchanan.....	1394	825	.....	2219	1394	825	.....	2219		
Buena Vista.....	26	2	.....	28	26	2	.....	28		
Butler.....	678	306	2	986	680	304	.....	984		



ABSTRACT — CONTINUED.

COUNTIES.	GOVERNOR.					LT.-GOVERNOR.				
	Sam'l Merrill.	C. Mason.	Thos. Mason, W. Smith.	Wm. Muffley. Wm. Magoun. F. M. Knoll.	Total.	John Scott.	D. M. Harris.	T. H. Benton, Thos. Duncan. B. M. Harris. D. N. Harris. D. H. Harris.	Total.	
Calhoun	83	51			134	83	51		134	
Carroll	113	46			159	113	46		159	
Cass	303	190			494	304	189	1	494	
Cedar	1838	1032			2870	1838	1033		2871	
Cerro Gordo	345	51		1	397	345	49	1	395	
Cherokee	40	14			54	40		14	54	
Chickasaw	758	333			1091	759	331		1090	
Clarke	741	324			1065	739	325		1064	
Clay	61	6			67	61		6	67	
Clayton	2555	1744			4299	2542	1779		4321	
Clinton	2140	1763			3903	2134	1605	66	3805	
Crawford	136	117			253	134	119		253	
Dallas	819	448			1267	820	446		1266	
Davis	1327	1219			2546	1357	1252		2549	
Decatur	863	872			1735	863	875		1738	
Delaware	1506	902			2408	1510	890		2400	
Des Moines	2158	1898			4053	2167	1881		4048	
Dickinson	102	4			107	102	5		107	
Dubuque	1915	3335		2	5252	1959	3327		5266	
Emmett	113	19			132	113	19		132	
Fayette	2124	967			3091	2127	964		3091	
Floyd	766	299		1	1066	774	292		1066	
Franklin	397	55			452	397	55		452	
Fremont	800	860			1660	799	860		1659	
Greene	301	215			516	302	214		516	
Grundy	276	8			284	278	7		285	
Guthrie	455	398			853	446	408		854	
Hamilton	464	121			585	433	151		584	
Hancock	64	24			88	64	24		88	
Hardin	1076	419			1495	1064	420		1484	
Harrison	694	603			1297	693	603		1296	
Henry	2332	866			3198	2345	856		3201	
Howard	613	339			952	616	337		953	
Humboldt	249	71			320	252	68		320	
Ida	15	1			16	15	1		16	
Iowa	1107	968			2188	1171	989		2160	
Jackson	1724	1855			3579	1731	1859		3590	
Jasper	1816	678			2495	1813	680		2494	
Jefferson	1785	1315			3099	1788	1315		3101	
Johnson	1945	2023			3968	1931	2044		3974	
Jones	1741	1204		5	2950	1750	1200		2950	
Keokuk	1494	1298			2792	1468	1311		2779	
Kossuth	217	13			230	217	13		230	
Lee	2576	3057			5633	2586	3082		5668	
Linn	2627	1171			3798	2629	1172		3801	
Louisa	1343	693			2026	1343	697		2040	
Lucas	789	670			1459	788	670		1458	
Lyon										
Madison	1183	744			1927	1183	744		1928	
Mahaska	2064	1338			3402	2065	1339		3404	



## ABSTRACT — CONTINUED.

COUNTIES.	GOVERNOR.					LT. - GOVERNOR.				
	Sam'l Merrill.	C. Mason.	Thos. Mason. W. Smith. Wm. Muffley. Wm. Magoun. F. M. Knoll.		Total.	John Scott.	D. M. Harris.	D. M. Harrison. T. H. Benton. Thos. Duncan. D. N. Harris. D. H. Harris.		Total.
Marion	2064	1969			4033	2064	1975			4038
Marshall	1884	450			1884	1884	457			1831
Mills	629	516			1145	629	517			1145
Mitchell	721	153		1	875	711	165			876
Monona	266	137			403	267	135			402
Monroe	1098	754			1850	1098	754			1850
Montgomery	261	188			449	260	189			449
Muscatine	2068	1461			3529	2072	1467			3539
O'Brien	6	3			9	6	3			9
Osceola										
Page	673	399			1072	674	399			1073
Palo Alto	39	56			95	39	56			95
Plymouth	50	5			55	50	5			55
Pocahontas	80	20			100	82	17			99
Polk	2157	1659			3816	2157	1656			3813
Pottawattamie	834	976			1810	825	967			1802
Poweshiek	1050	562			1612	1048	564			1612
Ringgold	433	205			638	434	205			639
Sac	111	34			145	112	33			145
Scott	1846	1736			3582	1846	1741			3587
Shelby	107	109			216	107	109			216
Sioux	8				8	8				8
Story	767	406			1173	642	414			1056
Tama	936	448			1384	936	175	273		1384
Taylor	540	228			768	539	228			767
Union	363	298			661	363	301			664
Van Buren	1881	1509		1	3391	1885	1513			3398
Wapello	1835	1785		1	3621	1836	1791			3627
Warren	1318	670			1988	1320	670			1990
Washington	1824	1024			2848	1824	1025			2849
Wayne	868	607			1475	863	615			1478
Webster	599	476			1075	597	478			1075
Winnebago	147	1			148	147	1			148
Winneshiek	1318	525			1843	1319	527			1846
Woodbury	253	237			490	254	238			492
Worth	180	36			216	180	36			216
Wright	141	62			203	191	61			252
Total	89144	62657		37	151838	89251	62746		361	152358

Whereupon the President announced Samuel Merrill duly elected Governor of the State of Iowa for the term of two years from the second Monday in January, 1868; and John Scott duly elected Lieutenant-Governor of the State of Iowa for the term of two years from the second Monday in January, 1868, — they having received a majority of all the votes cast at the election in October last, 1867, and certificates of their election were read and signed as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 15, 1868.

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. 1867, for the office of Governor of the State of Iowa, it appeared that Samuel Merrill 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, A. D. 1868.

B. F. GUE,  
Lieut.-Gov. and President of Joint Convention.  
JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST :  
J. R. REED,  
Teller of the Senate.  
THOS. B. KNAPP,  
Teller of the House.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, January 15, 1868.

This may 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. 1867, for the office of Lieutenant-Governor of the State of Iowa, it appeared that John Scott 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, 1868.

B. F. GUE,  
Lieut. - Gov. and President of Joint Convention.  
JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST :  
J. R. REED,  
Teller for the Senate.  
THOS. B. KNAPP,  
Teller for House of Representatives.

Senator Reed moved that a committee of two be appointed to wait upon the Governor and Lieutenant-Governor elect, and inform them of their election.

The motion prevailed, and the President appointed Senator

Reed on the part of the Senate, and the Speaker of the House appointed Mr. Wilson of Dubuque on the part of the House, as such committee.

Mr. McNutt, of the House, moved that the convention rise.

The motion prevailed, and the convention was dissolved.

On motion of Mr. McNutt, the House took a recess of five minutes.

The House was then called to order by the Speaker.

Mr. Dudley from committee on examination of Capitol building submitted the following report :

Your committee appointed by concurrent resolution to examine the condition of the State House with reference to its safety, would respectfully report that we have examined the State House carefully and believe it entirely safe for all that can possibly be seated or find convenient standing room on the floor of the House and galleries. We would, therefore, recommend that the Joint Convention for the inauguration of the Governor take place in the hall of the House of Representatives.

J. M. ROBERTSON,

L. E. FELLOWS,

On the part of the Senate.

C. DUDLEY,

SAMUEL REES,

JOHN P. IRISH,

On the part of the House.

Mr. Williams of Winneshiek moved the adoption of the report ; which motion prevailed.

Mr. McNutt offered the following resolution, which was adopted.

*Resolved*, That the Door-keeper and Sergeant-at-Arms, and in their absence the Janitor, are hereby directed to exclude from this Hall all boys and other persons having no business here when the House is not in session.

Mr. Irish offered the following resolution, which was lost.

*Resolved*, That Mr. Bausman, the reporter of the *Register*, and Mr. C. H. Lyman, the reporter of the *Statesman*, be appointed the official reporters of this House, and that they be furnished with such supplies as are furnished to the members of the House.

Mr. Lambert moved that the House do now adjourn ; which motion did not prevail.

Mr. Orr offered the following resolution :

*Resolved*, That a committee of two be appointed to arrange with the Post Master of this city for the postage of members of this House, the amount not to exceed six dollars per week.

Mr. McCoun offered the following substitute :

*Resolved* That the Secretary of State be directed to furnish each member of this House eight dollars in postage stamps each week.

Mr. Morrison moved to amend by striking out eight and inserting five.

Upon the adoption of the amendment, Mr. Dudley demanded the yeas and nays.

The yeas were, Messrs. Atwood, Bolton, Bowan, Brown of Howard, Browne of Lee, Brown of Van Buren, Craig, Dudley, Garrett, Grantham, Hart, Morrison, Parker, Phillips, Ramsay, Traer, Wilson of Davis. — Yeas 17.

The nays were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Brown of Fayette, Burrows, Caldwell, Chase, Cotton, Cramer, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Glasgow, Goodspeed, Guthrie, Hamilton, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Orr, Ordway, Perry, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker. — Nays 73.

Absent and not voting, Messrs. Burnett, Brown of Howard, Gaylord, Hatch, Longueville, Peck, Tenney, Werner. — 8.

So the amendment was lost.

Mr. Johnson, of Cherokee, moved to amend by striking out eight dollars, and inserting ten dollars, which motion did not prevail.

Mr. Dudley moved to amend by striking out eight and inserting six, which motion did not prevail, and the substitute offered by Mr. McCoun was then adopted.

Mr. McNutt moved that when the House adjourn that it will be until to-morrow at 2 o'clock, p. m., which motion prevailed.

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

*Resolved by the General Assembly of the State of Iowa, That the Secretary of State be instructed to furnish the members of the present General Assembly, the President, Secretary and Clerks of the House of Representatives, and the Reporters, Post-master, Sergeant-at-Arms and Door-Keepers of both branches of this General Assembly, with a copy of all Reports of the Supreme Court of this State now on hand, or which shall be published during the session of this General Assembly.*

On motion of Mr. McNutt, the Governor's Message was taken up and read.

Mr. Wilson of Dubuque, moved that the Message be referred to the Committee on Ways and Means, and the usual number printed. Adopted.

Mr. McNutt moved that the House do now adjourn, which motion prevailed, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, January 16, 1868.

House met pursuant to adjournment. Speaker in the chair.

On motion of Mr. Wilcox, the reading of the journal was dispensed with.

Mr. Wilcox moved that a committee of two be appointed to wait upon the Senate and inform that body that the House is now ready to receive it in joint convention for the purpose of inaugurating the Governor and Lieutenant - Governor elect.

The Chair appointed Messrs. Wilcox and Irish as such committee.

A message was received from the Governor by his Private Secretary, Mr. North.

On motion of Mr. Kasson, the Governor's Message was taken up and read.

Mr. Kasson moved that the message be laid on the table and ordered printed; which motion prevailed.

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

The Sergeant - at - Arms announced the Honorable Senate, who entered the Hall preceded by their President and Secretary and took the seats assigned them.

JOINT CONVENTION.

Lieutenant - Governor Gue announced the meeting of the joint convention for the purpose of the inauguration of the Governor and Lieutenant - Governor elect.

Mr. Cotton offered the following resolution, which was adopted.

*Resolved*, That the Judges of the Supreme Court, and the State Officers be invited to take seats on the platform.

The Sergeant - at - Arms announced the Governor and Lieutenant - Governor elect, Supreme Judges and State officers, who entered the hall and took the seats assigned them — the band playing "Hail Columbia."

Prayer by Rev. Mr. Trusdell.

The administration of the oath of office was then administered to the Governor and Lieutenant - Governor elect, by the Honorable, the Chief Justice of the State of Iowa, Geo. G. Wright. Singing of the "Battle Hymn of the Republic," by Geo. P. Abel. Governor Merrill then proceeded to deliver his Inaugural Address.

*Gentlemen of the Senate and House of Representatives :*

With gratitude to the people of Iowa for an election to the responsible office of chief magistrate of the State, I appear before you to take the solemn obligations prescribed by the Constitution, and to give assurance of fidelity to the interests of the Commonwealth.

The period in which we meet is distinguished with peculiar favor. The labors of the husbandman have been crowned with plenty; Pestilence and Want have not visited us; a spirit of good will and fraternal regard has prevailed throughout all our borders. Let us gratefully acknowledge the beneficent Author of these blessings and recognize our increased obligations of obedience and love.

The prospects of our State were never more hopeful. The finances are in a sound and healthful condition. Notwithstanding the heavy burdens of the war, we find ourselves untrammelled with debt and free from exhausting taxation. Our seasons are kindly, and harvests abundant. The useful and mechanic arts have not been neglected in the development of our resources. Never in our history has the spirit of internal improvements exhibited such strength of purpose as to-day, and energy and enterprise are everywhere striving to promote the commercial facilities of the State. Especially is this manifest in the rapid development of our railway communications. In 1859 the number of miles of railway in operation was three hundred and ninety; in 1865 it was seven hundred ninety-three; while at the present time it can not be less than twelve hundred, and as this estimate embraces but a fractional part of chartered lines, we see how hopeful, how full of promise is our own future in this particular. The growth of our cities and towns; the spread of our commerce; the multiplication of schools and colleges in our midst, are evidences of a substantial and progressive prosperity.

The representation of the condition of the State in its details by my predecessor have given you a favorable introduction to its varied interests, and I bespeak for his recommendations your careful consideration. To again consider the topics which have been so recently and so well presented would seem unnecessary upon the present occasion. Hereafter I may deem it my duty to invite your attention to some particular subjects of legislation, and therefore I shall be pardoned if I now turn to the more extended field of national affairs.

In the war for preserving the unity of the Republic, the people of Iowa bore a leading and brilliant part. Well may we congratulate ourselves, therefore, that the labors in which we have shared, the sorrows in which we have participated, the hopes and anxieties which we have felt in common with loyal hearts all over the land, have established it upon firmer foundations than ever before. The pernicious dogma of "State Rights" perished with the sword which was drawn in its defense. It is one of the first fruits of victory that we are not a Republic of corporations, but a Republic of the people, and that in questions affecting the interests of all the States, the ultimate arbiters are the people of the United States. While the rights of none are to suffer encroachment, and the prerogatives of each are to be jealously guarded by the power of the whole, the popular will must be the great expounder of the Constitution. The cry has been raised that in establishing and fortifying the powers of

the nation, the people are in danger of losing their liberties. History has been cited to show that we are imitating the unhappy policy of other free governments, in which, first the spirit, and then the form, of their institutions perished. But it is forgotten that men have never before attained a freedom worthy of the name, and that if they failed they failed because they were unworthy.

Our own experience has more meaning lessons for us than any examples of former success or ruin. Disclaiming the heresy that the nation is everything and the State nothing, let us at the same time rejoice that we have established so firmly the paramount sovereignty of the Union over all its parts, that in the hour of great national exigency, we shall never again be compelled to listen to the declaration that "there is no power in the general government to coerce a sovereign State. Centrifugal must yield obedience to centripetal law, or our system perishes. And yet neither can be spared from the perfection of our theory. With the idea that the authority of the whole is supreme, must be coupled the principle that the States have a sphere of action, limited to be sure, but nevertheless a distinct sphere, which the general government has neither the power nor wish to invade.

#### FINANCE.

To vindicate the integrity of the Union required a large expenditure. Happily for us and for the success of our cause, the credit of the nation was equal to the great emergency which called it into exercise. In times of unprecedented difficulty and when our financial ability seemed the pivotal point of triumph or defeat, it proved an unfailling rock of supply. To maintain that credit constitutes our most sacred duty; and whatever responsibilities it may impose upon us, the highest standard of national good faith will command the verdict of the American people. The citadel of financial honor can not be guarded too sacredly. I should reprobate as the most calamitous of misfortunes any legislation on the part of Congress, tending to invalidate the plighted, or even the fairly implied, faith of the nation.

It has become the conviction of some that a part of the national bonds could be redeemed in currency, without fraud upon the holder. The advocates of this policy base the righteousness of such redemption upon the fact that the bonds themselves contain no stipulation of payment in specie. A more subtle, insidious, and at the same time, deadly attack upon the public credit could not have been made. Apart from the fact that gold is the recognized currency of the world and the standard of value, and that we can not exempt ourselves from the operation of this law, there was, in this instance, an implied understanding with both parties to the covenant that loans to the Government should be paid in specie. The Secretary of the



Treasury placed this interpretation upon the contract at the time the loan was being negotiated. All the cotemporaneous acts and sayings of the men who framed the law are explicit in the assurance that no other intention lurked in the purposes of the Government. The scheme of repaying the public loans in an irredeemable paper issue, was a cunningly - devised after - thought — the offspring of a desire to evade the payment of our obligations in accordance with the rules of common honesty.

The ability of the American people to pay the utmost farthing of their indebtedness, the least sanguine have never questioned. At the present ratio of increase, in twenty - five years, our wealth and population will double themselves; in the year 1900 our valuation can not be less than four hundred and fifty billions. Mines are opening, farms multiplying and property increasing upon the inventory faster than in any other nation on the globe.

In the very face of this unquestioned ability, we are met by the fact that no civilized nation pays so high premiums upon its loans as ours.

Where are we to look for the grounds of this humiliation? In part perhaps, to the sophistries which have been promulgated for evading the spirit of our obligations, and in part to our delay in the resumption of specie payments.

Disclaiming to represent the opinions of others, I would urge the authoritative announcement of some definite time when such resumption shall take place. Let the time be fixed with the idea that the earliest possible moment will best secure a healthful condition of our finances. I am forced to the conclusion that such a policy would tend to realize in our circulation the perfect currency, in which notes could be exchanged for coin and would command equal respect in the markets.

Meanwhile the public service should be distinguished for the most rigid economy. The increase of money has deluded us with the creation of *apparent* wealth, and in the train of this delusion have followed extravagance and lavish expenditure. Let us then refrain from every outlay which *actual* wealth alone could justify. Economy will promote the public credit, better than the ripest theory. Retrenchment is the evidence of an honest purpose to meet our obligations.

Faith in the intention of the Government to preserve both the form and spirit of its contracts inviolate is the only foundation for our financial prosperity. Beware of the earliest steps tending to weaken or impair it.

#### RECONSTRUCTION.

The downfall of the rebellion did not terminate the danger arising from the action of the Southern people. Where the appeal to arms

was ended, the task of statesmanship began, and an experience of two years has demonstrated that it is a work quite as full of difficulty as that which we crowned with success upon the field. Let us not forget that we have merely ascended to another scene in the struggle. It has passed from the battle-field to the forum, but it is the same combat, waged for the same purposes, and animated by the same ambition. The spirit of the rebellion is still alive and strong; strong in the influence of its controlling minds; strong in the devotion and numbers of its followers; strong in the social distinctions which gave it birth. The hope that forbearance and healthful reflection would soon baptise its votaries into loyalty and love for the national flag has been disappointed.

In the light of this fact our government has devised a plan of reconstruction, establishing a temporary military government in the South, to remain until its people shall ask for admission to the councils of the nation upon the basis of equal rights and political equality.

In this policy I heartily concur. Power undoubted and plenary is in our hands to prescribe the terms of restoration. When it is urged then, that the application of military law to the refractory people of the South is despotic, it is forgotten that an appeal to arms involves a compliance with its bloody decision. They who, with long years of intrigue, boastfully and arrogantly, challenged the nation to the sanguinary field, empowered us to work our will upon them, restrained only by our duties as statesmen and Christian men. To deny this principle, severe though it be, would be to deny the correctness both of history and reason. To declare that its adoption in the present instance is impolitic and unnecessary, would be to set the seal of untruth upon every report that reaches us from that misguided people, and brand with falsehood the utterances of tried lovers of our Republic. No government can secure respect at home or abroad, which does not protect its citizens.

The magnanimity of the American Republic in dealing with treason is unparalleled in history. Its spirit was declared in the words of its noblest martyr, "Malice towards none; charity for all." Indemnity for the past has been forgotten in the task of erecting guarantees for the future. Content with establishing barriers against probable danger, busied with the work of compacting and solidifying the principles revealed by the war, the sword of the law has been withheld from its deserving sacrifices, and the sacred altar of Justice will probably not be stained with the blood of a single victim. To what extent this may have been questionable leniency, I will not presume to say. How far the legal and traditionary punishment for treason should have been extended, patriotic men may well have differed in determining. That some retribution should have been visited upon the wicked chiefs, a punishment sufficient to have made "treason odious," and to have stood as a warning monument of

the danger of like unhallowed ambition, I have no hesitation to declare.

Deprecating the arrogance of victory we have accepted our responsibilities with no desire to be vindictive or exacting. The consciousness that the Southern States were a part of our own territory, and their inhabitants a part of our own people, whose well-being must contribute to the future glory of our country, has been the light in which the work of reconstruction has thus far progressed. At the same time, we have felt bound to insist that those States should concede whatever guarantees are essential to the future safety of the Union. We can not permit the truths established by the war to relapse into a state of doubt, nor the fruits of victory to be swallowed up in a magnanimity which neglects its own salvation. We can afford to be generous, but we must not be unjust.

#### SUFFRAGE.

In restoring the Southern people to rights within the Union, let no discrimination be made against the black man. Fidelity to the Government should be a passport to the high privilege of suffrage. The public welfare must not be imperiled by entrusting its control to hands of doubtful loyalty, much less to hands whose open hostility has only been avoided by their weakness. If any voice comes from the tomb of the past six years, it proclaims: *Beware of placing doubtful guardians over the palladium of your liberties. Secure the safety of the government beyond a doubt. Let all loyal men share in the heritage which has been purchased with loyal blood.* The caprice of men fresh from their carnival of treason must not be allowed to deprive us of the co-operation of four millions of people whose votes and acts would interpose the most formidable obstacle to the designs of seditious men. To refuse to stay up the hands of the Union men of the South, who resisted secession in its inception, and maintained their opposition to it, through all the trying extremities of war, by making the alliance of the black man available, would be as ungrateful to them as perilous to ourselves.

The theory of our government awards to the individual the largest measure of political trust consistent with the public safety. It declares that "Governments are instituted among men, deriving their just powers from the consent of the governed." Consistency, therefore, requires that emancipation should be followed by the right of suffrage, for equality is a cardinal principle of the American Constitution.

To the negro himself the ballot is a necessity. Without it freedom will be to him an undefended fortress. Give him a vote and you at once invest him with a panoply which his recent owner will have neither the power nor wish to assail. The sentiment of mankind will approve such a policy, and our justice will be repaid by the

presence of a loyal army of defenders of our Constitution in every Southern State.

Many profess to see danger from this extension of the elective franchise. In these apprehensions I have no share. Away with distrust of a people who braved the lash and bloodhound to shelter the soldier of the Union, or guide him to the protection of his flag! Let their ignorance be forgotten in the remembrance that it never beguiled them into the subtleties where Refinement fell. The solemn responsibilities of suffrage can be more safely entrusted to the heroes who charged at Fort Wagner and Port Hudson than to the cultivated aristocracy who raised the flag of rebellion at the behest of personal ambition. An honest instinct is worthier than a perverted intelligence. Entitled to our gratitude for their unwavering attachment to the national cause, and for the heroic courage they contributed to its defense, and challenging our respect for their judicious use of the privileges of freedom, let us invite them to share in the blessings which they have helped preserve.

Our own State has already taken the initiatory steps toward the abolition of all distinction of race and color from the Constitution. Let us not fail at this session to advance the work inaugurated by our predecessors, of giving to our colored population the enjoyment of those political privileges which have hitherto been denied to them. They have demonstrated their manhood in the stern realities of war, and in this enlightened Commonwealth no longer let any prerogative of manhood be denied to man. That others falter and cower before the seeming difficulties of this measure, should be no discouragement to us. Let us not emulate their cowardice nor share in their dishonor. Let the alacrity with which we concede the privilege equal the readiness with which we gave them our flag and sent them forth to fight our battles. Let those who nobly volunteered and gallantly defended the flag of the Union — who stood between the foe and our heritage of a common country never have cause to charge Iowa with lack of courage to do justice to her colored soldiers and residents.

Gentlemen of the Assembly: I can not neglect the opportunity to congratulate you upon the favorable auspices under which you enter upon your duties. War with its stern necessities no longer trenches upon the industrial interests of the State. While the responsibilities have ceased with the overthrow of the rebellion, other and more substantial fields invite your effort. Our State is yet in its early manhood. But twenty-nine years have elapsed since the first law-making body of the "New Purchase" assembled in a sister city. Hardly a single generation has passed away, since the few scattered colonies upon the banks of the Mississippi, whose abiding faith in the future seemed even then to foreshadow the glorious reality, have grown to the vigor and strength of an inland empire. The achievements of the past will be succeeded by other advances, no less wonderful. Her sons are but the pioneers of the millions who shall yet

find a home on her prairies. The abundant harvests upon which we now congratulate ourselves, are but an earnest of the marvelous resources of a region, richer even than our thought or hope.

The eye of discovery has revealed the presence of a variety of mineral wealth whose possibilities may prove a great reservoir of power for the demands of civilization. The streams which divide its surface must be made to roll the wheels of machinery and mould the products of our care into the fabrics of trade. Regions hitherto undeveloped are to be bound to our commercial centers by links of railway communication. Worthy industries are to be encouraged and internal improvements of every kind zealously promoted by the judicious patronage of the State.

Let it be our boast and pride that we fear nothing so much as ignorance and artificial distinctions between man and man. Let us establish our power firmly upon the foundations of intelligence and liberal ideas, making manhood our only title of nobility, and believing in nothing so hopefully as an educated public opinion.

But one-sixth of our lands are yet enclosed. Our hopes for the settlement of the millions of acres whose wealth is yet in reserve are largely affected by the character of our institutions. Immigration gravitates toward social order, free schools and equal laws. Our population is largely enriched every year by the tide which reaches us from other and less favored lands. They seek, under the beneficent patronage of our institutions, their privileges as farmers, mechanics, merchants and professional men—transplanting to our soil that love of liberty which impelled them from their old homes. We have nothing to fear from their presence. The sturdiest defenders of freedom are those who have felt its loss.

In the guardianship of the sacred trust which has been reposed in us, the good of the State should be our ruling motive. A just sense of our responsibilities will forbid us to harbor the spirit of partizanship or balance the claims of section or party against the good of the whole. However cherished may be our political convictions, let us remember that we are not the representatives of particular interest or favored classes, but are the servants of the *whole* people, and that, in our keeping, the rights of majority and minority should be equally sacred.

Full of hope in the future of our State, whose past has been so favored of Providence, and whose present is so rich in prosperity, let us apply ourselves with zeal and fidelity to the advancement of her interests. If we should not summon to our aid the wisdom of statesmanship, let us, at least, meet our responsibilities with faithfulness, integrity and earnest devotion to the Commonwealth; and may the God of Wisdom and Justice guide us in His own appointed ways.

Music by the band.

Mr. Bulis moved that the joint-convention do now rise, which motion prevailed.

The President then declared the joint-convention dissolved.

The House re-assembled at the call of the Speaker.

Mr. Williams of Winneshiek moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 17, 1868.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Goolman.

Journal of yesterday read and approved; also the journal of Wednesday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the concurrent resolution transmitted herewith, in which the concurrence of the House is respectfully asked:

*Resolved*, That (the House of Representatives concurring) there be a joint committee of two from the Senate and three from the House to investigate the subject alluded to in the memorial of C. C. Cole, now on the table; and that said committee have full power to send for persons and papers.

Also, that the Senate has ordered the Governor's Biennial Message printed as follows: One thousand copies in the German language; five hundred copies in the Holland language; five hundred copies in the Swedish language; and five hundred copies in the Norwegian language.

JAMES M. WEART, Secretary.

PETITIONS.

Mr. Irish presented a petition of M. A. Boling and others of Mahaska county, praying the legislature to repeal the present liquor law of Iowa, which was referred to Committee on Suppression of Intemperance.

Mr. Wheeler presented a petition of E. Nash and other citizens of Lucas county, praying for the absolute prohibition and suppression of the manufacture and sale of all alcoholic beverages, which was referred to the Committee on the Suppression of Intemperance.



Mr. Grantham presented a petition of Prairie Grove Society of Friends of Henry county, asking that the Penitentiary be placed under the control of a board of inspectors, to the end that a more humane prison discipline may be introduced, which was referred to the Committee on Penitentiary.

Mr. Smith presented a petition of the Board of Supervisors of Emmett county, praying that the law be so amended as to transfer the business pertaining to roads, from the Board of Supervisors to the County Court, which was referred to the Committee on Roads and Highways.

Mr. Walling presented a petition of C. M. Kingsley and other citizens of Bremer county, praying for the establishment of one or more Normal Schools for the State of Iowa, which was referred to the Committee on Schools.

Mr. Cotton presented a petition of the Board of Supervisors of Clinton county, praying that the law be so amended as to transfer the business pertaining to roads from the board of supervisors to the County Court, which was referred to the Committee on Roads and Highways.

Mr. Burrows presented a petition of citizens of Clarke county, praying for the relief of John Crew, which was referred to the Committee on Claims.

Mr. Irish presented a petition of the Young Ladies of the State University praying for relief, which was referred to the Committee on State University.

#### INTRODUCTION OF BILLS.

Mr. Davis introduced House File No. 1, A bill for an act for the adjustment of tax laws.

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

Mr. Morrison introduced House File, No. 2, A bill for an act to legalize a certain school election in Sigourney, Iowa.

Read first and second time, and referred to the Committee on Schools.

Mr. Burrows introduced House File, No. 3, A bill for an act to legalize the official acts of Willis Throckmorton, a justice of the peace of Clarke county.

Read first and second time and referred to the Judiciary Committee.

Mr. Irish introduced House File, No. 4, A bill for an act for the further prosecution of the Geological Survey of the State of Iowa.

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

Mr. Grantham introduced House File No. 5, A bill for an act to legalize the organization of the City of Mount Pleasant as a city of the second class.



Read first and second time and referred to the Committee on Incorporations.

Mr. Phillips introduced House File, No. 6, A bill for an act to more effectually encourage the payment of taxes.

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

Mr. Trusdell offered the following resolution, which was laid over under the rules.

*Resolved*, That the Governor be requested to inform this House what progress has been made by General Fitz Henry Warren in securing payment from the General Government of sums due to the members of the First Iowa Cavalry, under authority given by chapter 55 of laws of last General Assembly.

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

*Resolved*, That the Register of the State Land Office be directed to have distributed to members of this General Assembly *pro rata* the surplus reports of his predecessor in office.

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

*Resolved*, That the Secretary of State be directed to furnish the Chief Clerk and his assistants each four dollars per week in postage stamps; Engrossing and Enrolling Clerks, three dollars each in postage stamps; and the Sergeant-at-Arms and Door-keeper, two dollars each in postage stamps.

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

*Resolved*, That the Engrossing and Enrolling Clerks, Sergeant-at-Arms and Door-keeper of this House be allowed ten daily papers each or their equivalent in weeklies.

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

*Resolved*, That we, as representatives of the people of Iowa, desire to express to the Hon. William M. Stone, upon his retiring from the Gubernatorial Chair, our appreciation of the eminent service rendered the State by him during his four years administration, and to bear testimony to the fidelity, zeal and ability with which he has conducted the affairs of the Executive office.

*Resolved*, That the able, eloquent and patriotic Inaugural Address of Gov. Samuel Merrill, delivered to the General Assembly of Iowa, on the 16th day of January, 1868, affords unmistakable proof that in him loyal Iowa will continue to have a true and fearless representative.

Mr. Trusdell moved to suspend the rule, under which the resolution requesting the Governor to furnish information in regard to the pay of the First Iowa Cavalry, was laid over, which motion prevailed.

The resolution was then adopted.

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

*Resolved*, That a committee of three be appointed to ascertain the amount of mileage due members of this House.

Mr. Rohlfis offered the following resolution :

*Resolved*, That for the use of the House, 5000 copies of the Governor's Inaugural Message be printed in the English, 2000 in the German, 1000 in the Holland, 1000 in the Norwegian, 1000 in the Bohemian and 1000 in the Swedish language, and that \$25,00 is hereby appropriated for each translation into the different languages, but that only one charge shall be made by the State Printer for the translation of the Governor's Message, ordered by the House and Senate.

Mr. McNutt moved to amend by inserting after "Governor's" and before "Message," "Inaugural." Carried.

Mr. Adams moved to amend by inserting 1000 copies in the Swedish language. Carried.

The resolution was then adopted.

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

*Resolved*, That there be printed one thousand copies of the Governor's Biennial Message in the Swedish language, and that twenty-five dollars be appropriated for the translation of the same.

Mr. Dashiell offered the following resolution, which was lost :

*Resolved*, That the chief clerk of the House be instructed to furnish, with the usual stationery, to each of the regular reporters having seats in the hall of the House, one portfolio of the same quality supplied to members.

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

*Resolved*, That a committee of five on Reform School be added to the regular standing committees of the House.

Message on the Speaker's table, relating to the Deaf and Dumb Asylum, was taken up and read.

Referred to the Committee on Deaf and Dumb.

On motion of Mr. Kilburn, the message from the Senate was taken up and read.

Mr. Parker moved to concur in Senate resolution.

Which motion prevailed.

On motion of Mr. Burnett, House File No. 2, A bill for an act to legalize a certain school election in Sigourney, Iowa, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

Yeas 96, nays 1.

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowan, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn,

Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Warner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—96.

The nays were Mr. Babbitt—1.

Absent and not voting, Mr. Tillson.

So the bill passed and the title was agreed to.

Mr. Leach asked leave of absence for two days, which was granted.

Mr. Kasson then moved to reconsider the vote of yesterday ordering the printing of the Message, which motion prevailed.

Mr. Kasson moved that the Message, and all accompanying documents, be printed, which motion prevailed.

Mr. McKean offered the following resolution, and moved its adoption, which motion prevailed.

*Resolved*, That all the public documents published by this House, be placed in the hands of the Secretary of State by the State Printer or Binder, and that he retain in his own hands 300 copies of each, published in the English language, and shall furnish to each of the members of the House one bound copy thereof at the end of the session: that he shall place twenty bound copies in the State Library, and shall return the balance of such documents to be distributed equally among the members of this House.

Mr. Brown, of Van Buren, offered the following resolution, which was adopted:

*Resolved*, That a copy of the resolution of thanks to ex-Governor, Wm. M. Stone, passed by this House, be forwarded to him by the clerk, duly signed.

Mr. Smith, of Dickinson, offered the following resolution, which was adopted:

*Resolved*, That the Committee on Military Affairs be requested to ascertain and report what disposition, if any, has been made of the buildings, barracks and stockades, erected by the State for the defense of the northwestern frontier in the counties of Emmett, Dickinson, Clay and Cherokee.

Mr. Smith of Dickinson, offered the following resolution:

*Resolved by the General Assembly of the State of Iowa*, That our senators in Congress be instructed, and our representatives requested to use their best efforts to procure a daily mail route from Sioux City, Iowa, via. Melbourne, Cherokee, Peterson, Spencer, Okoboji, Spirit Lake, and Jackson, Minn, to Mankato, Minn. Also a tri-weekly mail from Carroll in Carroll county, by way of Sac City, Stormy Lake, Little Sioux Rapids, Gillett's Grove, and Spenser, to Okoboji, in Dickinson county. Also a weekly

mail from Estherville in Emmett county, to Gillett's Grove in Clay county, by way of Lost Island.

Mr. Lambert moved to refer the resolution to Committee on Federal Relations.

Mr. McNutt moved to amend by including all similar resolutions. The amendment was accepted and resolution adopted.

Mr. Rippey asked leave to introduce House File No. 7, A bill for an act to fix the time of holding courts in Greene county, Fifth Judicial District. Which was granted, and the bill was read first and second times, and referred to the Committee on Judicial Districts.

The Speaker announced for messengers of the House, John M. Blessing and George Thornton.

Also for Investigating Committee on part of the House: Messrs. Burnett, Wilson of Dubuque, and Craig as such committee.

Mr. Dudley moved that the House do now adjourn, which motion was lost.

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

*Resolved*, That a special committee of three be appointed to receive and report to this House, on all applications for legalizing the official acts of Notaries Public, or others.

Mr. Criss offered the following resolution which was adopted:

*Resolved*, That the Committee on Military affairs be instructed to enquire what disposition, if any, has been made of the stock-ade erected by the State at Correctionville, in Woodbury county.

Mr. Brown, of Fayette, offered the following resolution which was lost.

*Resolved*, That the committees of the House be directed to confer with similar committees of the Senate in relation to the time and order of reporting to their respective Houses.

#### MESSAGE FROM THE SENATE.

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 concurrent resolution, in which the concurrence of the House is respectfully asked:

*Resolved by the Senate, the House concurring*, That the two Houses will meet in joint convention on Saturday, the 18th inst., at 2 o'clock P. M., for the purpose of electing a State Printer, a State Binder, and Warden of the Penitentiary.

GEO. P. ABEL, Ass't Sec.

Mr. Ordway offered the following resolution, which was laid over under the rule:

*Resolved*, That the Governor be requested to furnish this House with information whether the amounts stopped against the pay of the Second and Third Iowa Infantry Volunteers, contemplated in

chapter 123 of the acts of the Eleventh General Assembly, have been refunded to the State by the General Government.

Mr. Williams of Winneshiek, moved to take up the Senate resolution relating to joint convention for the purpose of electing a State Printer, a State Binder, and Warden of the Penitentiary.

Which motion prevailed.

Mr. Kilburn moved to concur in the Senate resolution.

Mr. Cotton moved to amend by substituting Wednesday for Saturday.

Mr. Rippey offered an amendment to the amendment, substituting Friday, January 31, for Saturday. Lost.

The question then recurred upon the amendment, which was lost.

The Senate resolution was then adopted.

Mr. Hatch then moved that the House do now adjourn, which motion prevailed and the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Lambert moved to re-consider the vote by which House File, No. 7, A bill for an act for fixing the time of holding courts in Greene county, Fifth Judicial District, which motion prevailed.

On motion of Mr. Lambert, the bill was referred to the members of the Fifth Judicial District, with Rippey as chairman.

Mr. Blackwell asked leave of absence for two days, which was granted.

Mr. Williams of Winneshiek moved that the House do now adjourn, which motion did not prevail.

Mr. Irish offered the following resolution:

WHEREAS, The Inaugural Message of Governor Merrill was published in the *Chicago Journal* in advance of its delivery; and

WHEREAS, Such publication was a violation of faith and a breach of confidence; therefore,

*Be it resolved by the House, the Senate concurring,* That the Reporter of that journal be excluded from the floors of the two Houses: *Provided,* That said publication was the fault of the said Reporter.

Mr. Kasson moved that the resolution be referred to the Committee on Domestic Manufactures.

Mr. Trusdell moved that the resolution be laid on the table, which motion prevailed.

## MESSAGE FROM THE SENATE.

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 bill: House File No. 2, "A bill for an act to legalize a certain school election in Sigourney, Iowa."

GEO. P. ABEL, Assistant Secretary.

Mr. Kilburn moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 18, 1868.

House met pursuant to adjournment. Speaker in the chair.

Prayer by Rev. Mr. Ingalls.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:— I am directed to inform your Honorable Body that the Senate has ordered the printing of two thousand copies of the Governor's Inaugural in the English language, five hundred in German, five hundred in Norwegian, five hundred in Swedish, five hundred in Holland, and five hundred in Bohemian.

GEO. P. ABEL, Assistant Secretary.

The Speaker announced Committee on Mileage— Messrs. McNutt, Wheeler and Rees.

Mr. Hatch presented a communication from the members of the Central Presbyterian Church, which was read and laid on the table.

Mr. McNutt from the Committee on Mileage, asked leave to submit the following report, which was granted :

## REPORT OF COMMITTEE ON MILEAGE.

Your committee, to whom was assigned the duty of ascertaining the amount of mileage due to each member of this House, respectfully report that they have performed that duty, and that there is due to the members of this House, the amount set opposite their names in the accompanying list.

Your committee recommend that the Clerk of the House be directed to read the names of members, and number of miles and

the amount of mileage allowed by your committee, and that each member, as his name is called, shall arise in his place and state whether the amount is correct and just, and if not, to make such correction as shall be just.

SAMUEL McNUTT,  
SAMUEL D. WHEELER,  
SAMUEL REES.

	COUNTY.	MILES.	AMOUNT.
Gibson Browne	Lee	380	\$ 57.00
C. C. Bauder	Lee	400	60.00
William Werner	Lee	408	61.00
Joel Brown	Van Buren	300	45.00
Seth Craig	Van Buren	300	45.00
J. M. Garrett	Davis	260	39.00
William G. Wilson	Davis	260	39.00
Brannock Phillips	Appanoose	280	42.00
H. W. Peck	Decatur	300	45.00
Robert Allen	Des Moines	370	57.00
A. G. Adams	Des Moines	350	53.00
J. P. Grantham	Henry	300	45.00
Jacob Hart	Henry	305	46.00
John Hayden	Jefferson	270	41.00
A. R. Fulton	Jefferson	280	42.00
Charles Dudley	Wapello	200	30.00
Samuel T. Caldwell	Wapello	200	30.00
A. A. Ramsay	Monroe	210	33.00
Samuel D. Wheeler	Lucas	290	44.00
Barclay Burrows	Clarke	330	51.00
Joseph Cramer	Page	325	49.00
Frederick Rector	Fremont	524	79.00
John Y. Stone	Mills	440	66.00
Albert Ellis	Louisa	394	59.00
J. D. Miles	Washington	430	66.00
M. Goodspeed	Washington	430	66.00
John Morrison, jr	Keokuk	200	30.00
William Hartsock	Keokuk	220	33.00
Chas. Stanley	Mahaaska	160	24.00
Thos. Ballinger	Mahaaska	160	24.00
B. G. Bowan	Marion	90	13.50
E. Mechem	Marion	140	21.00
Mark A Dashiell	Warren	40	6.00
Benjamin F. Murray	Madison	94	15.00
L. W. Babbitt	Pottawattamie	420	64.00
Samuel McNutt	Muscatine	340	51.00
R. M. Burnett	Muscatine	340	51.00
John P. Irish	Johnson	250	39.00
J. Y. Blackwell	Johnson	250	39.00



	COUNTY.	MILES.	AMOUNT.
Abraham Bolton	Iowa	210	32.00
L. F. Parker	Poweshiek	110	17.00
M. W. Atwood	Jasper	80	12.00
Joshua H. Hatch	Polk		3.00
John A. Kasson	Polk		3.00
Leroy Lambert	Dallas	80	12.00
M. J. Rohlf	Scott	410	62.00
Chas. Kelley	Scott	430	65.00
M. C. Davis	Scott	350	53.00
A. R. Cotton	Clinton	440	66.00
C. G. Trusdell	Clinton	440	66.00
C. E. Leffingwell	Clinton	420	63.00
John Russell	Jones	360	54.00
John McKean	Jones	320	48.00
Wm. S. Chase	Cedar	320	48.00
C. P. Sheldon	Cedar	340	51.00
John A. Tritz	Jackson	630	95.00
L. W. Stuart	Jackson	440	66.00
Adam Perry	Linn	425	66.00
Wm. B. Leach	Linn	409	62.00
John W. Traer	Benton	300	45.00
James Wilson	Tama	190	29.00
B. W. Johnson	Marshall	200	30.00
Thomas S. Wilson	Dubuque	600	90.00
R. B. Lockwood	Dubuque	600	90.00
J. B. Longneville	Dubuque	612	92.00
Dennis Donavan	Dubuque	620	93.00
Cummings Sanborn	Delaware	424	66.00
P. C. Wilcox	Buchanan	480	72.00
George Ordway	Black Hawk	580	84.00
Thomas B. Knapp	Hardin	630	95.00
H. Hamilton	Clayton	770	116.00
James Newberry	Clayton	700	105.00
P. G. Bailey	Clayton	770	116.00
Aaron Brown	Fayette	775	117.00
C. R. Bent	Fayette	775	117.00
D. P. Walling	Bremer	580	87.00
Wm. Tucker	Chickasaw	670	101.00
P. G. Wright	Allamakee	900	135.00
George R. Miller	Allamakee	900	135.00
H. B. Williams	Winneshiek	900	135.00
J. T. Atkins	Winneshiek	900	135.00
J. Orr	Boone	80	12.00
James Hawthorn	Story	120	18.00
W. P. Gaylord	Floyd	960	144.00
J. H. Smith	Harrison	495	73.00
J. H. Brown	Howard	900	135.00

	COUNTY.	MILES.	AMOUNT.
Eli Johnson.....	Cherokee .....	410	62.00
R. A. Smith.....	Dickinson .....	400	60.00
Charles W. Tenney.....	Cerro Gordo.....	980	147.00
Eugene Criss.....	Sac.....	370	56.00
John D. Hunter.....	Hamilton.....	200	30.00
Samuel Rees.....	Webster.....	160	24.00
Stephen Tillson.....	Monona.....	400	60.00
H. C. Rippey.....	Green .....	150	22.00
L. T. McCoun.....	Taylor .....	400	60.00
G. F. Kilburn.....	Adair.....	140	21.00
J. A. Guthrie.....	Butler.....	682	102.00
N. W. Rowell.....	Union.....	360	54.00
Wm. Glasgow.....	Wayne.....	350	54.00
			\$5863.50

On motion of Mr. Wilson of Dubuque, the report of the committee was adopted.

Mr. Cotton from the Committee on Credentials, asked leave to submit the following report, which was granted.

The Committee on Credentials beg leave to report that they have examined the credentials of Hon. Frederick Rector, elected Representative from the Fifteenth District to fill vacancy, and find that he is entitled to a seat in this House as such Representative.

A. R. COTTON, Chairman.

Mr. Frederick Rector of Fremont county, came forward to the clerk's desk and took the oath prescribed by law.

Mr. McNutt moved to refer the report of the Committee on Mileage to the Committee on Ways and Means, which motion prevailed.

#### PETITIONS.

Mr. Rippey presented a petition of the Board of Supervisors of Calhoun county, protesting against the law being so amended as to transfer the business pertaining to roads from the Board of Supervisors to the County Court.

Referred to the Committee on County Organization.

Mr. Knapp presented a memorial of the Society of Friends, protesting against the repeal of the present prohibitory liquor law, or the enactment of any law that will lessen its force.

Referred to Committee on Suppression of Intemperance.

Mr. Traer presented a petition of William D. Armstrong and other citizens of Benton county, asking for the passage of a law to secure the absolute prohibition and suppression of the manufacture and sale of all alcoholic beverages.

Referred to the Committee on the Suppression of Intemperance.

Mr. Grantham presented a petition of C. V. Craven, praying for a special act, making the certificate of the President of country and village cemetery companies operate as a conveyance of cemetery lots.

Referred to the Committee on Judiciary.

Mr. Bauder presented a petition of the Bar of Lee county, Iowa, asking that the argument term of the Supreme Court at Davenport be abolished.

Referred to the Committee on Judiciary.

Mr. Cotton presented a petition from the Clinton County Horticultural Society, asking an annual appropriation in aid of the State Horticultural Society.

Referred to the Committee on Horticulture.

Mr. Leffingwell presented a petition of T. B. Bissell and others, citizens of Clinton county, asking that the laws be so amended as to prohibit the trapping or killing of prairie chickens, from the 1st day of January to the 1st day of September.

Referred to the Committee on Police Regulations.

Mr. Rippey presented a petition of the citizens of New Jefferson, Greene county, asking for a better Insurance Law.

Referred to the Committee on Incorporations.

Mr. Hart presented a petition of citizens of Henry county, asking for the establishment of a reform school.

Referred to Committee on Reform School.

Mr. Trusdell presented a petition from twenty-five thousand citizens of Iowa, praying for the enactment of a law for the suppression of the manufacture and sale of beer, wine and cider.

Referred to the Committee on Suppression of Intemperance.

Mr. Bent presented a petition from John Gharky, praying that the penalty and costs of a certain tax sale be made void.

Referred to Committee on Claims.

Resolution laid over under the rule, relating to pay of Second and Third Iowa Volunteer Infantry, was taken up, read and adopted.

#### INTRODUCTION OF BILLS.

Mr. Phillips introduced House File, No. 8, A bill for an act authorizing county organization. Read a first and second time and referred to Committee on County Organization.

Mr. Dudley introduced House File, No. 9, A bill for an act to change the number and manner of electing County Supervisors. Read a first and second time and referred to the Committee on County and Township Organization.

Mr. Wilson, of Dubuque, introduced House File, No. 10, A bill for an act concerning the limitation of actions. Read first and second time and referred to the Committee on Judiciary, and ordered printed.

Mr. Ballinger introduced House File, No. 11, A bill for an act to create the office of County Auditor. Read first and second time and referred to the Committee on Town and County Organization.

Mr. Rowell introduced House File, No. 12, A bill for an act to change the time of holding Court in the 3rd Judicial District. Read a first and second time and referred to a Special Committee, consisting of the members of the 3rd Judicial District.

Mr. Wheeler introduced House File, No. 13, A bill for an act to amend an act in relation to jurors' fees, approved February 17th, 1862, acts of the Ninth General Assembly. Read first and second time and referred to the Committee on Judiciary.

Mr. Hawthorn introduced House File, No. 14, A bill for an act to legalize the levy of certain taxes for the payment of soldiers' bounties in Story county. Read first and second time and referred to the Committee on Judiciary.

Mr. Fulton introduced House File, No. 15, A bill for an act fixing the compensation of road supervisors.

Read the first and second times, and referred to Committee on Compensation of Public Officers.

Mr. Dudley introduced House File No. 16, A bill for an act to ascertain the citizens entitled to the right of suffrage and to prevent fraudulent voting.

Read the first and second times and referred to the Committee on Elections, and ordered printed.

Mr. Fulton introduced House File No. 17, A bill for an act to amend chapter 98 of the laws of the Ninth General Assembly fixing the time of holding courts in the Sixth Judicial District.

Read the first and second times and referred to a special committee consisting of the members of the Sixth Judicial District.

Mr. Williams of Winneshiek introduced House File No. 18, A bill for an act providing for the publication and distribution of the Adjutant-General's Report, January 1, 1867, to January 1, 1868.

Read the first and second times and referred to the Committee on Printing.

Mr. Ordway introduced House File No. 19, A bill for an act to vacate an alley in the village of Waterloo.

Read the first and second times and referred to the Committee on Roads and Highways.

Mr. Rippey introduced House File No. 20, A bill for an act to legalize the acts of James Foster, a Justice of the Peace in Guthrie county, Iowa.

Read the first and second times, and referred to the Committee on the Judiciary.

#### RESOLUTIONS.

Mr. Wilson, of Dubuque, offered the following resolution which was adopted :

1. *Resolved*, That so much of the Governor's message as relates to finance, to the revenue laws, and the financial condition of the State, be referred to the Committee of Ways and Means.

2. That so much as relates to schools, and the permanent school fund, be referred to the Committee on Schools.

3. That so much as relates to the State University, and the State Historical Society, be referred to the Committee on the State University.

4. That so much as relates to the Insane, Blind, Deaf and Dumb Asylums, and Orphans' Home, respectively be referred to the respective committees on these institutions.

5. That so much as relates to the State Penitentiary, be referred to the Committee on the State Penitentiary.

6. That so much as relates to the State House, to the Committee on Public Buildings.

7. That so much as relates to rail roads and land grants, be referred to the Committee on Railroads.

8. That so much as relates to the geological survey of the state, be referred to the Committee on the Public Lands.

9. That so much as refers to the Agricultural College, be referred to the Committee on the Agricultural College and Farm.

10. That so much as refers to on constitutional amendments be referred to the Committee on Constitutional Amendments.

11. That so much as refers to the creation of new courts and to the procuring of the Opinion of the Supreme Court for the benefit of the Executive or Legislative Department of the State, be referred to the judiciary committee.

12. That so much as refers to the Adjutant-General's office and report, and the arsenal, be referred to the Committee on Military Affairs.

13. That so much as refers to the improvement of the rapids in the Mississippi river, be referred to the Committee on Commerce.

14. That so much as relates to the establishment of the State Reform Schools, be referred to the committee on Reform Schools.

Mr. Fulton offered the following resolution, which was lost :

*Resolved*, That the chief clerk of this House is hereby instructed to make arrangements for a sufficient number of lithographed copies of the diagram of this hall, to correspond with the number of copies of rules heretofore ordered to be printed for the use of the members of this House — said diagram to show the relative location of seats as occupied by members, with their names, and to be drawn on a scale convenient for binding with the copies of said rules heretofore ordered.

Mr. Craig offered the following resolution :

*Resolved*, That the janitors be allowed half the amount of papers and stamps allowed the other officers of this House, and that the paper-folders be allowed the same pay and perquisites allowed the janitor.

Mr. Gaylord offered the following substitute, which was lost.

*Resolved*, That the Post-master, Assistant Post-master, Janitor and Paper-folders of this House, each be allowed postage to the amount of two dollars per week, and five daily papers, or their equivalent in weeklies.

Mr. Wilson of Tama, moved that the substitute be laid upon the table, which motion did not prevail.

The question recurred upon the adoption of the resolution of Mr. Craig, which was then adopted.

Mr. Brown of Van Buren, offered the following resolution :

*Resolved*, That the Chief Clerk, Assistant Clerks, Enrolling and Engrossing Clerks of this House be allowed the same mileage as members of the House.

Mr. Adams moved to amend by including paper-folders and messengers.

On motion of Traer the resolution was laid upon the table.

Mr. McNutt moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Speaker in the chair.

A message from the Senate was taken up and read.

A communication from the State Librarian was taken from the Speaker's table and read.

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

Mr. McNutt moved that a committee of two be appointed to wait upon the Senate and inform that body that the House was now ready to meet the Senate in joint convention for the purpose of electing a State Printer, State Binder, and Warden of the Penitentiary, which motion prevailed.

The Chair appointed Messrs. McNutt and Babbitt.

Mr. Grantham moved that the House take a recess of five minutes, which motion prevailed.

At the expiration of five minutes the House was called to order by the Chair.

The Sergeant-at-Arms announced the Honorable Senate, who entered the Hall and took the seats assigned them.

JOINT CONVENTION.

The President of the Senate announced that the convention had

met for the purpose of electing a State Printer, State Binder, and Warden of the Penitentiary.

The President announced Senator Reed, teller on the part of the Senate, and Mr. Trusdell teller on the part of the House. The joint convention then proceeded for election of State Printer.

Mr. Hatch nominated Frank M. Mills.

Mr. Irish nominated W. P. Staub.

The joint roll was then called with the following result :

Whole number of votes cast.....	131
Necessary to a choice.....	66
Frank M. Mills, received.....	109
W. P. Staub, received.....	21
Blank.....	1

Mr. Frank M. Mills having received a majority of all the votes cast, was declared duly elected State Printer for the ensuing term.

Those voting in the affirmative were :

Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bennett, Bent, Bill, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Bulis, Burnett, Burrows, Caldwell, Cattell, Chapin, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Donnan, Doud, Dudley, Ellis, Farwell, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Griffith, Grimes, Guthrie, Hamilton of Clayton, Hamilton of Wapello, Hart, Hartsock, Hatch, Hawley, Hayden, Hunter, Johnson of Cherokee, Johnson of Keokuk, Johnson of Marshall, Kasson, Keller, Kilburn, Knapp, Lambert, Larimer, Larrabee, Leffingwell, Long, Matthies, McCoun, McKean, McNutt, McMillan, Mechem, Meyer, Miles, Mitchell, Moore, Morrison, Murray, Newberry, Orr, Ordway, Parker, Parvin, Patterson, Perry, Phillips, Ramsay, Reed, Rees, Rice, Rippey, Robertson, Russell, Sanborn, Smith of Clinton, Smith of Dickinson, Smith of Harrison, Smyth of Linn, Sheldon, Stanley, Stone, Tenney, Tillsen, Traer, Traverse, Trusdell, Tucker, Tuttle, Walden, Walling, Wheeler, Wilson of Davis, Wilson of Tama, Wolf, Woolson, Wright of Lucas—109.

Absent or not voting were Messrs. Blackwell, Davis, Dunham, Fairall, Kelley, Leach, Matthies, Needham, Newell, Oliver, Pierce, Powers, Richards, Rholfs, Rowell, Wilcox, Williams—17.

Those voting in the negative were Messrs. Babbitt, Bander, Browne of Lee, Casady, Donovan, Fellows, Hawthorn, Hedges, Hollman, Irish, Knoll, Lockwood, Longueville, Miller, Peck, Stuart, Tritz, Werner, Wilson of Dubuque, Wright of Allamakee.—21.

Absent or not voting, were Messrs. Blackwell, Davis, Dunham, Fairall, Kelley, Leach, Matthies, Needham, Newell, Oliver, Pierce, Powers, Richards, Rholfs, Rowell, Wilcox, and Williams of Winneshiak.—17.

The joint convention then proceeded to the election of State Binder.



Senator Cattell nominated Jas S. Carter of Polk county.  
 Senator Knoll nominated William Lee of Johnson county.  
 The joint roll was then called, with the following result :

Whole number of votes cast.....	133
Necessary to a choice.....	66
Jas. S. Carter received.....	110
William Lee received.....	22
Blank .....	1

Mr. J. S. Carter having received a majority of all the votes cast was declared duly elected State Binder for the ensuing term.

Those voting in the affirmative were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bennett, Bent, Bill, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Bulis, Burnett, Burrows, Caldwell, Cattell, Chapin, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Donnan, Doud, Dudley, Ellis, Farwell, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Griffith, Grimes, Guthrie, Hamilton of Clayton, Hamilton of Wapello, Hart, Hartsock, Hatch, Hawley, Hayden, Hunter, Johnson of Cherokee, Johnson of Keokuk, Johnson of Marshall, Kasson, Keller, Kilburn, Knapp, Lambert, Larimer, Larabee, Leffingwell, Long, Matthies, McCoun, McKean, McNutt, McMillan, Mechem, Meyer, Miles, Mitchell, Moore, Morrison, Murray, Newberry, Orr, Ordway, Parker, Parvin, Patterson, Perry, Phillips, Ramsay, Reed, Rice, Rippey, Robertson, Russell, Sanborn, Smith of Clinton, Smith of Dickinson, Smith of Harrison, Smyth of Linn, Shelden, Stanley, Stone, Tenney, Tillson, Traer, Traverse, Trusdell, Tucker, Tuttle, Walden, Walling, Wheeler, Wilson of Davis, Wilson of Tama, Wolf, Woolson, Wright of Luca. — Yeas 110.

Absent or not voting, Messrs. Blackwell, Davis, Dunham, Fairall, Kelley, Leach, Needham, Newell, Oliver, Pierce, Powers, Richards, Rholfs, Wilcox, Williams — 15.

Those voting in the negative were Messrs. Babbitt, Bander, Browne of Lee, Casady, Donovan, Fellows, Hawthorn, Hedges, Hollman, Irish, Knoll, Lockwood, Longueville, Miller, Peck, Stuart, Tritz, Werner, Wilson of Dubuque, and Wright of Allamakee — 20.

Absent or not voting were Messrs. Blackwell, Davis, Dunham, Fairall, Kelley, Leach, Needham, Newell, Oliver, Pierce, Powers, Rector, Richards, Rholfs, Wilcox, and Williams of Winnesbick. — 15.

The joint convention then proceeded to the election of Warden of the Penitentiary.

Mr. Adams nominated Martin Heisey of Lee county.  
 Senator Hollman nominated John G. Kennedy of Lee county.  
 The roll was then called with the following result :

Whole number of votes cast.....	130
Necessary to a choice.....	66

Martin Heisey received.....	108
John G. Kennedy.....	21
Blank.....	1

Mr. Heisey having received a majority of all the votes cast, was declared duly elected Warden of the Penitentiary for the ensuing term.

Those voting in the affirmative were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Bennett, Bent, Bill, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Bulis, Burnett, Burrows, Caldwell, Casady, Cattell, Chapin, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Donnan, Doud, Dudley, Ellis, Farwell, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Griffith, Grimes, Guthrie, Hamilton of Clayton, Hamilton of Wapello, Hart, Hartsock, Hatch, Hawley, Hayden, Hunter, Johnson of Cherokee, Johnson of Keokuk, Johnson of Marshall, Kasson, Keller, Kilburn, Knapp, Lambert, Larimer, Larabee, Leffingwell, Long, McCoun, McKean, McNutt, McMillan, Mechem, Meyer, Miles, Mitchell, Moore, Morrison, Murray, Newberry, Orr, Ordway, Parker, Parvin, Patterson, Perry, Phillips, Ramsay, Reed, Rice, Rippey, Robertson, Rowell, Russell, Sanborn, Smith of Clinton, Smith of Dickinson, Smith of Harrison, Smyth, Shelden, Stanley, Stone, Tenney, Tillson, Traer, Traverser, Trnsdell, Tucker, Tuttle, Walden, Walling, Wheeler, Wilson of Davis, Wilson of Tama, Wolf, Woolson, Wright of Lucas. — Yeas 108.

Absent or not voting, Messrs. Blackwell, Davis, Dunham, Fairall, Kelley, Leach, Matthies, Needham, Newell, Oliver, Pierce, Powers, Richards, Rohlf, Wilcox and Williams. — 16.

Those voting in the negative were Messrs. Babbitt, Browne of Lee, Donavan, Fellows, Hawthorn, Hedges, Holman, Irish, Knoll, Lockwood, Longueville, Miller, Peck, Rees, Stuart, Tritz, Werner, Wilson of Dubuque, Wright of Allamakee. — Nays 21.

Absent or not voting, were Messrs. Blackwell, Davis, Dunham, Fairall, Kelley, Leach, Matthies, Needham, Newell, Oliver, Pierce, Powers, Rector, Richards, Rholf, Wilcox and Williams of Winnebiek. — 16.

The following certificates of the election of the officers therein named, were read and signed in open convention :

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 18, 1868.

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Saturday, the 18th day of January, A. D., 1868, for the purpose of electing a State Printer, Frank M. Mills 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

expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, the 18th, day of January, A. D., 1868.

JOHN SCOTT,

President of the Senate.

JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,

Teller of the Senate.

C. G. TRUSDELL,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, January 18, 1868.

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 Saturday, the 18th day of January A. D. 1868, for the purpose of electing a State Binder, James S. Carter having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of January A. D. 1868.

JOHN SCOTT,

President of the Senate.

JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,

Teller of the Senate.

C. G. TRUSDELL,

Teller of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, Iowa, January 18, 1868.

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 Saturday the 18th day of January, A. D. 1868, for the purpose of electing a Warden of the Penitentiary, Martin Heisey having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of January, A. D. 1868.

JOHN SCOTT,  
President of the Senate.

JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST :

J. R. REED,  
Teller of the Senate.

C. G. TRUSDELL,  
Teller of the House of Representatives.

Senator Woolson moved that the joint convention be dissolved, which motion prevailed.

House was called to order by the Speaker.

Mr. Dudley asked leave of absence for himself and colleague, for Monday. Granted.

Mr. Irish asked leave to record a letter from Governor Merrill, upon the journal. The request was granted.

DES MOINES, IOWA, JAN. 18, 1867.

L. F. ANDREWS, Esq., *Sir*:— An examination of the telegram sent by you to the Chicago Journal, and a careful perusal of the letter of Mr. Shuman, managing editor of that paper, convinces me that whatever may have been the fault of the Journal, in regard to the premature publication of my Inaugural, you are entirely exempt from blame in the premises.

Very Truly

S. MERRILL.

Mr. Hatch moved that the House do now adjourn.  
The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 20, 1868.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Bishop Lee.

Journal of Saturday, read, corrected, and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:— I am directed to inform your Honorable Body

that the Senate has ordered printed the usual number of copies of the following communications from His Excellency, Gov. Stone:

That communicating the cases of reprieve, commutations, or pardons granted and causes therefor.

That transmitting the report of Col. Dewey in relation to settlement of claims with the United States Government.

That submitting his report of extraordinary expenses of the executive office.

Also that the Senate has passed the House concurrent resolution relating to the distribution of Revision of 1860, and statutes passed subsequent thereto, with the following amendment, adding after the words "General Assembly" the words "not already supplied," in which the concurrence of the House is respectfully asked:

*Resolved by the House of Representatives, the Senate concurring,* That the Secretary of State be directed to furnish to each member of the General Assembly, not already supplied, a copy of the Revision of 1860, and, also, all the statutes passed subsequent thereto, the latter bound together in one volume.

Also that the Senate has adopted a substitute for House joint resolution relating to distribution of Supreme Court reports, which is transmitted herewith, and in which the concurrence of the House is respectfully asked.

Also that Senators Larrabee and Richards have been appointed members on the part of the Senate, of the joint committee raised to investigate the matters set forth in the memorial of Hon. C. C. Cole.

JAMES M. WEART, Secretary.

Senate substitute for House joint resolution relating to distribution of Supreme Court reports.

*Resolved by the General Assembly of the State of Iowa,* That the Secretary of State be instructed to furnish to each member of the General Assembly, and to the President and Secretary of the Senate, and Chief Clerk of the House, a copy of vols. 21 and 22 of the reports of the decisions of the Supreme Court of this State, and also a copy of all other reports of the decisions of said court hereafter published during the term of office of said members, President, Secretary and Clerk.

House resolution—substitute adopted therefor:

*Resolved by the General Assembly of the State of Iowa,* That the Secretary of State be instructed to furnish the members of the present General Assembly, the President, Secretary and clerks of the House of Representatives, and the reporters, post-masters, sergeant-at-arms and door-keepers of both branches of this General Assembly, with a copy of all Reports of the Supreme Court of this state, now on hand or which shall be published during the session of this General Assembly.

## PETITIONS AND REMONSTRANCES.

Mr. Grantham presented a petition of Eber Crane and nine hundred and ninety-four other citizens of Henry county, praying for a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Brown, of Fayette, presented a petition of Wm. Miner and others in relation to public burying grounds.

Referred to Committee on County and Township Organization.

Mr. Rippey presented a petition of citizens of Greene county, praying for the establishment of a State Normal School.

Referred to the Commttee on Schools.

## INTRODUCTION OF BILLS.

Mr. Wilson of Dubuque, introduced House File, No. 21, A bill for an act authorizing the re-survey of lands in certain cases, and prescribing rules, duties and powers of county surveyors. Read first and second time and referred to Committee on Public Lands, and ordered printed.

Mr. McCoun introduced House File, No. 22, A bill for an act to regulate toll of grist mills, and prescribing certain duties of millers. Read first and second time and referred to the Committee on Agriculture.

Mr. Kilburn introduced House File, No. 23, A bill for an act to amend section 4145 of the Revision of 1860, and section 1 of chapter 45 of the acts of the Tenth General Assembly, in relation to sheriff's fees. Read first and second time and referred to the Committee on Judiciary.

Mr. Hawthorn introduced House File, No. 24, A bill for an act reducing the number of County Supervisors. Read first and second time and referred to Committee on Town and County Organization.

Mr. Burnett introduced House File, No. 25, A bill for an act repealing section 303 of the Revision of 1860. Read first and second time and referred to the Committee on County and Township Organization.

Mr. Burnett introduced House File No. 26, A bill for an act to promote the collection of revenue of incorporated cities and towns acting under special charters.

Read first and second time and referred to Committee on the Judiciary.

Mr. Johnson of Marshall, introduced House File, No. 27, A bill for an act regulating traveling fees of sheriffs and constables.

Read first and second time and referred to the Committee on the Judiciary.

Mr. Bander introduced House File, No. 28, A bill for an act to legalize the acts of E. Kinsley, a notary public in Lee county.

Read first and second time and referred to the Committee on the Judiciary.

Mr. Walling introduced House File No. 29, A bill for an act to change the time of holding court in Waverly, Bremer county, in the Twelfth Judicial District.

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

Mr. Perry introduced House File No. 30, A bill for an act to amend chapter 46 of the Revision of 1860.

Read first and second time and referred to the Committee on Roads and Highways.

Mr. Rippey introduced House File No. 31, A bill for an act to establish a State Normal School.

Read a first and second time and referred to the Committee on State University and ordered printed.

Mr. Brown of Howard, introduced House File No. 32, A bill for an act to legalize certain acts of the board of supervisors of Howard county.

Read first and second time, and referred to Committee on Public Lands.

Mr. Donovan introduced House File No. 33, A bill for an act to amend section 317 of chapter 22, of the Revision of 1860.

Read first and second time, and referred to the Committee on Compensation of Public Officers.

Mr. Hawthorn introduced House File No. 34, A bill for an act to provide for the compensation of school directors.

Read first and second time, and referred to Committee on Compensation of Public Officers.

Mr. Irish moved to reconsider the vote by which the Bill relating to the geological survey, was referred to the committee on ways and means. Carried.

Mr. Irish moved that the Bill relating to the geological survey, be referred to a select committee of five. Carried.

Mr. Ramsey moved that all matters relating to the geological survey of Iowa, be referred to the select committee of five, which motion prevailed.

Mr. Brown, of Van Buren, moved that the resolution offered by Mr. Ramsey, be adopted, the motion prevailed.

Mr. Gaylord offered the following resolution:

*Resolved*, That a committee of three be appointed by the Speaker to examine without delay, the heating and ventilating apparatus of this Hall, and report to this House whether a more healthy and agreeable atmosphere can not be economically produced.

Mr. Ordway offered the following resolution:

*Resolved*, That Professor White be invited to lecture before this House on Friday evening of the present week, upon the subjects embraced in the duties of his office as State Geologist, which was adopted.



## MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked: Senate File No. 8, A bill to amend section 1, chapter 36, laws of the Eleventh General Assembly.

JAMES M. WEART, Secretary.

Mr. Smith of Dickinson offered the following resolution, which was referred to the Committee on Public Lands.

*Whereas*, The interests of the State demand the immediate settlement of her claims under the Swamp Land Grant; therefore,

*Resolved*, That our Senators in Congress be instructed and our Representatives requested to use their best efforts to obtain the passage of an act whereby the provisions of the act of March 3rd, 1857, shall be extended so as to include in its operation all existing claims of the State against the General Government under the Swamp Land Grant.

Mr. Ramsey offered the following resolution, which was referred to the Committee on Federal Relations.

WHEREAS, The United States of America, as an independent nation, has a government, a national flag, an army and navy, and national representatives at home and abroad; under their protection the American citizen, whether native or foreign born, should be safe against outrage and violence in every part of the earth; and,

WHEREAS, It is the verdict of the American people, the only sovereigns in this republic, that the citizens can, and must, and shall be protected everywhere, and at all times, in everything that is justified by equitable laws; and,

WHEREAS, The original design of this government was always to protect its lawful citizens, at all times and in all places; therefore,

*Resolved by the House of Representatives of the State of Iowa, the Senate concurring*, That it is the duty of the Government of the United States to speedily inquire into and ascertain if American citizens are now, or have heretofore been unjustly imprisoned or in any way restrained of their liberty by any foreign nation, or been unjustly tried and convicted of pretended offenses. And if so to demand that they be restored to all their rights as American citizens, and to further demand that they receive full indemnification for all the wrongs they have suffered.

And if any foreign government attempts to force her claim and to require allegiance of the American citizen, whether foreign or native born, the duty of our Government is plain. It must show positively the reasons for its position. It must show that the persons in question are admitted by our laws to be citizens and

voters; and that to acknowledge the demand of any foreign government would be in effect to concede that subjects of that power help to elect our officers and administer our government. If there is a principle which is peculiarly precious to the American heart, it is that those millions of foreigners who come to our shores have the right to come, the right to stay, the right to become citizens by complying with the laws, and the right as citizens to be defended by the government.

*Resolved*, That in the United States the power to change allegiance is believed to be a fundamental right, and that the doctrine of perpetual allegiance grew out of the feudal system and became inoperative when the obligations ceased upon which that system was founded. The doctrine of expatriation can not at this day be doubted or denied in the United States; and there can be no doubt that a government having undertaken to adopt a stranger, is bound to protect him like any other citizen. The nation which has naturalized him, and has thus bound itself to protect him, can not abandon its pledges on account of the views of civil obligations which another nation may entertain.

*Resolved*, That the Governor is hereby requested to forward a copy of these joint resolutions to the President of the United States, the Secretary of State, at Washington, and to each of our Senators and Representatives in Congress.

The Chair announced the following Standing Committees:

#### HOUSE STANDING COMMITTEE.

*Judiciary.*—Messrs. Cotton, McKean, Stone, Wilson of Dubuque, McCoun, Browne of Lee, Smith of Harrison, Rowell, Johnson of Marshall, Kilburn, Murray and Johnson of Cherokee.

*Ways and Means.*—Messrs. Wilcox, McNutt, Kasson, Grantham, Williams, Bauder, Brown of Van Buren, Trusdell, Peck and Newberry.

*Schools.*—Messrs. Parker, Trusdell, Burnett, Rippey, Irish, Johnson of Cherokee, Glasgow, Sauborn, Grantham, Garrett, Brown of Fayette and Rohlf.

*Agriculture.*—Messrs. Gaylord, Dudley, Lambert, Wright, Rees, Rohlf, Wilson of Tama, Hawthorn and Ramsay.

*Public Buildings.*—Messrs. Hatch, Burnett, Bauder, Brown of Fayette, Rowell, Dashiell, Hayden, Phillips and Caldwell.

*Federal Relations.*—Messrs. Kasson, McNutt, Hart, Irish, Ballinger, Chase, Hunter, Hamilton, Cramer and Criss.

*Constitutional Amendments.*—Messrs. McKean, Ordway, Cotton, Miller, Adams, Hayden, Phillips and Smith, of Dickinson.

*State University.*—Messrs. Trusdell, Burnett, Irish, Fulton, McKean and Knapp.

*Claims.*—Messrs. Dudley, Sheldon, Orr, Atwood, Stanley, Dashiell, Hartsock and Wright.

*Railroads.*— Messrs. Williams, Kasson, Peck, Rees, Cris, Bauder, Chase, Stone, Wilson, of Dubuque, Bent, Tucker, Tillson, Johnson, of Cherokee, Knapp, Ballinger, Wilson, of Tama and Hamilton.

*Commerce.*— Messrs. McNutt, Wilcox, Hamilton, Babbitt, Blackwell, Bowen, Walling, Morrison and Perry.

*Military Affairs.*— Messrs. Brown of Fayette, Atwood, Brown of Van Buren, Ellis, Glasgow, Hart, Leach, Miller, Morrison, Murray and Kelley.

*Enrolled Bills.*— Messrs. Rippey, Babbitt, Wilson of Davis and Gaylord.

*Engrossed Bills.*— Messrs. Fulton, Craig and Stuart.

*Expenditures.*— Messrs. Cramer, Leach, Wheeler, Stuart, Walling, Hartsock, Davis, Tillson and Wilson of Davis.

*Library.*— Messrs. Kilburn, Wilson of Dubuque, Mechem, Leffingwell and Ramsay.

*Compensation of Public Officers.*— Messrs. Garrett, Allen, Atkins, Caldwell, Miller, Miles and Tucker.

*Banks and Banking.*— Messrs. Traer, Wilcox, Adams, Bowen, Caldwell, Hawthorn, and Orr.

*Domestic Manufactures.*— Messrs. Hatch, Leach, Tenney, Rector, Tritz, Ordway, and Wilson of Davis.

*Public Lands.*— Messrs. Knapp, Rees, Smith of Dickinson, Miles, McCoun, Donovan, Hart, and Tenney.

*Internal Improvements.*— Messrs. Hamilton, Craig, Allen, Perry, Stanley, Sanborn, Mechem, Criss, and Ellis.

*Agricultural College.*— Messrs. Kasson, Wheeler, Williams, Wilson of Dubuque, and Leffingwell.

*Asylum for the Insane.*— Messrs. Dasheill Guthrie, Garrett, Mechem, Ramsay, and Lockwood.

*Asylum for the Deaf and Dumb.*— Messrs. Atkins, Adams, Babbitt, Rowell, and Johnson of Cherokee.

*Penitentiary.*— Messrs. Brown of Howard, Morrison, Sheldon, Browne of Lee, and Ballinger.

*Institution for Education of the Blind.*— Messrs. Lambert, Atwood, Traer, Longueville and Bailey.

*Soldiers' Orphans Home.*— Messrs. Burnett, Gaylord, Fulton, Wright, Wilson of Tama, Rector and Glasgow.

*Horticulture.*— Messrs. Goodspeed, Werner, Ellis, Donovan, Kilburn, and Wilson of Davis.

*Reform School.*— Messrs. Ballinger, Parker, Johnson of Marshall, Peck and Cramer.

*Rules.*— Messrs. Hunter, Irish, Brown of Howard, Rees and Fulton.

*New Counties.*— Messrs. Tenney, Goodspeed, Sheldon, Kelley, Smith of Harrison, Werner and Bailey.

*Police Regulations.*— Messrs. Bent, Bolton, Blackwell, Davis, and Newberry.

*County and Township Organizations.* — Messrs. Grantham, Bent, Lambert, Brown of Howard, Burrows, Lockwood, Perry and Rector.

*Incorporations.* — Messrs. Bowen, Atkins, Hatch, Stewart, Lockwood, Walling, Hartsock, Phillips, Guthrie and Davis.

*Elections.* — Miles, Hayden, Smith of Harrison, Tritz, Burrows, and Newberry.

*Printing.* — Messrs. Hunter, Stone, Rippey, Hawthorn, Newberry, Brown of Van Buren, and Parker.

*Suppression of Intemperance.* — Messrs. Ordway, Rippey, Brown of Fayette, Mechem, Trusdell, Babbitt and Rohlf's.

*Roads and Highways.* — Messrs. Brown of Van Buren, Dudley, Brown of Howard, Blackwell, Bolton, Bailey and Donavan.

*Charitable Institutions.* — Messrs. Johnson of Marshall, Hatch, Traer, Gaylord, Goodspeed, Guthrie, Longueville, Werner and Rohlf's.

*Judicial Districts.* — Messrs. Murray, Smith of Dickinson, Burrows, Cotton, Longueville, Allen, Perry, Ramsay, Tucker, Craig, Goodspeed and Orr.

*Congressional Districts.* — Messrs. McCoun, Tillson, Stanley, Browne of Lee, Leffingwell and Sanborn.

*Senatorial and Representative Districts.* — Messrs. Chase, Caldwell, Rector, Smith of Dickinson and Stuart.

*Des Moines River Improvement.* — Messrs. Adams, Wheeler, Browne of Lee, Orr, Tritz and Stanley.

*Notaries Public.* — (*Special Committee.*) — Messrs. Stone, Miller, Murray.

Mr. Rippey offered the following resolution, which was referred to the Committee on Federal Relations:

WHEREAS, Iowa being bounded on the East and West by two of the longest and finest rivers in the world for navigation, that give us access to the lumber and mineral regions of the North and North West, and to the great cotton, rice, sugar, hemp and tobacco regions of the South, and an outlet into the Gulf of Mexico, and by that means direct communication with States of Central and South America, Mexico and the West India Islands; and

WHEREAS, The vast regions of South America consume about \$150,000,000 worth of agricultural products, Central America and Mexico about \$100,000,000, the West Indies about \$75,000,000; and also the above named countries consume or use about \$500,000,000 worth of manufactured articles of various kinds, and machinery, all of which are imported from abroad — the greater portion from Europe — and

WHEREAS, Our commerce with those countries have been cut off by means of discriminating tariffs, and the want of proper and amicable commercial relations, and we, the people of the Great West, deprived of safe, sure and reliable markets for our products; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed and our Representatives be requested to use their influence to have liberal appropriations made by the General Government for the necessary improvement of the channels of the Missouri and Mississippi rivers for navigation, and to use their utmost exertions to establish friendly commercial relations between the people of the United States and those of the West Indies, Mexico, Central and South America, to have all discriminating or prohibitory tariffs repealed on agricultural products, and a free and direct trade opened up between the people of the Missouri and Mississippi valleys and those of the above named countries.

*Resolved,* That the Secretary of State be directed to forward a copy of this memorial and resolutions to each of our Senators and Representatives in Congress.

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

*Resolved,* That the House of Representatives will encourage and protect the growing of fruit and grapes within the State of Iowa.

Mr. Wilson of Tama offered the following resolution, which was referred to the Committee on Agriculture :

WHEREAS, Serious damage is annually occasioned by the setting out of prairie-fires in the more sparsely settled portions of the State,

*Resolved,* That the Committee on Agriculture be instructed to inquire into the expediency of enacting a more stringent law against the careless and malicious firing of the prairies, and report by bill or otherwise.

Mr. Tucker offered the following resolution, which was referred to the Committee on Federal Relations :

WHEREAS, there is no mail route in Chickasaw county from north to south, the county seat being in the center of the county, making it inconvenient to transact business, from delay in mail matter ; therefore

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be and are hereby instructed, and our Representatives requested to use their influence to secure the establishment of a tri-weekly mail from Nashua in Chickasaw county, to Cresco, in Howard county, via Bradford, Chickasaw, Deerfield, Pettybone's, and Crane creek post-offices.

Also a tri-weekly mail from Williamstown, in Chickasaw county, to Deerfield in said county, via New Hampton and North Washington post-offices.

Mr. Wilson of Dubuque asked leave of absence for Mr. Tritz, which was granted.

On motion of Mr. Gaylord, Mr. Hartsock was granted leave of absence.

Mr. Rippey asked leave to substitute a copy of a letter relative to the Government survey, which was granted.

On motion of Mr. Kilburn, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The chair announced the following Special Committees:

*Geological Survey.*—Messrs. Ramsey, Smith of Dickinson, Irish, Johnson of Marshall, and Hunter.

*Committee on Ventilation and Heating Hall.*—Messrs. Gaylord, Mechem and Garrett.

Mr. Burnett offered the following resolution which was adopted:

*Resolved,* That the Speaker be requested to add one more to the Committee on Schools.

The chair announced Mr. Rohlf's as such additional member.

Mr. Knapp offered the following resolution which was adopted:

*Resolved,* That the Chief Clerk be instructed to have the several standing committees of this House published and bound with the rules of this House heretofore ordered.

Mr. Johnson, of Marshall, offered the following resolution which was adopted:

Resolution providing for an additional messenger for the House:

*Resolved,* That the Speaker be instructed to employ, in addition to the messengers already employed, Henry Courtney, of Polk County.

Mr. Guthrie offered the following resolution which was referred to the Committee on Federal Relations:

*Resolved,* That our Senators and Representatives in Congress be instructed to use their influence to secure the early establishment of an additional mail-route, viz.: A tri-weekly mail service from New Hartford, Butler County, to Butler Center, the county seat of Butler County, *via*. Willoughby and Swanton.

Mr. Burrows offered the following resolution which was adopted:

*Resolved,* That the Committee on the Suppression of Intemperance, be instructed to inquire into the expediency of striking out the word "such," and inserting the words "a majority" in lieu thereof, in chapter 64, article 2, section 1572, (2) of the Revision of 1860, and report by bill or otherwise.

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

*Resolved,* That the Committee on the Judiciary be instructed to inquire into, and report to this House by bill or otherwise, what additional legislation, if any, is necessary, to provide for the taxation of national banks and shares owned therein.

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

*Resolved,* That the Committee upon the Judiciary, be instructed to inquire into the expediency of establishing a court of Common Pleas within this State, and to report to this House at as early a day as possible, by bill or otherwise.

Mr. Lambert offered the following resolution:

*Resolved,* That it is the sense of this House that the existing system of county government by a board of supervisors be



abolished, and a board of three commissioners established in lieu thereof.

Mr. Wilson of Dubuque moved to lay the resolution on the table, which motion prevailed.

Mr. Wilson of Dubuque, offered the following resolution, which was referred to the Committee on Judiciary :

WHEREAS, The restoration to the District Courts of the United States for the District of Iowa, of jurisdiction in civil cases, would tend to relieve the Supreme and District Courts of the State, and be a great convenience to the public, by preventing to a great extent, delay in litigation, therefore,

*Resolved by the House of Representatives, the Senate concurring,* That our Senators in Congress be instructed, and our Representatives requested, to procure, as soon as practicable, the passage of a law by Congress, restoring to the District Court of the United States for the District of this State, such jurisdiction in civil cases, as is now exercised by the Circuit Court.

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

*Resolved,* That the Judiciary Committee be instructed to enquire into the expediency of so amending the stray laws, that strays appraised at twenty dollars and over, shall be sold and the proceeds, above expenses, be paid into the county school fund ; and report by bill or otherwise.

By leave, Mr. Burnett introduced House File, No. 35, A bill for an act providing for the publication and distribution of an Alphabetical Index of Iowa Volunteers.

Read first and second time and referred to Committee on Military Affairs, with instructions to report probable cost of printing the same.

By leave, Mr. Brown of Van Buren, introduced House File, No. 36, A bill for an act to repeal section 118, laws of the Eleventh General Assembly.

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

Senate messages were taken up and read.

On motion of Mr. Wilson of Dubuque, Senate File, No. 8, was taken up and read first and second time and referred to the Committee on Judiciary.

The Senate substitute for House joint resolution relative to the distribution of Supreme Court Reports was taken up and concurred in.

The Senate substitute for the House resolution relating to the distribution of the Revision of 1860, was taken up and concurred in.

Mr. Brown, of Van Buren, asked leave of the House to reconsider the reference of House File No. 36, A bill for an act for the repeal of section 118 laws of the Eleventh General Assembly, which was granted.



On motion of Mr. Brown, of Van Buren, the bill was referred to the Committee on Ways and Means.

Mr. Wilson, of Dubuque, moved that but one session a day be held until otherwise ordered, and that the session be held in the forenoon, which motion prevailed.

Mr. Wilson of Tama, moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 21, 1868.

House convened pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. Mr. Geiger.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the resolution transmitted herewith, in which the concurrence of the House is asked.

Also, that the Senate has ordered printed five hundred copies of the report of the committee to locate the Deaf and Dumb Asylum.

*Resolved*, If the House of Representatives concur, that there be printed five hundred copies of the rules adopted by the two Houses including the joint rules, the standing committees, and the usual statistics of the members and officers of both houses, that two copies be delivered to each member and officer, and the remaining number be retained by the Secretary of State for subsequent use, and the use of the next General Assembly.

JAMES M. WEART, Secretary.

Mr. McNutt asked leave to take up Senate resolution relating to printing rules and statistics of the two houses. Granted.

The resolution was then taken up, and on motion of Mr. McNutt, concurred in.

By leave Mr. Burnett offered the following resolution, which was adopted:

*Resolved*, That the Chief Clerk of the House be authorized to procure a lithographic diagram of the seats of the House, with the names of the members attached and have the same bound up with the rules of the House.

Mr. Bailey presented a petition of citizens of Clayton county, praying that the official acts of Sam'l R. Coons, a Notary Public, be legalized.

Referred to Special Committee on Notaries Public.

Mr. Grantham presented a petition of Geo. C. Van Allen, praying for an act to legalize certain acts of James Craig, a Notary Public.

Referred to Special Committee on Notaries Public.

#### REPORTS OF COMMITTEES.

Mr. Cotton submitted the following report from the Committee on Judiciary:

The Judiciary Committee, to whom was referred the joint resolution in relation to restoring to the District Court of the United States, for the District of Iowa, such jurisdiction in civil causes as is now exercised by the Circuit Court, having considered the same, have directed me to report the resolution to the House, with a recommendation that it be adopted.

AYLETT R. COTTON, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Wheeler introduced House File No. 37, A bill for an act to provide for the election of township officers and defining their duties.

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

Mr. Kasson introduced House File No. 38, A bill for an act to amend chapter 123, of the laws of the Eleventh General Assembly.

Read first and second time and referred to Committee on Military Affairs.

Mr. Ordway introduced House File No. 39, A bill for an act to amend chapter 51 of the Revision of 1860.

Read first and second time and referred to the Committee on County and Township Organization.

Mr. Lockwood introduced House File No. 40, A bill for an act to authorize the board of supervisors to compromise certain judgments.

Read first and second time and referred to the Committee on Judiciary.

Mr. McCoun introduced House File No. 41, A bill for an act to repeal sections 1 and 2, of chapter 28, of the acts of the Eleventh General Assembly.

Read first and second time and referred to the Committee on Judiciary.

Mr. Longueville introduced House File No. 42, A bill for an act to amend section No. 766, chapter 45 of the Revision of 1860.

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

Mr. Rowell introduced House File No. 43, A bill for an act to amend chapter 45 of the Revision of 1860.

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

Mr. Sanborn introduced House File No. 44, A bill for an act to amend section 3850, chapter 158 of the Revision of 1860.

Read a first and second time and referred to Committee on County and Township Organization.

Mr. Smith, of Harrison, introduced House File No. 45, A bill for an act for the relief of Josiah Cram, and others.

Read first and second time, and on motion of Smith of Harrison, referred to special committee of three.

The chair announced as such special committee, Messrs. Smith of Harrison, Knapp, and Tillson.

Mr. Bailey introduced House File No. 46, A bill for an act to legalize the official acts of Sam'l R. Coons, a notary public, in Clayton county.

Read first and second time and referred to Special Committee on Notaries Public.

Mr. Hawthorn introduced House File No. 47, A bill for an act extending jurisdiction of county judges.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Burnett introduced House File No. 48, A bill for an act amending chapter 159 of the Revision of 1860.

Read first and second time and referred to the Committee on Judiciary.

#### MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor, per hand of his secretary:

EXECUTIVE OFFICE, JAN. 21, 1868.

*Gentlemen of the House of Representatives:*

In compliance with your resolution of January 18, 1868, inquiring whether "the amount stopped against the pay of the Second and Third Iowa Infantry Volunteers has been refunded to the State by the General Government," I would inform Your Honorable Body that this amount has been allowed by the General Government, and that the Auditor of State is now issuing warrants for the same.

SAM'L MERRILL, Gov.

Mr. Burnett introduced House File No. 49, A bill for an act to prevent the driving away of cattle and other stock.

Read first and second time and referred to Committee on Agriculture.

Mr. Kilburn introduced House File No. 50, A bill for an act to amend section 2730 and 2731 of the Revision of 1860, in relation to the manner of drawing jurors.

Read first and second time and referred to Committee on the Judiciary.

Mr. Werner introduced House File No. 51, A bill for an act to legalize the official acts of E. Perdew, notary public of Lee county.

Read first and second time, and referred to Committee on the Judiciary.

Mr. Smith of Dickinson introduced House File No. 52, A bill for an act to provide for taxing indemnity swamp land.

Read first and second time and referred to Committee on Public Lands.

Mr. Browne of Lee introduced House File No. 53, A bill for an act to amend section 2642 of chapter 109, of the Revision of 1860.

Read first and second time and referred to Committee on the Judiciary.

Mr. Tucker introduced House File No. 54, A bill for an act providing for the security of costs in the courts of the State of Iowa.

Read first and second time and referred to Committee on the Judiciary.

Mr. Wilson of Dubuque introduced House File No. 55, A bill for an act to provide for an additional argument term of the Supreme Court.

Read first and second time and referred to Committee on the Judiciary.

#### RESOLUTIONS.

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

*Resolved, By the House of Representatives, the Senate concurring,* That a committee of two on the part of the House, and one on the part of the Senate, be appointed to visit the Blind Asylum at Vinton, to inquire into the wants and necessities, if any, and condition of the same, and also as to the adequacy of the building as to accommodating the blind of the State.

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

*Resolved, By the House of Representatives, the Senate concurring,* That a committee consisting of two from the House, and one from the Senate, be at once appointed to visit the Penitentiary of this State at as early a day as practicable, with instructions to examine and report to this General Assembly, First, the sanitary condition, police regulations and discipline afforded the convicts.

Second, the books, accounts, receipts, vouchers and all papers pertaining to the financial management of the prison in the hands of, or under the control of the Warden or his assistants. Third, what further improvements, if any, are necessary to the safe and humane custody of the convicts; the character, extent, and probable cost of such improvements, and such other matters as may pertain to the public interest, and which the committee may deem proper to lay before the General Assembly.

Mr. Irish offered the following resolution which was adopted:

*Resolved*, That the Judiciary Committee be instructed to inquire into the expediency of providing by law for the registration of marriages, births and deaths; and, if found expedient, to report a bill for an act enforcing such registration, and prescribing the manner in which the same shall be made.

Mr. Tenney offered the following resolution:

*Resolved*, That a committee of two be appointed by the Speaker of the House, to visit, as early as practical, the Homes for the Orphan Children of soldiers in the eastern and northern part of the State, and also a similar committee to visit that located in the south-western part of the State, and report their present condition to the House.

Mr. Atwood offered the following substitute, and moved its adoption:

*Resolved by the House of Representatives, the Senate concurring*, That a joint committee of three from the House, and two from the Senate be appointed to visit the Soldiers' Orphans Home at Davenport and Cedar Falls and Glenwood, and report upon them to this General Assembly.

Mr. Stone moved to amend the substitute by creating a joint committee of two from the House and one from the Senate, for each of the homes mentioned.

Mr. Parker moved to refer the whole subject of appointing a visiting committee to the Orphans' Homes, to the Committee on Orphans' Homes, and that they report by resolution to-morrow, which motion prevailed.

Mr. Murray offered the following resolution:

*Be it resolved by the House, the Senate concurring*, That the Secretary of State be directed to furnish each member of this General Assembly, and the Chief Clerks of the Senate and the House, with Dillon's and Hammond's Digest, one copy of each.

Mr. Rippey moved to amend: *Provided*, that it can be done without additional expense to the State.

Mr. Wheeler moved to amend the amendment: *Provided* sufficient number be on hand.

The amendment to the amendment was adopted.

The amendment was adopted, and the resolution as amended was concurred in.

Mr. Hamilton offered the following resolution:

*Resolved by the House of Representatives, the Senate concurring,* That all bills introduced, in either House, shall, after being reported from any committee, and before being considered by the Committee of the whole House, or passing to a third reading, be printed in a convenient form for filing— unless otherwise ordered — and placed on file on the desk of each Senator and member of the House; those originating in the Senate being placed in one file; those originating in the House in another; and that the Secretary of State be and he is hereby directed to procure file-boards for the same.

On motion of Mr. Brown of Van Buren, the resolution was laid on the table.

Mr. Guthrie offered the following resolution :

*Resolved by the House of Representatives,* That a committee of two be appointed to visit the Lunatic Asylum, and report upon the condition of the same.

Mr. Rowell offered the following substitute, which was adopted :

*Resolved by the House, the Senate concurring,* That a committee of two from the House and one from the Senate, be appointed to visit the Hospital for the Insane, at Mt. Pleasant, Iowa, and report to this General Assembly the present condition of said Institution.

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

*Resolved by the House, Senate concurring,* That a committee of two from the House and one from the Senate, be appointed to visit the State University and Deaf and Dumb Asylum, at Iowa City, and report upon the condition and wants of those Institutions.

By leave, Mr. Wilson of Dubuque, was granted permission to call up joint resolution relating to the District Court of the United States, for the District of Iowa, giving it such jurisdiction in civil cases as is now exercised by the Circuit Court.

The report of the committee was concurred in, and the resolution adopted.

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

*Resolved,* That the Committee on Agriculture be instructed to inquire into the expediency of enacting a law for the encouragement of planting out and cultivating shade trees along the lines of our public roads, and report upon the same.

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

*Resolved,* That the Committee on Suppression of Intemperance be instructed to enquire into the expediency of enacting a law to enable the wife of an inebriate to take possession of the husband's property, and provide guardians for their minor children; and report by bill or otherwise.

Mr. Knapp offered the following resolution which was adopted :

*Resolved,* That L. P. Baker be employed, at a salary of two dollars per day, to carry the mail to and from the Capitol as often

as is necessary to connect with the principal mails arriving and leaving.

Mr. Bent offered the following which was adopted:

*Resolved*, That the Committee on Police Regulations be requested to inquire into the expediency of requiring mill owners to build slides in their mill-dams, so as to allow fish to pass up over the same, and to report by bill or otherwise.

Mr. Hunter offered the following resolution which was adopted:

*Resolved*, That the Standing Committees of the House be printed and bound with the rules and statistics of the present session.

Mr. Atwood offered the following resolution which was lost:

*Resolved by the General Assembly of the State of Iowa*, That the Secretary of State transmit to the Library of the Orphans' Home at Davenport, Iowa, and also to that at Cedar Falls, and Glenwood, Iowa, to become part of said library, two copies of each document or book which has been or shall be distributed this session by the General Assembly, and also copies of all other documents such as have been heretofore so distributed, so far as it can be done without reprinting.

#### MESSAGES AND COMMUNICATIONS ON SPEAKER'S TABLE.

The message from the Governor relating to the pay of the Second and Third Iowa Infantry stopped by the United States Government, was taken up and read, and referred to the Committee on Claims.

Mr. Rippey moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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#### HALL OF THE HOUSE OF REPRESENTATIVES, DES MOINES, IOWA, January 22, 1868.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Turnbull.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the concurrent resolution transmitted herewith, in which the concurrence of the House is asked.



*Resolved by the Senate, the House concurring,* That the Post-office of the General Assembly shall be kept open on Sabbath from 7 to 10 o'clock A. M., and that the Post-master and Assistant be excused from attending thereto for the remainder of the Sabbath day.

*Resolved by the Senate, the House concurring,* That the Post-master and Assistant Post-master each be entitled to two daily papers, or their equivalent in weeklies, and to one dollar and fifty cents weekly postage.

WHEREAS, The Eleventh General Assembly did, in the month of February, 1866, appoint Senators Powers, R. A. Finkbine and John Russell, three of their own members, to visit the Agricultural College and Farm; said committee did visit said College and Farm, and report on the condition and management of the same at length, which report was printed and laid on the desk of members, but seems to be studiously omitted from the journals of both Houses of the Eleventh General Assembly, no reference being made therein to said report; therefore,

*Resolved by the Senate, the House concurring,* That a committee of five—two from the Senate and three from the House—be appointed to enquire into the causes of such mutilations of the journals of the Eleventh General Assembly, and to report the result of their investigations at as early a day as possible.

JAMES M. WEART, Secretary.

#### PETITIONS AND REMONSTRANCES.

Mr. Goodspeed presented a petition of Mark Miller and others, praying for an appropriation in aid of the State Horticultural Society.

Referred to Committee on Horticulture.

Mr. Blackwell presented a petition praying for the repeal of the present prohibitory liquor law, and the enactment of a judicious liquor license law.

Referred to Committee on the Suppression of Intemperance.

Mr. Hart presented a petition signed by the board of supervisors of Henry county, asking a change in section 909, page 145, Revision of 1860, in relation to the distribution of delinquent road tax.

Referred to the Committee on Judiciary.

Mr. Brown of Howard, presented a petition of citizens of the State of Iowa, praying for the enactment of a law restraining horses from running at large.

Referred to Committee on County and Township Organization.

Mr. Burnett presented a petition of F. M. Witter and others, praying for the establishment of a State Normal School.

Referred to Committee on Schools.

Mr. Johnson of Cherokee, presented a petition of Geo. E.

Fisher and others, praying for the establishment of a State Normal School.

Referred to Committee on Schools.

Mr. Wilson of Dubuque, presented a petition of sundry citizens of Delaware county, in reference to the game law.

Referred to Special Committee on Game Law.

Mr. Phillips presented a petition of John Gharky, praying for an act making null and void the sale of property for taxes.

Referred to Committee on Claims.

Mr. Blackwell presented a petition praying for a change in the game law.

Referred to Special Committee on Game Law.

Mr. Ballinger presented a petition of Samuel B. McLane *et al.* praying for the establishment of a State Normal School.

Referred to Committee on Schools.

Mr. Johnson of Cherokee presented a petition of citizens of Carroll, Sac, Buena Vista, Clay, and Dickinson counties, praying for the establishment of a mail route in said counties.

Referred to the Committee on Federal Relations.

Mr. Criss presented a petition of board of supervisors of Woodbury county.

Referred to the Committee on Railroads.

Mr. Criss also presented a petition of the board of supervisors of Plymouth county.

Referred to the Committee on Railroads.

Mr. McNutt presented a petition of Mary Fortune and forty-nine others, praying for the establishment of a State Normal School.

Referred to the Committee on Schools.

Mr. Bauder presented a petition of R. A. Boyce and others, praying for the establishment of a State Normal School.

Referred to the Committee on Schools.

#### REPORTS OF COMMITTEES.

Mr. Wilcox submitted the following report:

Your committee to whom was referred House File No. 36, A bill for an act to repeal section 118, laws of the Eleventh General Assembly, and to re-enact a law for the publication of board of supervisors, have had the same under consideration, and instruct me to report the same back to the House without recommendation.

WILCOX, Chairman.

Report ordered on file.

Mr. Knapp submitted the following report:

The Committee on Public Lands to whom was referred the resolution relating to an act to facilitate the settlement of swamp-land matters between the State and General Government, have had the same under consideration, and have directed me to report the same

back to the House with amendments, recommending that it do pass as amended.

T. B. KNAPP, Chairman.

Report ordered on file.

Mr. Cotton submitted the following report:

The Judiciary Committee, to whom was referred House File No. 40, A bill for an act to authorize the board of supervisors to compromise judgments in favor of the State, have considered the same, and recommend that it do pass.

COTTON, Chairman.

The Judiciary committee, to whom was referred House File No. 41, A bill for an act to repeal sections 1 and 2, of chapter 28, of the acts of the Eleventh General Assembly of the State of Iowa, and re-enact section 4324 of the Revision of 1860, have had the same under consideration and recommend its passage.

COTTON, Chairman.

The Judiciary Committee, to whom was referred Senate File No. 8, A bill for an act to amend section 1, of chapter 36, of the acts of the Eleventh General Assembly of the State of Iowa, entitled "An act to annex the township of Charleston, in the county of Lee, to the townships of Jackson, Montrose, Des Moines, and Van Buren, in said county, for judicial purposes," having considered the same, recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 3, A bill for an act to legalize the acts of Wilson Thockmorton, lately a justice of the peace in Clarke county, Iowa, have directed me to report the same back to the House with the recommendation that it be referred to the Committee on Notaries Public.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 20, A bill for an act to legalize the acts of James Foster, justice of the peace of Orange township, Guthrie county, Iowa, recommend that the same be referred to the Committee on Notaries Public.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 51, A bill for an act to legalize the official acts of P. Depew, a notary public, recommend its reference to the Committee on Notaries Public.

COTTON, Chairman.

The Judiciary Committee to whom was referred House File No. 28, A bill for an act to legalize the acts of E. Kinley, a notary public of Lee county, have directed a report that the same be amended by adding at the end of the second section, the words "without expense to the State," and the committee, being informed that it is important that the bill should be acted on without delay,

recommend that the bill so amended pass without being referred to the Committee on Notaries Public.

COTTON, Chairman.

The Judiciary Committee recommend that House File No. 27, A bill for an act to amend an act made regulating the compensation of officers, be referred to the Committee on Compensation of Public Officers.

The Judiciary Committee recommend that House File No. 23, A bill for an act to amend section 4145 of the Revision of 1860, and section one of chapter 45 of the acts of the Tenth General Assembly, in relation to the fees of sheriffs, be referred to the Committee on Compensation of Public Officers.

COTTON, Chairman.

The Judiciary Committee, to whom was referred a resolution relative to amending the estray laws, recommend its reference to the Committee on Agriculture.

COTTON, Chairman.

The report was ordered on file.

Mr. Gaylord submitted the following report:

MR. SPEAKER:—The committee to whom was referred the resolution asking for the enactment of a more stringent law against "the careless and malicious firing of the prairies," have had the same under consideration, and have instructed me to report that they consider no further legislation necessary to promote the object sought for by the author of the resolution.

W. P. GAYLORD, Chairman.

Report ordered on file.

Mr. Burnett submitted the following report:

The Committee on Soldiers' Orphans Home, to whom was referred the resolutions relative to the appointment of committees to visit the different Homes of this State, have had the same under consideration and instruct me to report the following resolution and recommend its adoption.

BURNETT, Chairman.

*Resolved, by the House of Representatives, the Senate concurring,* That a committee of four from the House and two from the Senate, be appointed to visit the Soldiers' Orphans Home at Davenport and Cedar Falls, and also a like committee to visit the Soldier's Orphans Home at Glenwood, and report the condition of those institutions to this General Assembly, and especially as to whether any improvements can be introduced into their domestic, social, educational, or sanitary arrangements to promote their efficiency, and such further information as may be necessary in promoting proper legislation in regard to said institutions.

Report ordered on file.

Mr. Rowell submitted the following report:

MR. SPEAKER:—The special committee to whom was referred House File No. 12, A bill to change the time of holding courts in

the 3d Judicial District, have had the same under consideration; and have instructed me to report it back to the House, and recommend it to be put upon its passage.

N. W. ROWELL, Chairman.

Mr. Ramsay submitted the following report:

MR. SPEAKER: Your special committee to whom was referred all matters pertaining to the State Geological Survey, beg leave to report that they have had the same under consideration, and find that by act of the Eleventh General Assembly, the sum of six thousand and five hundred dollars was annually appropriated to defray the expenses and pay the salaries of the officers of said survey.

We have carefully examined the books, accounts and vouchers of the State Geologist, and find them correct. We find that he will have expended not more than twelve thousand dollars of said appropriation on the first day of next April, which will close the two years for which he was appointed.

Thus there will remain in the treasury about one thousand dollars of the original appropriation. This saving we find to result from the fact that the State Geologist was without an assistant for the period of about six months, and the further fact that the trustees of the State University placed suitable rooms at the disposal of the State Geologist, rent free—said rooms being entirely under the control of the State Geologist.

We, therefore, recommend the passage of House File No. 4.

A. A. RAMSAY, Chairman.

Mr. Gaylord submitted the following report:

MR. SPEAKER:—The special committee to whom was referred the resolution relating to the "heating and ventilating" of this hall, beg leave to report that they have completed the work assigned to them, and would recommend that the curtains of the windows be fastened to the sash; that after each adjournment the windows be lowered for the term of fifteen minutes; that a thermometer be hung on the wall near the door, and a signal be established between the Door-keeper and the Fireman, and that the temperature of the atmosphere hereafter be kept at 65° Fahrenheit.

W. P. GAYLORD, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Kilburn introduced House File, No. 56, A bill for an act to provide for the reception and safe keeping of the maps, field-notes and other records pertaining to the surveyor-general's office.

Read first and second time and referred to the Committee on Public Lands.

Mr. Wheeler introduced House File, No. 57, A bill for an act fixing the time of holding the courts in the second judicial district.

Read first and second time and referred to the members of the Second Judicial District.

Mr. McKean introduced House File, No. 58, A bill for an act limiting the value of homesteads exempt from general execution to five thousand dollars.

Read first and second time, and referred to the Committee on Commerce, and ordered printed.

Mr. Rohlfz introduced House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens as to the acquisition, enjoyment, and transfer of property.

Read first and second time, and referred to Committee on the Judiciary.

Mr. Irish introduced House File No. 60, A bill for an act providing for the payment of witness fees, in certain cases, by the State.

Read first and second time and referred to Committee on the Judiciary.

Mr. Parker introduced House File No. 61, A bill for an act to encourage the cultivation of forest trees.

Read first and second time and referred to the Committee on Horticulture.

Mr. Murray introduced House File No. 62, A bill for an act to amend section 3265 of the Revision of 1860, giving clerks of district courts powers to issue execution in certain cases.

Read first and second time and referred to Committee on the Judiciary.

Mr. Walling introduced House File No. 63, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly.

Read first and second time and referred to the Committee on Schools.

Mr. Caldwell introduced House File No. 64, A bill for an act to amend section 50, chapter 172, laws of the Ninth General Assembly.

Read first and second times and referred to Committee on Schools.

Mr. Wilson of Dubuque, introduced House File No. 65, A bill for an act to repeal section 3276, chapter 125, of the Code.

Read first and second time and referred to the Committee on Judiciary.

Mr. Fulton introduced House File No. 66, A bill for an act providing for designating roads.

Read first and second time and referred to the Committee on Roads and Highways.

Mr. Hawthorn introduced House File No. 67, A bill for an act to provide for the collection of delinquent taxes.

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

Mr. Wilcox introduced House File No. 68, A bill for an act to establish normal schools.

Read first and second time and referred to the Committee on Schools, and ordered printed.

Mr. Wheeler introduced House File No. 69, A bill for an act to amend chapter 45, of the Revision of 1860, in relation to revenue.

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

Mr. Rippey introduced House File No. 70, A bill for an act to have entered on the tax list the names of all persons who have purchased lands since the last assessment, and to have the number of acres in said tract entered opposite the description of same.

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

Mr. Murray introduced House File No. 71, A bill for an act to amend section one, chapter 116, laws of the 9th General Assembly, changing time when taxes become a lien upon real estate.

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

Mr. Rowell introduced House File No. 72, A bill for an act to repeal article 7, chapter 22, of the Revision of 1860.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Kelley introduced House File No. 73, A bill for an act to repeal section 135 of the acts of the Eleventh General Assembly.

Read first and second time, and referred to the Committee on Agriculture.

#### RESOLUTIONS.

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

*Be it Resolved by the House of Representatives the Senate concurring,* That a committee of two from the House and one from the Senate, be appointed to visit the Agricultural College and Farm, and report upon the condition and management of the same. Also to inquire into, and ascertain as far as practicable whether the last appropriation by the Eleventh General Assembly has been judiciously expended, and such other matters, as shall by the committee be deemed of importance to the General Assembly.

Mr. Mechem offered the following resolution which was adopted :

WHEREAS, Grave charges have been made by many in portions of the State relative to the care and treatment of the orphans at the Home at Davenport: therefore,

*Resolved,* That the committee appointed or to be appointed by the Speaker to visit the different Homes, be requested to make special investigation of this matter, in order that the friends of this humane institution may have their minds disabused, if the charges are unfounded.



Mr. Irish offered the following resolution :

*Resolved*, That it is the sense of this House that the present prohibitory liquor law of Iowa should be repealed, and a judicious license law enacted in lieu thereof.

Mr. Dudley moved that the resolution be laid on the table.

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

The yeas were, Messrs. Atkins, Atwood, Bailey, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Craig, Cramer, Dashiell, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leach, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—69.

The nays were, Messrs. Adams, Allen, Babbitt, Ballinger, Bauder, Blackwell, Browne of Lee, Caldwell, Cotton, Criss, Davis, Donovan, Hawthorn, Irish, Kelley, Leffingwell, Lockwood, Longueville, Miller, Peck, Rippey, Rohlf, Rector, Stuart, Werner, Wilson of Dubuque, and Wright.—27.

Absent and not voting, Messrs. Hamilton, Hartsock, and Tritz.

So the motion to lay on the table prevailed.

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

*Resolved*, That the Committee on Military Affairs be directed to inquire into the claims of the members of the First Iowa Cavalry for services prior to the date from which they were paid by the General Government, and that said committee be directed to report by bill or otherwise.

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

*Resolved*, That the committee appointed to visit the State Prison be instructed to inquire into the propriety of appointing a chaplain for said prison and report to this General Assembly.

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

*Resolved*, That the Committee on Horticulture be instructed to inquire into the propriety of exempting from taxation, all lands planted with fruit or forest trees, the former for a period of seven years, and the latter fifteen years from and after the planting of said trees, and report by bill or otherwise.

Mr. Phillips offered the following resolution, which was lost :

*Resolved*, That the Committee on Reform Schools for young convicts, be and they are hereby requested to consider the propriety of extending its benefits to all culprits, now liable to imprisonment in the penitentiary, of whatever age or sex.

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

*Resolved*, That the Committee on Commerce be and are hereby instructed to report for the action of this House, a bill for the prevention (by railroad companies operating lines in this State) of tariffs of freights discriminating in favor of cities and towns outside of the State of Iowa.

Mr. McNutt offered the following resolution:

*Resolved, by the House of Representatives, the Senate concurring*, That the Secretary of State be directed to have five hundred copies of the last census report bound in half-sheep: *Provided*, the cost shall not exceed forty cents per copy. That two copies, if practicable, of said report, so bound, shall be delivered to each member of the General Assembly, and the remainder retained in the Secretary's office, for distribution among other States and public libraries.

Mr. Dudley moved to amend by striking out, forty cents, and substitute the price paid by law.

Mr. Lambert moved that the matter be referred to the Committee on Expenditure, which motion did not prevail.

The motion to amend did not prevail.

Mr. Ordway offered an amendment, and moved its adoption:

*Resolved by the House, the Senate concurring*, That there be ordered bound in half-sheep, two hundred copies of the census report—one copy to be furnished to each of the members of the General Assembly, and the remainder left with the Secretary of State. Also a sufficient number printed in the usual way to furnish each member of the General Assembly with three each.

Mr. Wilcox moved to amend the amendment by striking out "three" and inserting "seven."

Mr. Parker moved that the whole matter be referred to a special committee of three, and that they be requested to report to-morrow the cost of a re-print, if one is required.

The motion to refer did not prevail.

The amendment to the amendment was lost.

The amendment was lost, and the resolution was adopted.

Mr. Trusdell offered the following resolution:

*Resolved*, That it is the sense of this House that the sale of intoxicating liquors as a beverage is a crime, and as such it can not be licensed, but should be entirely and unqualifiedly prohibited as any other crime; and if necessary for the suppression of intemperance, we ought to enact a more stringent law upon the subject, and also to provide for its perfect enforcement by creating a State constabulary for this express purpose.

Upon the adoption of the resolution the yeas and nays were demanded.

Mr. McNutt moved a call of the House.

The motion prevailed, and the Clerk proceeded to call the roll.

Mr. Dudley moved that further proceedings under the call be dispensed with, which motion did not prevail.

The absentees were called, and Messrs. Traer and Williams answered to their names, and were excused by the House.

On motion of Mr. Wilson of Dubuque, further proceedings under the call were dispensed with.

Mr. McNutt moved that the resolution be referred to the Committee on the Suppression of Intemperance.

Mr. Irish moved that the resolution be laid on the table, and called for the yeas and nays, which were as follows :

The yeas were Messrs. Adams, Allen, Babbitt, Ballinger, Bauder, Blackwell, Browne of Lee, Caldwell, Davis, Donovan, Hawthorn, Irish, Kelley, Leach, Leffingwell, Lockwood, Longueville, Mechem, Miller, Orr, Parker, Peck, Rohlf, Rector, Stone, Stuart, Werner, Wilson of Dubuque, and Wright—28.

The nays were Messrs. Atkins, Atwood, Bailey, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—69.

Absent and not voting, Messrs. Hartsock and Tritz.

So the motion to lay on the table did not prevail.

Upon the question to refer the resolution to the Committee on Suppression of Intemperance. The yeas and nays were demanded, and were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown, of Howard, Brown, of Van Buren, Burnett, Burrows, Caldwell, Chase, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hunter, Johnson, of Cherokee, Johnson, of Marshall, Kasson, Kilburn, Knapp, Lambert, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Tillson, Trusdell, Tucker, Walling, Wilcox, Williams, Wilson, of Davis, Wilson of Tama, and Mr. Speaker.—70.

The nays were, Messrs. Babbitt, Bauder, Blackwell, Brown of Fayette, Browne of Lee, Cotton, Donovan, Hawthorn, Irish, Kelley, Leach, Leffingwell, Lockwood, Longueville, Miller, Murray, Ordway, Peck, Rohlf, Rector, Smith of Harrison, Stuart, Traer, Werner, Wheeler, Wilson, of Dubuque, and Wright.—27.

Absent and not voting, Messrs. Hartssock and Tritz.—2.

So the motion to refer prevailed.

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

*Resolved by the House, the Senate concurring,* That there be a committee of two on the part of the House and one on the part of the Senate appointed to examine the accounts and vouchers of the State Binder and State Printer, on file in the Auditor's office, and report whether any further legislation is necessary in regard to the work of printing or binding for the State.

Mr. McNutt asked leave of absence for Mr. Burnett, which was granted.

Mr. Wilson of Davis, moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 23, 1868.

House convened pursuant to adjournment. Speaker in the chair.

Prayer by Rev. Mr. Rice.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed a joint resolution asking for additional mail facilities from Winterset, in Madison county, to St. Joseph, Missouri, which resolution is transmitted herewith, and in which the concurrence of the House is asked.

Also, the Senate has concurred in the House resolutions for the appointment of committees to visit the following named State Institutions :

The Hospital for the Insane ; the State University, and Deaf and Dumb Asylum, at Iowa City ; the Blind Asylum ; the Penitentiary.

*Be it Resolved by the Senate, the House concurring,* That our Senators in Congress be and are hereby instructed, and our Representatives requested to use their influence to secure the following mail route and mail facilities, to-wit :

A daily mail from Winterset, in Madison county, Iowa, through Afton, Union county, Iowa, Mt. Ayr, Ringgold county, Iowa, Grant City, Missouri, to St. Joseph, Missouri ; and that the Secretary of State be requested to forward a copy of this resolution to each of our Senators and Representatives in Congress.

JAMES M. WEART, Secretary.

## PETITIONS AND REMONSTRANCES.

Mr. Trusdell presented a petition of Emery S. Bartlett and others, praying for an appropriation to pay the expenses and costs incurred by them in defending prosecution for executing military order in arresting murderers of Provost Marshal Woodruff.

Referred to the Committee on Claims.

Mr. Adams presented a petition of Henry Strong and other members of the Bar of Iowa, residing in Des Moines county, praying for the enactment of a law abolishing the Davenport argument term of the Supreme Court.

Referred to Committee on Judiciary.

Mr. Grantham presented a petition of Wesley Dennet and two hundred others praying for a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a petition of Jacob C. Baehr and others, praying for the establishment of a State Normal School.

Referred to the Committee on Schools.

## REPORTS OF COMMITTEES.

Mr. Brown from the Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to whom was referred the bill entitled An Act to amend chapter 123 of the laws of the Eleventh General Assembly relating to the gray uniform so-called, which was furnished by the State to certain members of the Second and Third Iowa Infantry, have directed me to report the same to the House, with amendment, and recommend its immediate passage.

AARON BROWN, for the Committee.

Mr. Knapp from the Committee on Public Lands, submitted the following report:

The Committee on Public Lands to whom was referred House File No. 32, A bill for an act to legalize certain acts of the boards of supervisors of Howard county, Iowa, have had the same under consideration and have directed me to report the same back to the House with amendments recommending that it do pass as amended.

THOMAS B. KNAPP, Chairman.

The Committee on Public Lands, to whom was referred House File No. 52, A bill for an act to provide for the taxing of land entered with Indemnity Swamp Land Scrip, have had the same under consideration and have directed me to report the same back to the House with title amended, recommending that it do pass as amended.

THOMAS B. KNAPP, Chairman.

Mr. Cotton from the Committee on the Judiciary submitted the following report:

The Judiciary Committee have had under consideration House File No. 62, A bill for an act to amend section 3265, Revision of 1860, giving clerks of the District Court power to issue executions in certain cases, and recommend its passage.

AYLETT R. COTTON, Chairman.

The Judiciary Committee to whom was referred House File No. 65, A bill for an act to repeal section 3276 of chapter 125, of the Revision of 1860, having considered the same, recommend that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee to whom was referred House File No. 55, A bill for an act to provide for an additional argument term of the Supreme Court, have considered the same, and recommend that it be put upon its passage.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have considered House File No. 13, A bill for an act to amend an act in relation to juror's fees, approved February 17, 1862, and directed me to report the same, with the recommendation that it do not pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee, to whom was referred the petition of Supervisors of Henry county in relation to the distribution of road money recommend a reference of the petition to the Committee on Roads and Highways.

AYLETT R. COTTON, Chairman.

Mr. Grantham, from the Committee on Township and County Organization, submitted the following report:

The Committee on Township and County Organization, to whom House File No. 39 was referred, A bill for an act to amend Chapter 51 of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it be referred to the Committee on Incorporations.

JOHN P. GRANTHAM, Chairman.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred the resolution relating to the expediency of enacting a law "to encourage the planting out and cultivating shade trees along the lines of public roads," have instructed me to report the same back to the House, with the recommendation that said resolution be referred to the Committee on Horticulture.

W. P. GAYLORD, Chairman.

The Committee on Agriculture, to whom was referred House File No. 49, entitled A bill for an act to amend an act, entitled an act to prevent the driving away of cattle and other stock, have had



the same under consideration, and have instructed me to report it back to the House, and as amended to recommend its passage. The amendment being to strike out the word, resident, and insert in lieu thereof the words, or other persons.

W. P. GAYLORD, Chairman.

Mr. Dudley from the Committee on Claims, submitted the following report:

Your committee, to whom was referred the communication of the Governor relative to the pay of the Second and Third Iowa Infantry, have instructed me to report that the claims are being paid, and that no further action is necessary.

C. DUDLEY, Chairman.

Mr. Brown from the Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways, to whom was referred House File, No. 30, have had the same under consideration and directed me to report the bill back to the House with a recommendation that it do pass.

JOEL BROWN, Chairman.

Mr. Brown from the Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways, to whom was referred House File, No. 19, A bill for an act to vacate certain alleys in the town of Waterloo, Black Hawk county, have had the same under consideration and find that it conflicts with section 70 of the Constitution of the State; they therefore recommend that it be indefinitely postponed.

JOEL BROWN, Chairman.

Mr. Smith of the Special Committee submitted the following report:

Your committee to whom was referred House File No. 45, An act requesting relief to Josiah Crom, Ezra Vincent, *et al.*, have instructed me to report the same back to the House, with the recommendation that the same be put upon its passage.

J. H. SMITH, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Sanborn introduced House File No. 74, A bill for an act to provide for the collection of taxes by township collectors.

Read first and second time and referred to the Committee on County and Township Organization, and ordered printed.

Mr. Browne of Lee introduced House File No. 75, A bill for an act granting to the United States Government the right of way for a ship canal around the Lower Rapids of the Mississippi river on the Iowa side.

Read first and second time and referred to Committee on the Judiciary.



Mr. Bent introduced House File No. 76, A bill for an act to amend chapter 103 of the Revision of 1860, in relation to divorce.

Read first and second time and referred to Committee on the Judiciary.

Mr. Stuart introduced House File No. 77, A bill for an act to encourage the cultivation of forest and shade trees.

Read first and second time and referred to the Committee on Horticulture.

Mr. Cotton introduced House File No. 78, A bill for an act to provide for the adjustment of claims of members of the First Iowa Cavalry.

Read first and second time, and referred to the Committee on Military Affairs.

Mr. Bailey introduced House File No. 79, A bill for an act to amend section 891, chapter 46, of the Revision of 1860, defining the duties of township trustees.

Read first and second time, and referred to Committee on County and Township Organization.

Mr. Ramsay introduced House File No. 80, A bill for an act to prohibit boards of supervisors employing attorneys or counsel in doing ordinary county business.

Read first and second time, and on motion of Mr. McCoun, was referred to the Committee on Judiciary.

Mr. Rowell introduced House File No. 81, A bill for an act to enable sureties on replevin bonds to exonerate themselves from further liability on the same.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Ballinger introduced House File No. 82, A bill for an act to amend an act in relation to county-seats.

Read first and second time, and referred to the Committee on New Counties.

Mr. Garrett introduced House File No. 83, A bill for an act to amend section 8, chapter 143, of the acts of the Eleventh General Assembly, in relation to county superintendents of schools.

Read first and second time, and referred to the Committee on Schools.

Mr. Hamilton introduced House File No. 84, A bill for an act to resume all rights conferred upon the McGregor Western Railroad Company by an act of Congress approved May 12, 1864.

Read first and second time, and referred to the Committee on Railroads.

Mr. Kilburn introduced House File No. 85, A bill for an act for increasing the State Library, and to levy and collect taxes for that purpose.

Read first and second time, and referred to the Committee on Library.

Mr. Werner introduced House File No. 86, A bill for an act

exempting orchards and vineyards from taxation for the term of ten years from time of planting.

Read first and second time, and referred to the Committee on Horticulture.

Mr. Rippey introduced House File No. 87, A bill for an act to prevent betting on elections.

Read first and second time, and referred to Committee on the Judiciary.

#### RESOLUTIONS.

Mr. Hayden offered the following resolution, which, on motion of Mr. McNutt, was referred to the Committee on Federal Relations :

*Resolved*, That it is the sense of this House that it is contrary to the principles and genius of a sound republican government, and in conflict with all moral and civil jurisprudence, and a violation of the Declaration of Independence and the Constitution of Iowa, to hold any citizen, who has a right to citizenship in these United States by birth or naturalization, under law by penalty, or subject to taxation, without the right of representation at the ballot box.

Mr. Rippey offered the following resolution, which, upon motion of Mr. Brown of Van Buren, was referred to the Committee on Public Lands.

*Resolved*, That the act of Congress known as the homestead law, is based upon principles of sound, public policy, and simple justice; that the public domain should be secured to the actual settlers; and that all grants obtained by corporations through the plausible pretext of public improvements, are injurious to the best interests of the State; that it is necessary that a law should be passed by this legislature that will secure to the actual settler, in good faith, the lands granted to the State of Iowa by the joint resolution of March 3, 1861, and the act of Congress of July 12, 1862, and commonly known as the Des Moines River Lands, the land upon which he has settled, upon terms as favorable as the same might formerly have been purchased of the Government of the United States, and that the Judiciary Committee be instructed to prepare a bill for an act to that effect, and report it to this House for consideration.

Mr. Hunter offered the following resolution, which was lost :

*Resolved*, That the Committee on Roads and Highways be instructed to inquire into the expediency of so amending section 1, chapter 163, of the laws of the Ninth General Assembly, as to allow township trustees to levy a tax of five mills for road purposes where the same may be deemed necessary by said trustees, and report the same to this House by bill or otherwise.

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

*Resolved*, That the Committee on Commerce be instructed to inquire as to the propriety of the passage of a law requiring railroad companies to fix their passenger and freight tariffs on their respective roads in proportion to distance, so as not to be allowed to discriminate against particular points on the lines of their roads.

Mr. Stone offered the following resolution and demanded the yeas and nays on its adoption :

*Resolved*, That it be expressed as the sense of this House that the right of the elective franchise should be impartially extended to all men in the State of Iowa, irrespective of race or color.

Mr. Rippey moved that the resolution be referred to the Committee on Elections.

Mr. Irish moved to lay the resolution on the table.

Upon the question to lay on the table, Mr. Stone demanded the yeas and nays, which were as follows :

The yeas were, Messrs. Adams, Allen, Babbitt, Bauder, Blackwell, Browne of Lee, Criss, Davis, Donovan, Hawthorn, Irish, Kelley, Leffingwell, Lockwood, Longueville, Miller, Peck, Rees, Rector, Stuart, Tillson, Werner, Wilson of Dubuque, and Wright. — Yeas 24.

The nays were, Messrs. Atkins, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leach, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rippey, Rohlfis, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker. — Nays 70.

Absent and not voting, Messrs. Burnett, Hartsock, Orr, Phillips and Tritz. — 5.

So the motion to lay on the table did not prevail.

And the motion to refer to the Committee on Elections, did not prevail.

Mr. Murray moved to amend by striking out "men" and insert "all persons of the age of 21 years and upward," which motion prevailed.

On motion of Mr. Kasson the resolution as amended was referred to the Committee on Constitutional Amendments.

Mr. Hayden offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring*, That the Committee on Constitutional Amendments be and are hereby instructed to recommend in their report that the Constitution be so amended, that after the word "vote" in Article 2nd,

section 1st, the word "sixty" be stricken out and "ten" be inserted, so as to read, "every white male citizen of these United States of the age of twenty-one years, who shall have been a resident of this State six months next preceding the election, and of the county in which he claims his vote ten days, shall be entitled to vote at all elections which are now or shall hereafter be authorized by law."

Mr. Brown, of Van Buren, moved that the resolution be laid on the table, which motion prevailed.

Mr. Babbitt offered the following resolution :

*Resolved*, That five hundred copies of the report of the commissioners appointed by an act of the Eleventh General Assembly, entitled An act to permanently locate the Institution for the Deaf and Dumb at Council Bluffs, and referred to by the Governor in his special message to this House, be printed for the use of this House.

Mr. Parker moved, that the resolution be referred to the Committee on Deaf and Dumb Asylum, which motion prevailed.

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

*Resolved*, That the Judiciary Committee be instructed to inquire into the expediency of the enactment of a law prohibiting the consolidation of parallel lines of railroads within this State into one mammoth corporation.

Mr. Lambert offered the following resolution :

*Resolved*, That the jaintor and paper-folders, be allowed five daily newspapers or their equivalent in weeklies, and the sum of two dollars per week in postage stamps.

Mr. Brown of Van Buren moved to amend by striking out five dailies and inserting two dailies, and striking out two dollars and insert one dollar and fifty cents, which motion prevailed, and the resolution as amended was adopted.

Mr. Werner offered the following resolution :

*Resolved*, That all aliens have the right to vote notwithstanding they have not complied with the naturalization laws of Congress, after being in the State of Iowa one year.

On motion of Mr. Tillson the resolution was referred to the Committee on Elections.

Mr. Parker moved that all resolutions relating to suffrage be referred to the Committee on Constitutional amendments, without reading.

Mr. McNutt moved to amend that such resolution be read but not debated. The motion to amend prevailed, and the motion as amended to refer prevailed.

Mr. Brown of Van Buren asked leave of absence for Mr. Ellis till next Tuesday, which was granted.

Mr. Rees asked leave to present a memorial, which was granted and referred to the Committee on Public Lands.

Mr. Rowell moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, Iowa, January 24, 1868.

House convened according to adjournment. Speaker in the chair.

Prayer by Rev. Mr. King.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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. 22, A bill for an act for the relief of Louisa county.

Senate File No. 27, A bill for an act to amend section 4296 of the Revision of 1860, in relation to resisting officers.

Also that the Senate has concurred in the House resolutions relative to appointment of committees to visit Agricultural College and Farm, and to examine the warrants of the State Printer and State Binder on file in the Auditor's office.

Also the Senate has indefinitely postponed the House resolution relative to the distribution of Dillon's and Hammond's Digests.

Also that the following joint committees have been announced on the part of the Senate :

To visit Blind Asylum, Senator Woolson.

To visit Deaf and Dumb Asylum and State University, at Iowa City, Senator Fellows.

To visit Insane Hospital, Senator Bulis.

To visit State Penitentiary, Senator Griffith.

JAMES M. WEART, Secretary.

PETITIONS AND REMONSTRANCES.

Mr. Hart presented a petition from W. A. Wilson and one hundred and eighty-five other citizens of Henry county, asking for the enactment of a more stringent prohibitory liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. Hatch presented a petition of Fuller, Warren & Co., asking pay for Lawson Wood furnace furnished the State Arsenal.

Referred to the Committee on Claims.

Mr. Sanborn presented a petition of citizens of Delaware county, praying for a law authorizing the collection of taxes by suit where the same can not be collected by the present law.

Referred to the Committee on Judiciary.

Mr. Traer presented a petition of eight hundred and seventy-seven citizens of Benton county, praying for the enactment of a law entirely suppressing the manufacture and sale of all alcoholic beverages.

Referred to the Committee on Suppression of Intemperance.

Mr. Miles presented a petition of ninety-seven citizens of Washington county, praying for the establishment of a Normal School.

Referred to the Committee on Schools.

Mr. McNutt presented a petition of four hundred and one citizens of Muscatine county, praying for the enactment of a law for the entire suppression of the manufacture and sale of all alcoholic beverages.

Referred to the Committee on Suppression of Intemperance.

Mr. Criss presented a memorial of citizens of Plymouth county in relation to the Dubuque & Sioux City Railroad.

Referred to the Committee on Railroads.

Mr. Hunter presented a petition of citizens of Franklin county, praying for the establishment of a State Normal School.

Referred to Committee on Schools.

Mr. Allen presented a petition of the voters of Burlington township, Des Moines county, Iowa, for legalizing the creation of an independent school district, and the official acts of the officers.

Referred to the Committee on Schools.

Mr. Johnson of Cherokee, presented a petition of citizens of Cherokee county, in relation to the Dubuque & Sioux City Railroad.

Referred to Committee on Railroads.

Mr. Tucker presented a petition of six hundred and seventy-four citizens of Chickasaw county, praying for the enactment of a law entirely suppressing the manufacture and sale of all alcoholic beverages.

Referred to the Committee on the Suppression of Intemperance.

Mr. Bauder presented a petition from the board of supervisors of Lee county.

Referred to Committee on Charitable Institutions.

Mr. Werner presented a memorial to our delegation in Congress.

Referred to Committee on Federal Relations.

Mr. Fulton presented a petition of members of the bar of Jefferson county, asking to be assigned to the argument term of the Supreme Court at Des Moines instead of Davenport.

Referred to Committee on Judiciary.

## REPORTS OF COMMITTEES.

Mr. Brown of Fayette, from Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to whom was referred House File No. 35, An act providing for the publication and distribution of an alphabetical index of Iowa volunteers, with instruction to report the probable expense of the publication of such work, have directed me to report as follows:

The index can be published in brevier, and if only one column of names, with number of regiments, letter of company and the arm of the service to which the soldier belonged is inserted, would make a volume of eight hundred pages; but your committee believe that the same can be printed with two columns on a page, and in no way detract from the merits or value of the work, and reduces the volume to four hundred pages.

Your committee have made estimates on five thousand copies of a book of eight hundred pages, bound in paper; also same sized book bound in cloth, and also in half-sheep.

They have also estimated on a volume of four hundred pages, as follows:

Five thousand copies of volume, eight hundred pages.

Bound in paper:

Paper.....	\$1,500
Printing.....	4,000
Paper binding.....	1,250
	<hr/>
	\$6,750

Bound in cloth:

Paper.....	\$1,500
Printing.....	4,000
Cloth binding.....	5,000
	<hr/>
	\$10,500

Bound in half-sheep:

Paper.....	\$1,500
Printing.....	4,000
Half-sheep binding.....	6,250
	<hr/>
	\$11,750

Five thousand copies of volume of four hundred pages will cost same as above for printing and binding—the paper seven hundred and fifty dollars less.

Your committee have directed me to report the same back and recommend that it do not pass.

AARON BROWN, for Committee.



Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

Your Committee on Enrolled Bills have examined the following House File and report the same as correctly engrossed: House File No. 2, A bill for an act legalizing an election in the Independent District of Sigourney, and also legalizing the acts of the officers elected thereat.

H. C. RIPPEY, Chairman.

Mr. Cotton from the Committee on the Judiciary submitted the following report:

The Judiciary Committee, to whom was referred House File No. 75, A bill for an act granting to the United States Government the right of way for a ship-canal around the lower rapids in the Mississippi river on the Iowa side, have had the same under consideration, and directed me to report the substitute herewith filed, the passage of which is recommended.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File No. 53, A bill for an act to amend section 2642, of chapter 109, of the Revision of 1860, and recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 76, A bill for an act to amend chapter 103, of the Revision of 1860, in relation to divorce, and recommend that it do not pass.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 50, A bill for an act to amend sections 2730 and 2731, of Revision of 1860, having considered the same, have directed me to report the substitute herewith presented, and recommend the passage of the substitute.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 80, A bill for an act to prohibit the board of supervisors employing counsel or attorneys in doing county business, and instructed me to report the same with the recommendation that it be not passed.

COTTON, Chairman.

The Judiciary Committee to whom was referred House File No. 60, A bill for an act to provide for the payment of witness fees in State cases wherein the defendant is insolvent, after considering the same, have instructed me to report and recommend the passage of the accompanying substitute.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 87, A bill for an act to prevent betting or gambling on elections, and directed a report recommending that the bill do not pass.

COTTON, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom was referred House File No. 64, would report that the gentleman who introduced it asks leave to withdraw it; and we recommend that the request be granted.

PARKER, Chairman.

Mr. Bent, from the Committee on Police Regulations, submitted the following report:

The Committee on Police Regulations, to whom was referred a petition of L. B. Bissell and others, in relation to a game law, would respectfully report the same back to the House, and recommend that the same be referred to the Committee on Game Law.

O. R. BENT, Chairman.

The petition was so referred.

Mr. Atkins from the Committee of Deaf and Dumb Asylum, submitted the following report:

The Committee on the Deaf and Dumb Asylum, to whom was referred the resolution providing for printing 500 copies of the report of the commissioner's appointed by the Eleventh General Assembly to permanently locate the Institution for the Deaf and Dumb at Council Bluffs, have had the same under consideration and have directed me to report the same back to the House without amendment and recommend its adoption.

ATKINS, Chairman.

Mr. Babbitt moved that the resolution be taken up and adopted:

The motion prevailed.

Mr. Tillson asked leave to present a petition, which was granted, praying for the establishment of a State Normal School.

Referred to the Committee on Schools.

Mr. Bowen from the Committee on Incorporations, submitted the following report:

Your committee, to whom was referred House File, No. 5, A bill to legalize the organization of the city of Mt. Pleasant as a city of the second class, recommend that the bill pass with the following amendment: Insert after the word "city" in the fifth line of section 1, "as contained in the book of ordinances, published by order of council in 1867, entitled 'revised ordinances of 1867 of the city of Mt. Pleasant,'" all of which is respectfully submitted.

BANNER G. BOWEN, Chairman.

Mr. Gaylord from the Committee on Agriculture, submitted the following reports:

The Committee on Agriculture, to whom was referred the resolution relating to the expediency of so amending the estray laws so that estrays appraised at twenty dollars and over shall be sold, and the proceeds above expenses to be paid into the county

school-fund, have had the same under consideration, and have instructed me to report that in their opinion there is no necessity for the amendment proposed, and recommend that it do not pass.

W. P. GAYLORD, Chairman.

The Committee on Agriculture, to whom was referred House File No. 73, entitled An act to repeal section 135, of the Eleventh General Assembly, have had the same under consideration, and have instructed me to report it back to the House with the unanimous recommendation that it do not pass.

W. P. GAYLORD, Chairman.

The Committee on Agriculture, to whom was referred House File No. 72, entitled, A bill repealing article 7, chapter 22, of the Revision of 1860, have had the same under consideration, and have instructed me to report it back to the House, with the recommendation that it do not pass.

W. P. GAYLORD, Chairman.

Mr. Garrett from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on Compensation of Public Officers to whom was referred House File No. 15, A bill for an act to increase the per diem of road supervisors, have had the same under consideration, and have instructed me to report the bill back to the House, with the recommendation that it do not pass.

GARRETT, Chairman.

The Committee on Compensation of Public Officers to whom was referred House File No. 34, A bill for an act to provide for the compensation of school directors have had the same under consideration and have instructed me to report it back to the House with the following amendment: viz, strike out two dollars, first section, fifth line, and insert one dollar and fifty cents; and as amended recommend its passage.

GARRETT, Chairman.

On motion of Mr. Kasson substitute for House File No. 75, was taken up and read.

Mr. Cotton moved that the substitute be adopted, which motion prevailed.

On motion of Mr. Cotton the rule was suspended and the bill read a third time.

Mr. Wilson of Dubuque moved to reconsider the motion by which the bill was read a third time, which motion prevailed.

Mr. Wilson of Dubuque moved to amend by inserting in section two of said bill, after the words as therein provided, the words, or to the proper court having jurisdiction thereof, notice of which appeal shall be given to the officer having charge of such work.

The motion to amend prevailed.

On motion 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. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lettingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—95.

The nays were none.

Absent and not voting were Messrs. Blackwell, Burnett, Ellis and Tritz—4.

So the bill passed and the title was agreed to.

Mr. Brown of Howard asked leave of the House to take up House File No. 32, A bill for an act to legalize certain acts of the board of supervisors of Howard county, Iowa, which were granted.

On motion of Mr. Brown of Howard, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Orr, Ordway, Peck, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Tenney, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—74.

The nays were, Messrs. Adams, Babbitt, Bailey, Bauder, Bent, Brown of Fayette, Browne of Lee, Dudley, Hamilton, Irish, Johnson of Cherokee, Kelley, Lettingwell, Murray, Newberry, Parker, Rippey, Stone, Stuart, Tillson, and Werner.—21.

Absent and not voting, Messrs. Blackwell, Burnett, Ellis, and Tritz.—4.

So the bill passed and the title was agreed to.

## INTRODUCTION OF BILLS.

Mr. Craig introduced House File No. 88, A bill for an act to authorize the board of supervisors of Van Buren county to appropriate a sum of money for the erection of a monument in memory of citizens of that county who lost their lives in the military service of their country.

Read first and second time and referred to the Committee on County and Township Organization.

Mr. Walling introduced House File No. 89, A bill for an act to amend chapter 135, of the acts of the Eleventh General Assembly, entitled an act to require owners of threshing machines to guard against accidents.

Read first and second time and referred to the Committee on Agriculture.

Mr. McNutt introduced House File No. 90, A bill for an act to prevent railroad companies from discriminating against the people and the commerce of the State.

Read first and second time, ordered on file and printed.

Mr. Craig introduced House File No. 91, A bill for an act limiting charges, and defining duties of railroad companies.

Read first and second time and referred to the Committee on Commerce and ordered printed.

Mr. Adams introduced House File No. 92, A bill for an act to amend section 3174 of the Revision of 1860.

Read first and second time and referred to the Committee on Judiciary.

Mr. Bent introduced House File No. 93, A bill for an act requiring owners of dams to construct, and attach thereto, aprons or chutes.

Read first and second time and referred to the Committee on Agriculture.

Mr. Wilson of Dubuque, introduced House File, No. 94, A bill for an act to provide for procuring the opinion of the Supreme Court for the use of the General Assembly.

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

Mr. Allen introduced House File, No. 95, A bill for an act to legalize the election held by the voters of Burlington township, Des Moines county, to form an independent school district, and the official acts of the officers of said district.

Read first and second time and referred to the Committee on Schools.

Mr. Parker introduced House File, No. 96, A bill for an act to amend section 711 of the Revision of 1860.

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

Mr. Chase introduced House File, No. 97, A bill for an act to

amend section 13, chapter 172, of the session laws of the Ninth General Assembly.

Read first and second time and referred to the Committee on Schools.

Mr. Rohlf's introduced House File, No. 98, A bill for an act to encourage emigration to the State of Iowa.

Read first and second time and referred to the Committee on Internal Improvements, and ordered printed.

Mr. Tucker introduced House File, No. 99, A bill for an act to legalize the sale of indemnity swamp lands of Chickasaw county, Iowa, by the board of supervisors of said county.

Read first and second time and referred to the Committee on Public Lands.

Mr. Lambert introduced House File No. 100, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island & Pacific Railroad from Des Moines to Council Bluffs in Iowa.

Mr. Dudley offered an amendment which was not accepted.

Read first and second time with amendments, and on motion of

Mr. Lambert, referred to the Committee on Railroads.

Mr. Sanborn introduced House File No. 101, A bill for an act authorizing suits for the collection of taxes in certain cases.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Kilburn moved that the House do now adjourn.

The motion did not prevail.

Mr. Orr introduced House File No. 102, A bill for an act to amend chapter 61 of the acts of the Eleventh General Assembly.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. Grantham asked leave of absence until Tuesday next, which was granted.

Mr. Murray asked leave of absence until Monday next, which was granted.

Mr. Irish asked leave of absence until Wednesday next, which was granted.

Leave of absence was granted Mr. Parker until Tuesday next.

Mr. Bauder asked leave of absence for his colleague, Mr. Werner, until Tuesday next, which was granted.

Leave of absence was granted Mr. Traer until Thursday next.

Leave of absence was granted Mr. Tenney until Tuesday next.

Mr. Rowell moved that the House do now adjourn, which motion did not prevail.

Mr. Cotton introduced House File No. 103, A bill for an act to revive section 119 of the Revision of 1860.

Read first and second time, and referred to the Committee on Library.

Mr. Murray introduced House File No. 104, A bill for an act to amend section 4192, Revision of 1860.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Knapp asked leave of absence for Mr. Hunter, until Tuesday next, which was granted.

Mr. Rippey moved that the House adjourn to 2 o'clock P. M.

Mr. McNutt moved to amend by adjourning till Monday morning.

The amendment did not prevail, and the motion to adjourn to 2 o'clock P. M., did not prevail.

Mr. Wilson of Dubuque, moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, JANUARY 25, 1868.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 concurrent resolution, in which the concurrence of the House is asked:

*Resolved by the Senate, the House of Representatives concurring,* That a committee, consisting of one member of the Senate and two members of the House, be appointed to visit the Soldiers' Orphans Home at Davenport; also a committee of one member of the Senate and two of the House to visit the Orphans' Home at Cedar Falls. The said committees are required to report in full upon the condition, wants and management of these institutions.

These committees shall confer together, and if they deem it necessary, they shall appoint a sub-committee consisting of one member of each house, to visit the Soldiers' Orphans Home at Glenwood.

GEO. P. ABEL, Assistant Secretary.

The Chair announced the following special committees:

*Game Law.*—Messrs. Wilson of Dubuque, Craig, and Leffingwell.



*To examine vouchers and accounts of State Binder and Printer.*  
Messrs. Dudley and Hamilton.

*Asylum for the Blind.*—Messrs. Traer and Brown of Van Buren.

*State University and Asylum for the Deaf and Dumb.*—Messrs. Trusdell and Atkins.

*Asylum for the Insane.*—Messrs. Dashiell and Mechem.

*Penitentiary.*—Messrs. Brown of Howard, and McNutt.

## PETITIONS.

Mr. Gaylord presented a petition from one hundred citizens of Floyd county, praying for the enactment of a law for the entire suppression of the manufacture and sale of all alcoholic beverages.

Referred to the Committee on the Suppression of Intemperance.

Mr. McCoun presented a petition from R. B. Kinsley, and others, praying for the passage of a law increasing the jurisdiction of County Courts.

Referred to the Committee on Judiciary.

Mr. Hatch presented a petition from W. H. McCoy, and two hundred others, praying for a law to protect fish and quails.

Referred to Committee on Game Law.

Mr. Rowell presented a petition from the board of supervisors of Union county, praying for the transfer of the business of establishing roads to County Courts.

Referred to Committee on Roads and Highways.

Mr. Hunter presented a petition from L. L. Ests, and one hundred and twelve other citizens of Hamilton county, praying the legislature to compel any corporation that may be granted certain lands granted to the State of Iowa, to complete the Dubuque & Sioux City Railroad, to build said line through the town of Webster City, as originally surveyed.

Referred to Committee on Railroads.

Mr. Craig presented a petition from Joseph C. Knapp, and others, praying the passage of a law amending section 2642, of the Revision of 1860, by striking out of the same the word Van Buren.

Referred to Committee on Judiciary.

Mr. Adams presented a petition from A. W. Comstock, and others, praying to be annexed to sub-district number (3) three, in Burlington township, Des Moines county, for school purposes.

Referred to the Committee on County and Township Organization.

## REPORTS OF COMMITTEES.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report :

The Committee on Enrolled Bills have examined House File No. 2, An act legalizing an election in the independent district of Sigourney, and also legalizing the acts of the officers elected thereat and found it correctly enrolled, and have presented the same to the Speaker of this House for his signature, which was obtained; then said bill was sent to the Senate and received the signature of the Lieutenant-Governor and then returned to the Enrolling Committee, and by its chairman to His Excellency Governor Merrill.

H. C. RIPPEY, Chairman.

Mr. Williams from the Committee on Railroads submitted the following report:

The committee to whom was referred House File No. 100 and amendment, being a bill for an act providing for and requiring the early construction of the Chicago, Rock Island & Pacific Railroad from Des Moines to Council Bluffs in Iowa, have had the same under consideration and have instructed me to report the same back to the House and recommend that the bill do pass without amendment.

WILLIAMS, Chairman.

Mr. Wilson of Tama, submitted the following:

MINORITY REPORT OF RAILROAD COMMITTEE.

The Committee on Railroads, to whom was referred House File, No. 100, entitled "A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad," ask leave to report that we, a minority of said committee, do not recommend the passage of this bill without an amendment or proviso, reserving to the State of Iowa the right of regulating and restricting the freights and fares charged by said railroad company, when in the opinion of the General Assembly they may become oppressive.

JAMES WILSON.  
ELI JOHNSON.

Mr. Knapp from the Committee on Public Lands, submitted the following report:

The Committee on Public Lands, to whom was referred House File, No. 56, A bill for an act to provide for the reception and safe-keeping of the maps, field-notes and other records pertaining to the surveyor-general's office, have considered the same and have directed me to report it back to the House with recommendation that it do pass.

THOS. B. KNAPP, Chairman.

Mr. Hunter from the Committee on Printing, submitted the following report:

Your committee, to whom was referred House File, No. 18 A

bill for an act providing for the printing and distribution of Adjutant-General's Report from January 1st, 1867, to January 14th, 1868, have authorized me to report the same back to the House with the recommendation that it do pass.

JOHN D. HUNTER, Chairman.

Mr. Knapp from the Committee on Public Lands, submitted the following report:

The Committee on Public Lands, to whom was referred resolution concerning Des Moines River Lands, have considered the same and have directed me to report back to the House with recommendation that it be referred to the Committee on Judiciary.

THOS. B. KNAPP, Chairman.

The report was adopted and the resolution referred to the Committee on Judiciary.

Mr. Ordway, from the Committee on the Suppression of Intemperance submitted the following report:

The Committee on the Suppression of Intemperance to whom was referred the resolution offered by Mr. Bent, of Fayette, instructing this committee to inquire into the expediency of enacting a law to enable the wife of an inebriate to take possession of the husband's property, and provide guardians for their minor children, have instructed me to report the accompanying bill, the passage of which they unanimously recommend.

GEORGE ORDWAY, Chairman.

Mr. Dudley from the Committee on Claims submitted the following report:

Your Committee to whom was referred the memorial of E. S. Bartlett and others, asking to be remunerated for expenses and costs incurred in defending a suit brought by the supposed murderers of Woodruff and Bushore, have had the same under consideration, and have unanimously instructed me to recommend the allowance of the full claim, three hundred and thirty-five dollars.

C. DUDLEY, Chairman.

The report was adopted, and the memorial referred to the Committee on Ways and Means.

#### INTRODUCTION OF BILLS.

Mr. Dudley introduced House File No. 106, A bill for an act to establish and organize a State Reform School for juvenile offenders.

On motion of Mr. Dudley the bill was referred to Committee on Reform Schools, with instructions.

Mr. Kasson introduced House File No. 106, A bill for an act to amend section 1055 of the Revision of 1860.

Read first and second time and referred to Committee on the Judiciary.

Mr. Ordway introduced House File No. 107, A bill for an act

to amend chapter 45 of the Revision of 1860, and chapter 173 of the laws of the Ninth General Assembly in relation to revenue.

Read first and second time and referred to Committee on the Judiciary.

Mr. Rees introduced House File No. 108, A bill for an act to authorize the sale of certain school lands in Webster and Hamilton counties.

Read first and second time and referred to Committee on Public Lands.

Mr. Blackwell introduced House File No. 109, A bill for an act to establish a law department to the State University.

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

Mr. Wright introduced House File No. 110, A bill for an act to amend section 2, of chapter 115, of the acts of the Ninth General Assembly in relation to the protection of game.

Read first and second time and referred to the Committee on Game Law.

Mr. Brown of Howard, introduced House File No. 111, A bill for an act making all public streets in towns and villages not incorporated a part of the public highways.

Read first and second time and referred to the Committee on Roads and Highways.

Mr. Ordway introduced House File No. 112, A bill for an act to amend chapter 172 of the laws of the Ninth General Assembly.

Read first and second time and referred to the Committee on Schools.

Mr. Fulton introduced House File No. 113, A bill for an act to amend chapter 172 of the laws of the Ninth General Assembly relating to schools.

Read first and second time and referred to the Committee on Schools.

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

*Be it Resolved by the General Assembly of the State of Iowa,* That the Auditor be and he is hereby authorized to issue warrants on the Treasurer from time to time on account of postage due to the Post-master of this city, the account therefor being always approved by the Secretary of State, and limited by the amount of postage stamps, &c., which shall have been actually delivered to the Secretary of State under the resolutions of the Senate and of the House of Representatives at this session.

Mr. Smith of Dickinson, offered the following resolution, which was referred to the Committee on Claims:

WHEREAS, At the time of the organization of the Northern Border Brigade, said brigade did take possession of and use certain logs and lumber owned by citizens of Emmett County, a part of which has never been paid for by the State; therefore

*Be it Resolved*, That the Committee on Claims be instructed to inquire into and report what claims are now rightfully due and unpaid to the said citizens of Emmett county, on account of logs and lumber so taken and used in the erection of barracks by said Northern Border Brigade.

Mr. Wilson of Davis, offered the following resolution, which was adopted :

*Resolved*, That Arthur Garrett be allowed the sum of two dollars per day for the time he acted as messenger *pro tem* of this House.

Mr. Craig offered the following resolution, which was laid over under the rule :

*Resolved*, That the Attorney General be directed to communicate to this House, as early as practicable, his opinion whether there is any constitutional or legal barrier to the enactment of a law by the General Assembly of Iowa to restrict and regulate the charges of railroad companies in this State, for the transportation of freight and passengers.

Mr. Bolton offered the following resolution, which was referred to the Committee on Agriculture :

WHEREAS, The scarcity of timber in many parts of the State renders it impossible for that class of farmers having but small means, to have substantial fences ; and,

WHEREAS, Such farmers are liable, and do frequently lose their entire crop ; therefore,

*Resolved*, That the Committee on Agriculture be requested to consider what can best be done to secure such men justice and protection from stock running at large, and report by bill or otherwise.

Mr. Goodspeed offered the following resolution, which was referred to the Committee on Elections :

*Resolved*, That in the opinion of this House, all men, not guilty or convicted of crime, irrespective of race or color, should have an equal right to the benefits of the elective franchise.

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

*Resolved*, That the Judiciary Committee be instructed to consider the expediency of providing by law for the taking of evidence in suits of equity in the same manner as in suits at law, with power to report by bill or otherwise.

Mr. Wilson of Davis, offered the following resolution, which was referred to the Committee on Schools :

*Resolved*, That it is the sense of this House that the custom practiced in some parts of this State of paying to male teachers in our public schools higher prices than are allowed female teachers for the same amount of labor, is a relic of barbarism, and should be discountenanced by all good citizens.

Mr. McNutt offered the following resolution, which was referred to the Committee on Federal Relations :

**WHEREAS**, The United States of America, being an independent nation, with a government, a national flag, an army, a navy, and national representatives at home and abroad — under their protection the American citizen, native or adopted, should be secure against outrage and violence in every part of the earth; and it is the will of the American people, the only sovereigns in this Republic, that the citizen can and shall be protected everywhere; and

**WHEREAS**, The design of this government, always to protect its lawful citizens, at all times, and in all places, has been constantly kept in view by our people; therefore,

*Resolved by the House of Representatives, the Senate concurring*, That it is the duty of the government of the United States, to speedily inquire into, and ascertain, if American citizens are now, or have heretofore been unjustly imprisoned, or in any way restrained of their liberty by any foreign nation, or been unjustly tried and convicted of pretended offenses, and if so, to demand that they be restored to all their rights as American citizens, and to further demand that they receive full indemnification for all the wrongs they have suffered.

*Resolved*, That in the United States expatriation is a fundamental right; that the natives of other lands who come to our shores, have the right to come, the right to stay, the right to make themselves citizens, and the right, as citizens, to be protected by the government; that there is no doubt that a government, having undertaken to adopt a stranger, is bound to protect him, like any other citizen. The nation which has naturalized him, and has thus bound itself to defend him in all the rights of a citizen, can not abandon its pledges on account of the views of civil obligation which another nation may entertain.

*Resolved*, That the Secretary of State be directed to forward a copy of these resolutions to the President of the United States, the Secretary of State of the United States, and to each of our Senators and Representatives in Congress.

Mr. Hunter offered the following resolution :

*Resolved*, That as the representatives of the people of Iowa, we approve of the course adopted by Congress in re-instating Hon. Edwin M. Stanton in the war office at Washington, and that we have full faith and confidence in his ability to administer the affairs of said office to the satisfaction of the people and the best interests of the country; and that we earnestly recommend his continuance in said position.

Mr. Bent demanded the yeas and nays on its adoption.

Mr. Rippey moved to refer the resolution to the Committee on Federal Relations, which motion did not prevail.

Upon the question, "Shall the resolution be adopted?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey,



Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartssock, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker. — Yeas 71.

The nays were, Messrs. Babbitt, Ballinger, Bauder, Blackwell, Browne of Lee, Donavan, Hawthorn, Kelley, Lockwood, Longueville, Peck, Rees, Stuart, Wilson of Dubuque, Wright. — Nays 15.

Absent and not voting, Messrs. Burnett, Dashiell, Ellis, Grantham, Irish, Miller, Murray, Parker, Rector, Tenney, Traer, Tritz, and Werner. — 13.

So the resolution was adopted.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked: Senate File, No. 62, A bill for an act making appropriation for the payment of the mileage of the members of the Twelfth General Assembly, and the *per diem* of the temporary officers and employees thereof and for postage.

JAMES M. WEART, Secretary.

Mr. Bowen asked leave of absence for Mr. Dashiell until Tuesday next, which was granted.

Mr. Kasson moved to re-consider the vote by which Mr. Hunter's resolution relative to the re-instatement of Hon. Edwin M. Stanton to the war office, was adopted, which motion was reconsidered; whereupon Mr. Kasson proceeded to explain his vote upon said resolution, and then, with the consent of his second, withdrew the motion to reconsider.

#### MESSAGE FROM THE SENATE.

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 bill in which the concurrence of the House is asked :

Senate File No. 84, A bill for an act to repeal section 3276 of the Revision of 1860, in relation to the liability of officers of municipal corporations.



Also that the following joint committees have been announced on the part of the Senate :

*To visit Agricultural College and Farm* :—Senator Farwell.

*To examine vouchers of State Printer and State Binder* :—Senator Walden.

JAMES M. WEART, Secretary.

Mr. Rippey offered the following resolution which was referred to the Committee on Public Lands.

WHEREAS, The disposition of the public lands by Congress have been extravagant; millions of acres of these lands have been granted to state railroad corporations, some in existence, some purely theoretically existing only on paper; and

WHEREAS, The public lands are owned by non-resident speculators who intend to grow rich on the fruits of other people's toil or are included within the grant to railroads, are tied up by a mortgage having twenty years to run, and are inaccessible to all settlers, and are thus creating a vicious system of land monopolies, fatal to the prosperity of the country; and

WHEREAS, This fruitful soil of ours was not created to enrich speculators, but to produce food to satisfy the hunger of mankind and a home for all; therefore

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed and our Representatives be requested to use their utmost efforts to have a law passed preventing the granting any more lands to corporations, or selling the same to non-residents; and that the public lands be subject only to entry by actual settlers, or under the Homestead Law.

*Resolved,* That the Secretary of State be and is hereby instructed to forward a duly certified copy of the foregoing memorial and joint resolution to each of our Senators and Representatives in Congress.

Mr. Wilson of Dubuque asked leave to call up Senate messages, which was granted.

Senate File No. 62, A bill for an act making appropriations for the payment of the mileage of the members of the Twelfth General Assembly, &c., was taken up and read first and second time.

Mr. Hatch moved to amend by including Daniel Ellyson, Postmaster *pro tem.*, which motion prevailed.

On motion of Mr. Kasson the bill as amended was referred to the Committee on Ways and Means.

Mr. Brown of Van Buren offered the following resolution, which was adopted.

*Resolved by this House,* That whereas, the Des Moines Library Association have tendered, by reference to their by-laws, the benefits and privileges of their reading rooms and library to the members and officers of this House. Therefore, be it

*Resolved*, That we tender to said Library Association the unanimous thanks of this House.

On motion of Mr. Bent a message from the Governor relating to the First Iowa Cavalry was taken up and read.

Mr. McKean moved that the message be referred to the Committee on Military Affairs, which motion prevailed.

The message of the Governor relating to Col. Dewey's report on railroads and school fund, was taken up and on motion of Mr. McNutt the reading of the message was dispensed with and ordered to lay on the table, and two thousand copies printed for the use of this House.

Mr. Browne of Lee asked leave of absence for himself until Wednesday next, which was granted.

Mr. Wheeler moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 27, 1868.

House convened pursuant to adjournment. Speaker in the chair.

Prayer by Rev. Mr. Dinsmore.

Journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

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 and resolutions, in which the concurrence of the House is asked:

Senate File No. 9, A bill for an act to reimburse Appanoose and other counties.

Senate File No. 23, A bill for an act to provide for the custody of the records of the public surveys of this State.

A resolution for the appointment of Joint Committees to visit the Soldiers' Orphans Homes at Davenport and Cedar Falls.

Also that the Senate has ordered two thousand copies of the Governor's special message printed in the English language, and five hundred copies printed in each of the following named languages, viz: German, Norwegian, Swedish, Holland, and Bohemian.

JAMES M. WEART, Secretary.

On motion of Mr. McNutt the regular order of business was dispensed with, and Senate messages were taken up and read.

The Senate resolution giving papers and postage to Post-master and Assistant Post-master was concurred in.

The Senate resolution relative to the hours that the Capitol Post-office shall be kept open on Sundays was concurred in.

Senate resolution relating to the mutilations of the Journals of the Eleventh General Assembly, was concurred in.

Senate resolution relative to mail facilities was taken up, and on motion of Mr. Rees, referred to the Committee on Federal Relations.

Senate File No. 27, A bill for an act to amend section 4296 of the Revision of 1860, in relation to resisting officers, was taken up and read first and second time, and referred to Committee on the Judiciary.

Senate File No. 22, A bill for an act for the relief of Louisa county, read first and second time, and on motion of Mr. McNutt, the rule was suspended and the bill read third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were: Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—79.

Absent and not voting, Messrs. Bowen, Browne of Lee, Burnett, Dashiell, Ellis, Grantham, Hamilton, Hunter, Irish, Johnson of Marshall, Miles, Miller, Murray, Parker, Peck, Smith of Dickinson, Tenney, Traer, Tritz, and Werner.

The nays were none.

So the bill passed, and the title was agreed to.

Senate File No. 34, A bill for an act to repeal section 3276 of the Revision of 1860, was taken up and read first and second time.

Mr. Wilson of Dubuque, moved that the rule be suspended and the bill read a third time now.

Mr. Cotton moved to amend by adding after the word "referred," the words, "and this act shall be retrospective notwithstanding sub-division one, of section twenty-nine of the Revision of 1860, and said sub-division one of said section twenty-nine, shall not apply to the liability of officers under the section hereby repealed."

Mr. McKean moved to refer the bill and amendment to the Committee on Incorporations, which motion did not prevail.

The motion to amend prevailed.

The motion to suspend the rule prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McConn, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—80.

The nays were none.

Absent and not voting Messrs. Bowene, Brown of Lee, Burnett, Dashiell, Grantham, Hamilton, Hunter, Irish, Kasson, Knapp, Miles, Miller, Murray, Parker, Peck, Tenney, Traer, Tritz and Werner.

So the bill passed, and the title was agreed to.

Senate File No. 23, A bill for an act to provide for the custody of the records of the public surveys of this State, was taken up and read first and second time.

On motion of Mr. Kilburn the rule was suspended and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—78.

The nays were, none.

Absent and not voting, Messrs. Bowen, Browne of Lee, Burnett, Dashiell, Ellis, Grantham, Hamilton, Hunter, Irish, Knapp, Leach,

Miles, Miller, Murray, Parker, Peck, Stuart, Tenney, Traer, Tritz, and Werner.

So the bill passed, and the title was agreed to.

Senate File No. 9, A bill for an act to reimburse Appanoose and other counties, was taken up, read first and second time and referred to the Committee on Ways and Means.

Senate resolution relating to Soldiers' Orphans Home was taken up.

Mr. Stone moved to amend by striking out so much as relates to appointment of sub-committee to visit the branch of the Iowa Soldiers' Orphans Home at Glenwood, and insert in lieu thereof "and that a like committee be appointed to visit the branch of the Iowa Soldiers' Orphans Home located at Glenwood Iowa."

The motion to amend prevailed, and the resolution as amended was adopted.

Mr. Rowell moved that the rule be suspended and that House File No. 12, A bill for an act changing the time of holding court in the Third Judicial District, be taken up, which motion prevailed.

Mr. Rowell moved that the rule be suspended and the bill be considered engrossed, and read a third time now.

The motion prevailed.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were: Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—81.

The nays were none.

Absent and not voting, Messrs. Bowen, Browne of Lee, Burnett, Dashiell, Ellis, Grantham, Hamilton, Hunter, Irish, Miles, Miller, Murray, Parker, Peck, Tenney, Traer, Tritz, and Werner.

So the bill passed, and the title was agreed to.

Mr. Morrison asked leave to call up House File No. 38, A bill for an act to amend chapter 123, of the laws of the Eleventh General Assembly, relating to the grey uniform, so-called, which was furnished by the State to certain members of the Second and Third Iowa Infantry, which was granted.

The amendment proposed by the Committee on Military Affairs concurred in, and the bill was read as amended.

Mr. Ordway moved to amend by striking out the word "unmarried," and inserting in lieu thereof "leaving no wife or child."

Which motion prevailed.

Mr. Morrison moved that the rule be suspended, and the bill be engrossed and read a third time now.

The motion prevailed.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach-Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—79.

The nays were none.

Absent and not voting, Messrs. Adams, Bowen, Browne of Lee, Burnett, Dashiell, Ellis, Grantham, Hamilton, Hunter, Irish, Murray, Miles, Miller, Parker, Peck, Rees, Tenney, Traer, Tritz, and Werner—20.

So the bill passed and the title was agreed to.

Mr. Smith of Harrison asked leave to take up House File No. 45, A bill for an act for the relief of Josiah Crom, John Matler *et al.*, securing to them their homes on lands known as the excess of the 500,000 acre grant, at \$1.25 per acre, which was granted.

The bill was read, and on motion of Mr. Smith of Harrison, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of



Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker. — 78.

The nays were — none.

Absent and not voting, Messrs. Bowen, Browne of Lee, Burnett, Dashiell, Ellis, Grantham, Hamilton, Hart, Hunter, Irish, Leffingwell, Miles, Miller, Murray, Parker, Peck, Tenney, Traer, Tritz, Trusdell and Werner.

So the bill passed, and the title was agreed to.

Mr. McKean asked leave to offer the following resolution, which was granted:

WHEREAS, The Congress of the United States has proposed to the several States the following amendment to the Federal Constitution, viz:

ARTICLE XIV.

SEC. 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two thirds of each House, remove such disability.



SEC. 4. The validity of the public debt of the United States authorized by law including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States; or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims, shall be held illegal and void.

SEC. 5. That Congress shall have power to enforce by appropriate legislation the provisions of this article. Therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That the State of Iowa by its legislature hereby ratifies, adopts and assents to said amendment.

Mr. McNutt moved that the resolution be adopted, and called for the yeas and nays, which were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Johnson of Cherokee, Johnson of Marshall; Kasson, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—68.

The nays were, Messrs. Babbitt, Bauder, Davis, Donovan, Hawthorn, Kelley, Lockwood, Longueville, Rector, Stuart, Wilson of Dubuque, and Wright.—12.

Absent and not voting, Messrs. Blackwell, Bolton, Bowen, Browne of Lee, Burnett, Dashiell, Ellis, Grantham, Hamilton, Hunter, Irish, Miles, Miller, Murray, Peck, Tenney, Traer, Tritz, and Werner.—20.

So the resolution was adopted.

By leave, Mr. Cotton from the Committee on Judiciary, submitted the following report :

The Judiciary Committee have considered House File, No. 94, A bill for an act to provide for the procuring of the opinion of the Supreme Court for the use of the General Assembly, and recommend its passage, and the committee, deeming it very important to have this bill become a law as speedily as possible, that the opinion of the Court may be had upon measures pending before this General Assembly, have instructed their chairman to endeavor to have it passed under a suspension of the rules.

COTTON, Chairman.

On motion of Mr. Cotton House File, No. 94, A bill for an act

to provide for procuring the opinion of the Supreme Court for the use of the General Assembly was taken up and read.

Mr. Cotton moved that the rule be suspended and the bill be read a third time now, which motion prevailed.

The bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette; Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McCoun, Mechem, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Rector, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, and Wilson of Tama—73.

The nays were Messrs. McKean, McNutt, Stuart, Wright, and Mr. Speaker—5.

Absent and not voting, Messrs. Bowen, Browne of Lee, Burnett, Criss, Dashiell, Ellis, Grantham, Hamilton, Hart, Hunter, Irish, Lambert, Miles, Miller, Murray, Parker, Peck, Tenney, Traer, Tritz, and Werner—21.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Wright to introduce House File No. 115, A bill for an act to resume the lands granted to the State of Iowa for the benefit of the McGregor Western Railroad, by act of Congress approved July 12, 1864.

Read first and second time, and referred to the Committee on Railroads.

Leave was granted to Mr. Cramer to introduce House File No. 116, A bill for an act to resume all rights conferred upon the Burlington & Missouri River Railroad Company by an act approved July 14, 1856.

Read first and second time, and referred to the Committee on Railroads.

Mr. Cotton moved to reconsider the vote by which the title of House File No. 94, A bill for an act to provide for procuring the opinion of the Supreme Court for the use of the General Assembly, was agreed to; which motion prevailed.

Mr. Cotton moved to amend the title by adding "and to provide for the *per diem* and mileage of the Judges of said Court when convening to give their opinion," which motion to amend prevailed.

The title of the bill as amended was agreed to.

Mr. Wilson of Dubuque moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 28, 1868.

House convened pursuant to adjournment.  
Speaker in the chair.  
Prayer by Rev. Mr. Hayhurst.  
Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 bill and resolution, in which the concurrence of the House is asked :

Senate File No. 1, A bill for an act to amend "An act for the relief of the widow and indigent children of Joseph Ketterer."

*Resolved, by the Senate the House concurring,* That the committees visiting the Public Institutions, be allowed only their per diem and actual expenses.

JAMES M. WEART, Secretary.

Mr. Brown, of Van Buren, moved to reconsider the vote by which House File No. 94, A bill for an act to provide for procuring the opinion of the Supreme Court for the use of the General Assembly, was passed.

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

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Bolten, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Craig, Cramer, Criss, Dashiell, Davis, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Knapp, Lambert, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Parker, Peck, Perry, Ramsay, Rees, Rippey, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tillson, Trusdell, Walling, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were Messrs. Adams, Browne of Lee, Caldwell, Cotton, Donavan, Dudley, Johnson of Marshall, Kasson, Kelley, Kilburn, Lockwood, Miller, Murray, Orr, Ordway, Phillips, Rohlf, Rowell,

Rector, Smith of Harrison, Stone, Tucker, Werner, Wheeler, Wilson of Dubuque—25.

Absent and not voting were Messrs. Blackwell, Traer, and Tritz.

So the motion to reconsider prevailed.

Mr. McNutt moved that the bill be indefinitely postponed, and called for the yeas and nays, which were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Craig, Cramer, Criss, Dashiell, Davis, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Irish, Lambert, Leach, Leffingwell, McConn, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Peck, Perry, Ramsay, Rippey, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tillson, Truedell, Walling, Wilcox, Williams, Wilson of Tama, Wright and Mr. Speaker—59.

The nays were Messrs. Adams, Babbitt, Bauder, Browne of Lee, Caldwell, Cotton, Donavan, Dudley, Garrett, Grantham, Hatch, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lockwood, Longueville, Miller, Murray, Orr, Ordway, Parker, Phillips, Rector, Rees, Rohlf, Rowell, Smith of Harrison, Stone, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque—37.

Absent and not voting Messrs. Blackwell, Traer and Tritz.

So the motion to indefinitely postpone prevailed.

Mr. McNutt moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Irish moved to lay the motion to reconsider on the table. The motion prevailed.

#### PETITIONS.

Mr. Hatch presented a petition from the Board of Supervisors of Polk county, praying for the amendment of section 1, chapter 108, laws of regular session of the Ninth General Assembly.

Referred to Committee on the Judiciary.

Mr. Grantham presented a petition from citizens of Henry and Des Moines county, praying for an amendment for the revenue law of our State, which was referred to the Committee on the Judiciary.

Mr. Bowen presented a petition from citizens of Marion county, praying for the passage of a law for the encouragement of Emigration from Europe, which was referred to the Committee on Internal Improvements.

Mr. Parker presented a like petition from Poweshiek county, which was referred to the same committee.

Mr. Browne of Lee, presented a petition from citizens of Lee county, praying for the establishment of a monthly term of Probate Court at Keokuk, Lee county, Iowa, which was referred to the Committee on Judiciary.

Mr Irish presented a petition from Dennis P. Greeley, praying for relief, which was referred to the Committee on Claims.

Mr. Bauder presented a petition of the board of supervisors of Lee county, praying for the passage of a law taxing the railroads of the State in proportion to other property in the State, which was referred to the Judiciary Committee.

Mr. Brown of Howard, presented a petition from the board of supervisors of Mitchell county, praying for the repeal of "an act for the transfer of real estate, approved March 26th, 1866," which was referred to the Committee on Judiciary.

Mr. Peck presented a petition from the Decatur county Bar, praying for the extension of the jurisdiction of county judges, which was referred to the Committee on Judiciary.

Also, a petition from Ella Adams and others, praying for the establishment of a State Normal School, which was referred to the Committee on Schools.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report:

The Committee on Township and County Organization, to whom was referred House File No. 44, A bill for an act to amend section 3850, of the Revision of 1860, increasing the jurisdiction of justices of the peace from one hundred to two hundred dollars, have had the same under consideration, and that the bill is in conflict with section 1, article 11, of the Constitution, and have therefore instructed me to report the bill back to the House with a recommendation that it do not pass.

JOHN P. GRANTHAM, Chairman.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, report that they have examined the following bills, and find them correctly engrossed:

Substitute for House File No. 75, A bill for an act granting the United States Government the right of way for a ship-canal around the Des Moines, or lower rapids of the Mississippi river on the Iowa side.

House File No. 38, A bill for an act to amend chapter 123, of the laws of the Eleventh General Assembly, relative to gray uniforms, so called, which was furnished by the State to the Second and Third Iowa Infantry.

House File No. 94, A bill for an act to provide for procuring the opinion of the Supreme Court for the use of the General Assembly, and to provide for the *per diem* and mileage of the Judges of said Court, when convening to give their opinion.

A. R. FULTON, Chairman.

Mr. Cotton, from the Committee on Judiciary, submitted the following report:

The Judiciary Committee have considered House File No. 29, A bill for an act to change the time of holding court in Waverly,

Bremer county, in the Twelfth Judicial District, and recommend its passage.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have considered House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens as to the acquisition, enjoyment and transfer of property; and have instructed me to report the same with the amendments herewith submitted, and recommend its passage as thus amended.

COTTON, Chairman.

The following are the amendments recommended above:

1. Add at the end of the second section the words "A non-resident alien shall be entitled to dower in lands situated in this State, the same as a resident citizen, except as against a purchaser from the decedent; but as against such purchaser an alien not residing in the State of Iowa, shall not be entitled to dower."

2. Strike out from the third section all after the word "derived."

3. Insert in section four, after the word "violated," the following: "Neither shall the title of any person or persons, to whom the General Assembly has made any relinquishment of an escheat, be hereby impaired or affected."

COTTON Chairman.

Mr. Dudley, from the Committee on Claims, submitted the following report:

Your committee to whom was referred the petition of John Crew and one hundred and thirty others, would report the same back with the recommendation that said Crew be allowed five hundred dollars, and that the Committee of Ways and Means be instructed to incorporate the above sum in the general appropriation bill.

C. DUDLEY, Chairman.

Your committee to whom was referred the memorial of J. H. Gharky asking to be released from the payment of taxes assessed in Appanoose county, have instructed me to recommend that the prayer of the memorialist be not granted.

C. DUDLEY, Chairman.

Your committee, to whom was referred the bill of Fuller, Warren & Co. for furnaces, pipes and registers for the Adjutant-General's office, have instructed me to report the accompanying bill and recommend its passage.

C. DUDLEY, Chairman.

House File, No. 117, A bill for an act making appropriation for two Lawson wood furnaces, pipes and registers furnished and put in the Adjutant-General's office and State Arsenal by Fuller, Warren & Co., was read first and second time, and on motion of Mr. Dudley, the bill was passed on the files.

Mr. Gaylord from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred House



File, No. 93, entitled "An act requiring owners of dams to construct and attach thereto aprons or chutes," have had the bill under consideration and have instructed me to report it back to the House with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

The Committee on Agriculture, to whom was referred House File, No. 89, entitled an act to amend chapter 135, of the acts of the Eleventh General Assembly, entitled "An act to require owners of threshing machines to guard against accidents," have had the same under consideration and have instructed me to report it back to the House with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

The following resolution, which was laid over under the rule, was taken up and adopted:

*Resolved*, That the Attorney-General be directed to communicate to this House, as early as practicable, his opinion whether there is any constitutional or legal barrier to the enactment of a law by the General Assembly of Iowa to restrict and regulate the charges of railroad companies in this State, for the transportation of freight and passengers.

#### INTRODUCTION OF BILLS.

Mr. Hartsock introduced House File No. 118, A bill for an act to amend section 1544 of the Revision of 1860.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Atkins introduced House File No. 119, A bill for an act approved April 20th, 1866, entitled, An act to accept the grant of land to the State of Iowa by act of Congress May 12th, 1864.

Was read first and second time, and referred to the Committee on Railroads.

Mr. Knapp introduced House File No. 120, A bill for an act for the relief of Hardin county, Iowa, for money stolen from the county safe September 14th, 1865.

Was read first and second time, and referred to the Committee on Judiciary.

Mr. Hatch introduced House File No. 121, A bill for an act to amend section 3000 of the Revision of 1860.

Was read first and second time, and referred to the Committee on Judiciary.

Mr. Gaylord introduced House File No. 122, A bill for act to encourage the planting out and preservation of forest trees.

Was read first and second time and referred to the Committee on Horticulture and ordered printed.

Mr. Browne of Lee introduced House File No. 123, A bill for an act to regulate the compensation of county judges.



Was read first and second time and referred to the Committee on the Judiciary.

Mr. Williams introduced House File No. 124, A bill for an act to perfect the title of Peter Olsen and Magnus Rangoin in and to certain lands.

Was read first and second time and referred with accompanying memorial, to the Committee on the Judiciary.

Mr. Babbitt introduced House File No. 125, A bill for an act to amend the school law so as to provide for the distribution of the teachers' fund among all schools taught in a district.

Was read first and second time and referred to the Committee on Schools.

Mr. Perry introduced House File No. 126, A bill for an act to amend chapter 108 of the laws of 1866.

Was read first and second time and referred to the Committee on the Judiciary.

Mr. Williams asked leave of absence for Mr. Brown of Howard for a few days, which was granted.

Mr. McCoun asked leave of absence for Mr. Perry for one week, which was granted.

Mr. Johnson asked leave of absence for Mr. Peck for one week, which was granted.

Mr. Grantham moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 29, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. De Forest.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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. 66, A bill for an act to amend section 2642 of the Revision of 1860, relating to the argument term of the Supreme Court of the State of Iowa at Davenport.

Senate File No. 71, A bill for an act to authorize J. A. Harvey

to procure certificates of lands selected in lieu of the sixteenth section.

Senate File No. 76, A bill for an act legalizing the organization of the independent school district of Decorah.

Also that the Senate has passed the House joint resolution authorizing the issuance of warrants for the payment of the postage accounts of the Twelfth General Assembly.

Also that the Senate refuses to concur in the House amendment to the resolution for the appointment of committees to visit the Soldiers' Orphans Homes at Davenport and Cedar Falls.

Also that the Senate has ordered the supplemental report of the Superintendent of the Hospital for the Insane to be printed.

Also that Senators Larimer and Wright have been announced as members, on the part of the Senate, of the joint committee to inquire into the cause of the suppression from the Journals of the Eleventh General Assembly of the report of the committee to visit the Agricultural College and Farm.

JAMES M. WEART, Secretary.

#### REPORTS OF COMMITTEES.

Mr. Grantham, from the Committee on County and Township Organization, presented the following report :

The Committee on Township and County Organization, to whom was referred the memorial of certain citizens of sub-district number —, in the district township of Union, in Des Moines county, asking to be attached to sub-district number three, in Burlington township, same county, have had the same under consideration, and find the action prayed for proper, and have instructed me to report the following bill, carrying into effect the prayer of the memorialists.

The bill of the committee was ordered on file.

JOHN P. GRANTHAM, Chairman.

The Committee on Township and County Organization, to whom was referred House File No. 88, A bill for an act to authorize the board of supervisors of Van Buren county to appropriate the sum of five hundred dollars for the erection of a monument in memory of soldiers of that county, who lost their lives in the military service of their country, have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that it do pass.

JOHN P. GRANTHAM, Chairman.

Mr. Knapp, from the Committee on Public Lands, submitted the following report :

The Committee on Public Lands, to whom was referred a bill for an act to legalize the sale of Indemnity Swamp Lands of Chickasaw county, Iowa, located in Kossuth county, Iowa, by the board of supervisors of Chickasaw county, have had the same

under consideration, and directed me to report the same back to the House with recommendation that it do not pass.

THOS. B. KNAPP, Chairman.

Mr. Tenney from the Committee on New Counties, submitted the following report:

Your Committee on New Counties have had under consideration House File, No. 82, entitled "An act to amend an act in relation to county seats," and would report the said bill back to the House and recommend its passage.

CHAS. W. TENNEY, Chairman.

Mr. Wilcox from the Committee on Ways and Means, submitted the following report:

Your Committee on Ways and Means, to whom was referred House File, No. 71, A bill for an act to amend section one, chapter 110, laws of the Ninth General Assembly, changing time when taxes become a lien upon real estate, have had the same under consideration and have instructed me to report the same back to this House with a recommendation that it do not pass.

WILCOX, Chairman.

Your committee, to whom was referred House File, No. 70, A bill for an act to have entered on the tax list the names of all persons who have purchased lands since the last assessment, and to have entered opposite each description the correct number of acres of land in said tract, have had the same under consideration and find the purposes of this bill provided for in chapter 61, laws of the Eleventh General Assembly, and have instructed me to report the same back to this House with a recommendation that it do not pass.

WILCOX, Chairman.

Your Committee on Ways and Means to whom was referred House File No. 69, A bill for an act to amend chapter forty-five of the Revision of 1860, being an act in relation to revenue, have had the same under consideration, and instructed me to report the same back to this House with a recommendation that it do not pass.

WILCOX, Chairman.

Mr. Cotton from the Committee on Judiciary, submitted the following report:

The Judiciary Committee have considered House File No. 106, A bill for an act to amend section 1055 of the Revision of 1860, and recommend that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have considered Senate File No. 27, A bill for an act to amend section 4296 of the Revision of 1860, in relation to resisting officers, and recommend its passage.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File No. 92, A bill for an act to amend section 3174 of the Revision of 1860, and recommend that it do not pass.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 48, A bill for an act amending chapter 159, of the Revision of 1860, being the act relating to evidence, and recommend that it do not pass.

COTTON, Chairman.

The Judiciary Committee to whom was referred House File No. 107, A bill for an act to amend chapter 45 of the Revision of 1860, and chapter 173 of the laws of the Ninth General Assembly in relation to revenue, have directed me to report the same with a recommendation that it be referred to the Committee on Ways and Means.

COTTON, Chairman.

Report of the committee was adopted and the bill referred as recommended.

The Judiciary Committee recommend that the resolution directing an inquiry into the expediency of the enactment of a law prohibiting the consolidation of parallel lines of railroads within this State, into one mammoth corporation, be referred to the Committee on Railroads.

COTTON, Chairman.

The report of the Committee was adopted, and the resolution referred as recommended.

The Judiciary Committee, to whom was referred a petition from citizens of Delaware county, asking the enactment of a law authorizing the collection of taxes by suit in cases where the same can not be collected by the present law, have directed me to report adversely to the passage of such a law.

COTTON, Chairman.

The Judiciary Committee, to whom was referred the petition of members of the bar of Jefferson county, and petition of members of the bar of Van Buren county, asking that those counties be attached to the district of the Supreme Court in which causes are heard at Des Moines, have directed a report recommending that the prayer of the petitioners be granted, and beg leave to suggest that the same can be effected by amending House File No. 53, heretofore reported by this committee, by inserting in said bill the words "Jefferson and Van Buren," after the word Des Moines.

COTTON, Chairman.

The Judiciary Committee, in pursuance of a resolution of this House, have considered the expediency of providing by law for the taking of evidence in suits of equity in the same manner as in suits at law, and have directed a report that they deem such a law inexpedient.

COTTON, Chairman.

Mr. Brown of Fayette, from the Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to whom was referred a resolution of inquiry in relation to the disposition (if any) that

has been made of the stockade erected by the State at Correctionville in Woodbury county, have had the same under consideration and have directed me to report that the stockades, block-houses, guard-houses, officers' quarters, &c., built by the State in 1862-3 at Cherokee, Pitman, Spirit Lake and Estherville, were turned over to the United States in December, 1863, they receipting for the same. Also, that the expense of their construction was included in our claim against the United States, as submitted to and reported upon by Gen. Buchanan, as shown by accompanying letters from Adjutant-General Baker and Colonel Dewey, Commissioner of Claims.

AARON BROWN, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Kasson introduced House File, No. 127, A bill for an act to amend section 328 of the Revision, and to legalize certain roads and highways.

Read first and second time and referred to the Committee on Judiciary.

Mr. Wheeler introduced House File, No. 128, A bill for an act to amend section 493 and 494 of the Revision of 1860.

Read first and second time and referred to Committee on Elections.

Mr. Stone introduced House File, No. 129, A bill for an act to regulate Insurance Companies.

Read first and second time and referred to the Committee on Judiciary, with instructions to print, if they deem it necessary.

Mr. Wheeler introduced House File No. 130, A bill for an act to repeal section 3852 of the Revision of 1860.

Read first and second time and referred to the Judiciary Committee.

Mr. Hamilton introduced House File No. 131, A bill for an act in addition to An act entitled an act for the incorporation and government of the Hospital for the Insane.

Read first and second time and referred to Committee on Insane Asylum.

Mr. Lambert introduced House File No. 132, A bill for an act to repeal chapter 118 of the laws passed by the Eleventh General Assembly of the State of Iowa.

Read first and second time and referred to Committee on Expenditures.

Mr. Werner introduced House File No. 133, A bill for an act to amend chapter 1581, section 3875, of the Revision of 1860.

Read first and second time, and referred to the Committee on Judiciary.

## RESOLUTIONS.

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

*Resolved by the House of Representatives, the Senate concurring,* That the Secretary of State be directed to compile a complete certified list of all notaries public in the State, with the date of issuing and expiration of their commissions, and forward the same to Edwin L. Moore, Pay-master U. S. A., at Washington, D. C., at the earliest day practicable. And that he be authorized to employ such assistance as he may deem necessary.

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

*Resolved,* That there be a committee appointed on the subject of insurance, and that so much of the Governor's messages and of the Auditor's report as refer to that subject, together with all resolutions and bills in relation thereto, be referred to said committee.

Mr. Phillips offered the following resolution which was adopted :

*Resolved,* That the Committee on Reform School, to whom was referred Senate File No. 2, be requested to consider the propriety of amending such bill, as follows :

1. To extend its benefits to all under twenty-one years of age.
2. To provide security from escape.
3. That none may be bound out until satisfactory evidence of reform has been manifested in his or her conduct.
4. That none shall be discharged without reasonable evidence of reform.

Mr. Walling offered the following resolution, which was referred to the Committee on Federal Relations :

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed and our Representatives requested to use their influence for the establishment of a semi-weekly mail from West Union in Fayette county *via* Tripoli to Waverly in Bremer county.

*Resolved,* That the Secretary of State be instructed to forward a copy of this resolution to our members in Congress.

Mr. Kilburn offered the following resolution which was adopted :

*Resolved by this House,* That so much of the Governor's special message as refers to the recommendation for compensation to Col. Dewey be referred to the Committee on Compensation of Public Officers; that so much as refers to railroads to the Committee on Railroads; that so much as refers to the school funds to the Committee on Schools; that so much as refers to Insurance Companies to the Committee on Insurance; that so much as relates to claims due Iowa soldiers be referred to the Committee on Military Affairs; that so much as refers to rights of foreign-born citizens to the Committee on Foreign Relations.

Mr. Brown, of Van Buren, offered the following resolution which was adopted:

*Resolved*, That the Speaker be authorized to employ, as Messenger for this House, Arthur Garrett, of Davis County.

Mr. Lambert offered the following resolution which was adopted:

*Resolved*, That the Committee on Judiciary be instructed to inquire into the question whether the capital employed in banking in this State, is subject to taxation by any law now in force in this State; if not, what legislation is necessary, if any, to subject them to that liability, and report by bill, or otherwise.

Mr. Rohlf's offered the following resolution:

*Resolved*, That there be printed of the Governor's Special Message for the use of the House, five hundred copies in the German, five hundred in the Norwegian, five hundred in the Swedish, and five hundred in the Holland languages; also, five hundred in the Bohemian language; *Provided*, that the translation into the different languages can be had without expenses to the State, and that the printing can be done in this State.

Mr. Williams moved to amend by striking out the words, "and that the printing can be done within this State;" *Provided*, that the cost shall not exceed twenty dollars for each translation.

The amendment was lost, and the resolution was then adopted.

Mr. Grantham offered the following resolution which was adopted:

*Resolved*, That the Committee on Constitutional Amendments be, and they are hereby instructed to inquire into and report to this House, what legislation, if any, is necessary in order to submit the question of calling a convention in the year 1870, under section 3, of article 10, of the Constitution of Iowa.

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

WHEREAS, Special legislation may be asked for the alleged benefit of localities, corporations or individuals which may probably or possibly be detrimental to some public or personal interest, and

WHEREAS, There is reason to believe such legislation has been already asked of this General Assembly, therefore

*Resolved*, That we deem it unwise to take any action in such cases before evidence shall be furnished that parties interested have been notified, by publication or otherwise, that such legislation would be asked of this General Assembly.

Mr. Wright offered the following resolution which was adopted:

WHEREAS it appears from the report of the State Treasurer that the McGregor Western Railroad Company has failed to pay the taxes assessed against said company for the year 1866, under section 16 of chapter 173, acts of Ninth General Assembly. Now therefore,

*Be it Resolved*, That the Committee on the Judiciary be and



are hereby instructed to inquire whether any additional legislation is required to enforce speedy collection of the taxes levied under said act.

And whether any additional legislation is necessary to protect the State against loss, where the railroad company, against which the tax is so levied, leases or sells out the road to other parties, or becomes insolvent, and that they report by bill or otherwise.

Mr. Ballinger offered the following resolution, which on motion of Mr. Brown, of Van Buren, was referred to the Committee on Agriculture.

WHEREAS our young and growing State, is composed of very large bodies of prairie lands, so remote from timber, that it is impossible to improve the same in the ordinary, expensive way of fencing against small stock. Therefore,

*Resolved*, That it is the sense of this House, that both sheep and swine, be restrained from running at large; and that an act be passed during this session of the General Assembly favoring the same.

Mr. Craig offered the following resolution:

WHEREAS, Divers and sundry members of this House have been laboring under a mistake as to personal identification; therefore

*Resolved*, That our State Geologist, Dr. C. A. White of Iowa City, is not the *other* Dr. White of Iowa City.

Mr. Wilson of Dubuque, moved to amend by adding "or any other man."

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

Mr. Rector offered the following resolution:

*Resolved*, That the Committee on Township and County Organization, be and they are hereby instructed to report a bill creating a County Commissioner's Court, to be composed of three county commissioners, and abolishing the present system of supervisors.

Mr. Dudley moved to refer the resolution to the Committee on County and Township Organization, which motion did not prevail.

Mr. Wilson of Dubuque, moved that the resolution be referred to the committee of the whole House, and that it be made the special order for Thursday, February 6th, at 10 o'clock, A. M.

Mr. Wilson of Tama, moved to amend by substituting two o'clock, P. M.

The substitute was lost, and the motion to refer to the committee of the whole House, and made the special order of Thursday, February 6th, at 10 o'clock A. M., prevailed.

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

*Resolved by the House of Representatives*, That the Committee on Banking be and the same are hereby instructed to report a bill at an early day for taxing the national bank shares directly to persons owning the same, in the same manner and on the same principle as other personal property, and saving the right to tax the aforesaid banks for the year 1868.

Mr. Mechem offered the following resolution :

WHEREAS, The Eleventh General Assembly approved a proposition to amend the Constitution of the State of Iowa, as will be seen in chapter 98 of the acts of the said General Assembly.

AND WHEREAS, doubts exist as to the legality of said proposition or act. Therefore,

*Resolved*, That the Committee on Amendments to the Constitution take such action as is necessary to have a legal opinion on this matter, or such recommendation as they may deem proper, touching this case.

Upon the adoption of the resolution Mr. Bent demanded the yeas and nays, which were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Phillips, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker. — 76.

The nays were, Messrs. Babbitt, Bauder, Blackwell, Browne of Lee, Donavan, Hawthorn, Irish, Kelley, Lockwood, Longueville, Miller, Peck, Rector, Rees, Stuart, Tritz, Werner, Wilson of Dubuque, Wright. — 19.

Absent and not voting, Messrs. Brown of Howard, Perry, Ramsay and Traer.

So the resolution was adopted.

Chair announced joint committee to investigate mutilation of the House and Senate journals of the session of 1866: Messrs. Kasson, Williams and Stuart.

Message on the Speaker's table was taken up and referred to the Committee on Claims.

Mr. Lambert asked leave of absence for Mr. McCoun for ten days, which was granted.

Mr. Dudley moved that the House do now adjourn, which motion prevailed, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 30, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Heacock.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File, No. 14, A bill for an act to authorize boards of supervisors to levy tax to pay county indebtedness.

JAMES S. WEART, Secretary.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:— Your Committee on Enrolled Bills, have examined the following House Files and report the same as correctly enrolled :

Senate File, No. 22, A bill for an act for the relief of Louisa county.

Senate File, No. 23, A bill for an act to provide for the custody of the records of the public surveys of the State.

H. C. RIPPEY, Chairman.

PETITIONS.

Mr. Cotton presented a petition from the Chicago and North-Western Railway, asking the enactment of a law authorizing railroad corporations to take lands for the erection of dams for water-reservoirs, and to lay pipes for the conducting of water through lands to supply railroad-engines, and providing for the mode of appraising damages to the land owners.

Referred to the Committee on Railroads.

Mr. Burnett moved that the regular order of business be suspended, and Senate messages be taken up, which motion prevailed.

Senate resolution relative to Soldiers' Orphans Home was taken up.

Mr. Burnett moved that the House recede from its amendment to the Senate resolution respecting the appointment of a committee to visit the Soldiers' Orphans Home at Davenport and Cedar Falls.

The motion to recede did not prevail.

On motion of Mr. Burnett the Chair was instructed to appoint a

committee to confer with a like committee from the Senate, in regard to the House amendment.

The Chair announced Messrs. Burnett and Stone as such committee.

The Senate resolution relating to the Visiting Committees appointed to visit the different State institutions, was taken up.

On the motion to concur, Mr. Blackwell demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—93.

The nays were, Messrs. Hatch and McNutt.—2.

Absent and not voting, Messrs. Brown of Howard, Perry, Rohlf and Traer.

So the resolution was concurred in.

Senate File No. 1, A bill for an act to amend "an act for the relief of the widow and indigent children of Joseph Ketterer.

Read first and second time and referred to the Committee on Claims.

Senate File No. 71, A bill for an act to authorize J. A. Harvey to procure certificates of lands selected in lieu of the sixteenth section.

Read first and second time.

Mr. Kilburn 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson

of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Phillips, Ramsey, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—94.

The nays were none.

Absent and not voting, Messrs. Brown of Howard, Longueville, Perry, Rohlf and Traer.

So the bill passed, and the title was agreed to.

Senate File No. 66, A bill for an act to amend section 2642 of the Revision of 1860, in relation to an argument term of the Supreme Court at Davenport, was read first and second time and referred to the Committee on Judiciary.

Senate File No. 76, A bill for an act legalizing the organization of the independent school-district of Decorah, Iowa, was read first and second time.

Mr. Williams moved that the rule be suspended, and the bill read a third time now.

The motion prevailed.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Orr, Ordway, Parker, Phillips, Ramsay, Rector, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—79.

The nays were Messrs. Babbitt, Bauder, Johnson of Cherokee, Lambert, Newberry, Rees, Rippey, Tillson, and Tritz—9.

Absent and not voting, Messrs. Blackwell, Brown of Howard, Dudley, Kilburn, Longueville, McCoun, Murray, Peck, Perry, Rohlf, and Traer—11.

So the bill passed, and the title was agreed to.

Senate File No. 14, A bill for an act to authorize boards of supervisors to levy tax to pay county indebtedness.

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

Mr. Ordway presented a petition from citizens of Cedar Falls,

Iowa, remonstrating against any action by which the line of the Dubuque & Sioux City Railroad can be changed.

Referred to the Committee on Railroads.

Mr. Hart presented a petition from three hundred and seventy-five citizens of Henry county, asking for the passage of a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a petition from John Kempker and one hundred other citizens and legal voters of Lee county, praying for the repeal of the present Maine law, and the enactment of a judicious license law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Gaylord presented a petition from one hundred citizens of Floyd county, praying for a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Kasson presented a petition from citizens of Polk county praying for the amendment of chapter 51 of the Revision of 1860, so as to empower the corporate authorities of cities of the first and second class to establish fire limits.

Referred to the Judiciary Committee.

Mr. Kelley presented a petition from the board of supervisors of Scott county, Iowa, praying for the amendment of the law so as to enable boards of supervisors to increase the salary of county treasurers.

Referred to the Committee on Compensation of Public Officers.

#### REPORTS OF COMMITTEES.

Mr. Grantham from the Committee on County and Township Organization submitted the following report:

The Committee on Township and County Organization have had under consideration the petition of David A. Blood and others, asking for the passage of a law restraining horses from running at large, and are of the unanimous opinion that such a law instead of promoting, would be detrimental to the best interests of all concerned.

I am, therefore instructed to report adversely to the prayer of the petitioners.

JOHN P. GRANTHAM, Chairman.

Mr. Wilcox from the Committee on Ways and Means submitted the following report:

Your Committee on Ways and Means to whom was referred House File No. 1, A bill for an act to change time of redemption of lands sold for taxes, have had the same under consideration, and have instructed me to report the same back to this House with a recommendation that it do not pass.

WILCOX, Chairman.

Your Committee on Ways and Means to whom was referred

House File No. 96, A bill for an act to amend section 711 of the Revision of 1860, to exempt unimproved lands of religious, literary and scientific institutions from taxation, have had the same under consideration and have instructed me to report the accompanying bill as a substitute back to this House, and recommend that the substitute do pass.

WILCOX, Chairman.

Your Committee on Ways and Means to whom was referred Senate File No. 9, A bill for an act to reimburse Appanoose and other counties, have had the same under consideration, and have instructed me to report the accompanying bill as a substitute, and recommend that the substitute do pass.

WILCOX, Chairman.

Your Committee on Ways and Means to whom was referred House File No. 42, A bill for an act to amend section 766, chapter 45 of the Revision of 1860.

Also House File No. 43, A bill for an act amending section 53, chapter 45 of the Revision of 1860, have had the same under consideration, and as both bills seek to obtain the same object, have instructed me to report the accompanying bill as a substitute for both, and recommend that the substitute do pass.

WILCOX, Chairman.

Mr. Mechem from Special Committee of Sixth Judicial District, submitted the following report :

The committee composed of the members of the Sixth Judicial District, not being able to agree upon a more favorable law regulating the time of holding courts in said district, than the law we now have, direct me to report that the bill before the House to regulate the holding of said courts, be indefinitely postponed.

E. MECHEM, Chairman.

Mr. Trusdell, from the Committee on State University submitted the following report :

The petition of young ladies of the University for increased facilities for their literary society, referred back to the Trustees of the University.

TRUSDELL, Chairman.

Bill providing for the establishment of a Law Department reported back, with recommendation that it do pass.

TRUSDELL, Chairman.

Mr. Dudley from the Special Committee of members of the Second Judicial District submitted the following report :

The committee to whom was referred the bill to change the times of holding courts in the Second Judicial District, have had the same under consideration, and have directed me to report the accompanying bill as a substitute, and recommend that it do pass.

C. DUDLEY, Chairman.



## INTRODUCTION OF BILLS.

Mr. McNutt introduced House File No. 135, A bill for an act for the compensation of the Attorney-General for certain services.

Read first and second time and referred to the Committee on Judiciary.

Mr. Rees introduced House File No. 136, A bill for an act resuming certain rights conferred upon the Dubuque & Pacific (now Dubuque & Sioux City Railroad).

Read first and second time and referred to the Committee on Railroads.

Mr. Stanley introduced House File No. 137, A bill for an act relating to independent school districts.

Read first and second time and referred to the Committee on Schools.

Mr. Cotton introduced House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing and maintaining dams and reservoirs to hold and accumulate water to supply engines, and for the purpose of laying down pipes to supply water for the engines used in operating such railroads.

Read first and second time and referred to the Committee on Railroads.

Mr. Orr introduced House File No. 139, A bill for an act to resume the lands granted to the Des Moines Valley Railroad Company.

Read first and second time and referred to the Committee on Railroads and ordered printed.

Mr. Wilson of Tama, introduced House File No. 140, A bill for an act changing the day of final hearing on county roads.

Read first and second time and referred to the Committee on Roads and Highways.

## MESSAGE FROM THE SENATE.

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 bill :

Substitute for House File No. 75, A bill for an act granting to the United States Government the right of way for a ship-canal around the Des Moines or lower rapids in the Mississippi River on the Iowa side.

JAMES M. WEART, Secretary.

Mr. Murray introduced House File, No. 141, A bill for an act to authorize counties and incorporated cities to issue bonds to aid in construction of railroads.

Read first and second time and referred to the Committee on Railroads.

Mr. Kilburn introduced House File, No. 142, A bill for an act to amend section 754 of the Revision of 1860.

Read first and second time and referred to the Committee on Judiciary.

Mr. Criss introduced House File, No. 143, A bill for an act to encourage the planting and growing of timber in Iowa.

Read first and second time and referred to the Committee on Agriculture.

Mr. Rippey introduced House File, No. 144, A bill for an act to prevent the keeping of billiard-tables and bowling-alleys for hire, gain or reward.

Read first and second time and referred to the Committee on Police Regulations.

Mr. Babbitt introduced House File, No. 145, A bill for an act providing for the erection of buildings for a Deaf and Dumb Asylum.

Read first and second time and referred to the Committee on Deaf and Dumb, and ordered printed.

Mr. Ramsay introduced House File, No. 146, A bill for an act to provide for the more correct and convenient indexing of records.

Read first and second time and referred to the Committee on Judiciary, and ordered printed.

Mr. Burrows introduced House File, No. 147, A bill for an act to compel supervisors of roads within the limits of incorporated towns, to work the same under the directions of the town council.

Read first and second time and referred to the Committee on Roads and Highways.

Leave of absence was granted Mr. Browne of Lee, until Tuesday next.

Leave of absence was granted Mr. Bolton until Tuesday next.

Mr. Smith of Harrison asked leave of absence for Mr. Orr until Tuesday morning.

Mr. Smith of Dickinson introduced House File No. 148, A bill for an act to encourage the development and production of peat in the State of Iowa.

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

Mr. Smith of Dickinson asked leave to call up concurrent resolution relative to the settlement of the State of the claims under the Swamp Land Grant, which was granted and the resolution was adopted.

By leave Mr. Wilcox presented a petition from eighteen hundred citizens of Buchanan county praying for the enactment of a more stringent prohibitory liquor law, which was referred to the Committee on Suppression of Intemperance.

Mr. Williams, by leave, presented a petition from fifteen hundred citizens of Winneshiek county, praying for the enactment

of a more stringent prohibitory liquor law, which was referred to the Committee on Suppression of Intemperance.

Mr. Irish asked leave to call up House File No. 4, A bill for an act for the further prosecution of the geological survey of the State, and that it be made a special order for to-morrow at ten o'clock A. M., which was granted.

Mr. Rowell moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 31, 1868.

House convened pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. Mr. Summerbell.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has concurred in the House resolution directing the Secretary of State to compile a complete list of all notaries public in the State.

Also, that the Senate has ordered printed the opinion of the Attorney General as to the power of the General Assembly to tax the shares of national banks.

JAMES M. WEART, Secretary.

On leave substitute for House File No. 57, A bill for an act fixing the time of holding courts in the Second Judicial District, was referred back to the special committee of members of the Second Judicial District.

Messages on the Speaker's table were taken up and read.

Mr. Williams offered the following resolution, which was adopted.

*Resolved*, That the report of the commissioners on the erection of building for Adjutant-General's office, be referred to the Committee on Public Buildings; that the account and vouchers of N. B. Baker, Adjutant-General, and chairman of said commission, be referred to the Committee on Expenditures; that the report of N. B. Baker, Adjutant-General and chairman of commission on bills unpaid, be referred to the Committee on Claims; and that after examination of said reports etc., by said committees, that the

reports of said commission and the chairman thereof, be referred to the Committee on Ways and Means.

The Communication on the Speaker's table was taken up and referred to the Committee on Ways and Means.

Mr. Burnett, by leave, offered the following resolution which was adopted.

*Resolved, the Senate concurring,* That one thousand copies of the rules of this General Assembly, including a diagram of the Senate be ordered printed; five hundred to be delivered to the Secretary of State, to be bound up with the documents, and the balance distributed among the members and officers of this General Assembly.

#### PETITIONS.

Mr. Bauder presented a petition from eighteen hundred and thirty-seven citizens of Lee county, praying for the passage of a more stringent prohibitory liquor law, which was referred to the Committee on Suppression of Intemperance.

Mr. Rohlf presented a petition from General J. B. Leake and thirty-one hundred other citizens of Scott county, praying for the repeal of the present prohibitory liquor law, and the enactment of a judicious license liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Lambert presented a petition from sundry citizens of Dallas county, Iowa, praying for a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Ordway presented a petition from one hundred and fourteen citizens of Black Hawk county, praying for the enactment of a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Caldwell presented a petition from Henry N. Clement and other citizens of Wapello county, praying for an increase of the number of terms of the District Court, or the creation of a Court of Common Pleas.

Referred to the Judiciary Committee.

Mr. Parker presented a petition from the ladies of Poweshiek county, praying for the passage of a law entirely prohibiting the manufacture and sale of alcoholic liquors.

Referred to the Committee on the Suppression of Intemperance.

Mr. Johnson of Cherokee presented a petition signed by citizens of the north-western counties of the State, praying that some action be taken which will allow settlers on the railroad lands of this State, to procure a title either from the railroads or the State.

Referred to the Committee on Railroads.

Mr. Ramsay presented a petition from citizens of Monroe county, praying for the passage of a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Burrows presented a petition from citizens of Clarke county praying for the passage of a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Hartsock presented a petition from two hundred and ninety-seven citizens of Keokuk county, praying for the passage of a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a memorial instructing our Senators and Representatives in Congress to use their utmost exertion in having the daily mail route from Fort Madison to West Point extended to Salem, which was referred to the Committee on Federal Relations.

Mr. Ordway presented a petition from the board of supervisors of Black Hawk county, praying for the passage of a law to restrain all kinds of stock from running at large, which was referred to the Committee on Agriculture.

Mr. Ordway moved that the rules be suspended and House File, No. 134, be taken up and put upon its third reading.

The motion did not prevail.

Mr. Ordway presented a petition from the board of supervisors of Black Hawk county, praying for an amendment to the road laws, so that supervisors of roads shall be under the control of township trustees, which was referred to the Committee on Roads and Highways.

#### REPORTS OF COMMITTEES.

Mr. Williams from the Committee on Railroads, submitted the following report:

The committee to whom was referred House File, No. 119, being A bill for an act to amend an act approved April 20th, 1866, entitled an act to accept the grant of lands to the State of Iowa, made by act of Congress of May 12th, 1864, and to carry out the provisions of said act, entitled an act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of said road in said State, and to make effectual the acceptance by the State of Iowa of said grant of land, have had the same under consideration and have instructed me to report the same back to the House with a recommendation that it do pass.

WILLIAMS, Chairman.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred House File No. 143, entitled, A bill for an act for the planting and encouraging the growing of timber in Iowa, have considered the same, and have instructed me to report it back to the House, and

recommend that it be handed over to the Committee on Horticulture.

W. P. GAYLORD, Chairman.

Also, the Committee on Agriculture, to whom was referred House File No. 22, entitled, An act to regulate tolls of grist mills and prescribing certain duties of millers, have had the same under consideration, and have instructed me to report the same back to the House, with an accompanying substitute therefor, which substitute the majority of the Committee recommend do pass.

W. P. GAYLORD, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom was referred House File No. 113, to harmonize certain provisions in the school law, &c., report back the same and recommend its passage.

PARKER, Chairman.

Your committee, to whom was referred House File No. 112, providing for a quarterly report of school moneys in the hands of the county treasurer, recommend its passage.

PARKER, Chairman.

Your committee to whom was referred House Files No. 97 and 125, return the same herewith, and recommend that they be not passed.

PARKER, Chairman.

The Committee on Schools to whom was referred House File No. 83, report the accompanying substitute therefor, and recommend the passage of the substitute.

PARKER, Chairman.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

Your committee on Enrolled Bills have examined the following Senate File and report the same as correctly enrolled:

Senate File No. 71, A bill for an act to authorize J. A. Harvey to procure certificates of lands selected in lieu of the sixteenth section.

H. C. RIPPEY, Chairman.

Mr. Ordway from the Committee on the Suppression of Intemperance submitted the following report:

The Committee on the Suppression of Intemperance have instructed me to report the following resolution, and ask its passage by the House.

*Resolved*, That the Committee on the Suppression of Intemperance be authorized to employ a clerk to enumerate and classify the large number of petitions which have been referred to said committee.

Mr. Garrett, from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on Compensation of Public Officers, to whom

was referred House File No. 23, A bill for an act to amend section 4145 of the Revision of 1860, and section 1 of chapter 45 of the acts of the Tenth General Assembly in relation to sheriffs' fees, have carefully considered the same, and instructed me to report the bill back to the House with the recommendation that it do not pass.

GARRETT, Chairman.

The Committee on Compensation of Public Officers, to whom was referred House File No. 27, A bill for an act regulating traveling fees of sheriffs and constables, have had the same under consideration, and have instructed me to report the bill back to the House with the recommendation that it do not pass.

GARRETT, Chairman.

Mr. Bowen, from the Committee on Incorporations, submitted the following report:

Your Committee on Incorporations to whom was referred House File No. 39, A bill for an act to amend chapter 50 of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that it be referred to the Committee on the Judiciary.

BANNER G. BOWEN, Chairman.

Your Committee on Incorporations, to whom was referred a petition of the citizens of New Jefferson, Greene county, asking for a better insurance law, have instructed me to report it back to the House, with a recommendation that it be referred to the Committee on Insurance.

BANNER G. BOWEN, Chairman.

Mr. Wilcox, from the Committee on Ways and Means, submitted the following report:

Your Committee on Ways and Means, to whom was referred Senate File No. 62, A bill for an act making appropriation for the payment of the mileage of the members of the Twelfth General Assembly, and the per diem of the temporary officers and employees thereof, and for postage, have had the same under consideration, and instructed me to report the same back to this House with the following amendment, and as amended, recommend that the bill be put on its passage:

Add to section 3, "Five thousand eight hundred and sixty-three dollars and fifty cents."

SEC. 10. To Samuel McNutt, for two days' service as temporary Speaker of the House of Representatives, six dollars.

SEC. 11. To Charles Aldrich, for two days' service as temporary Chief Clerk of the House of Representatives, ten dollars.

SEC. 12. To E. G. White, for two days' service as temporary Sergeant-at-Arms for the House of Representatives, seven dollars.

SEC. 13. To Dan Ellyson, for one days' service as temporary Post-Master for the House of Representatives, three dollars and fifty cents.



SEC. 14. To Arthur Garrett, for three days' service as temporary Messenger of the House of Representatives, six dollars.

WILCOX, Chairman.

The amendment recommended by the committee was adopted.

On motion of Mr. Wilcox, the rule was suspended, and the bill read a third time.

Mr. McNutt moved that the vote by which the bill was read a third time be reconsidered.

The motion to reconsider prevailed.

Mr. McNutt moved to amend by adding the following clause:

"This bill, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Statesman, papers published at Des Moines, Iowa."

The motion to amend 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. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—89.

The nays were none.

Absent and not voting were Messrs. Bolton, Brown of Howard, Browne of Lee, Hamilton, McCoun, McKean, Orr, Perry, Traer, and Williams.

So the bill passed, and the title was agreed to.

Mr. Miller from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on Compensation of Public Officers, to whom was referred House File, No. 33, being A bill for an act to amend section 317 of the Revision of 1860, in relation to compensation of members 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 the passage of the accompanying substitute.

G. R. MILLER, for Committee.

## MESSAGE FROM THE SENATE.

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 bill, which is herewith transmitted:

House File No. 38, A bill for an act to amend chapter 123 of the laws of the Eleventh General Assembly, relative to the gray uniforms, so called, which were furnished by the State to certain members of the Second and Third Iowa Infantry.

GEO. P. ABEL, Assistant Secretary.

## INTRODUCTION OF BILLS.

Mr. Hawthorn introduced House File No. 149, A bill for an act to protect game.

Read first and second time, and referred to the Special Committee on Game Law.

Mr. McNutt introduced House File No. 150, A bill for an act to authorize all cities and towns, including those acting under special charters, to impose a tax upon venders of native wines and malt liquors.

Read first and second time, and referred to the Committee on Incorporations.

Mr. Caldwell introduced House File No. 151, A bill for an act to require railroads to fence their right of way.

Read first and second time, and referred to the Committee on Railroads.

## RESOLUTIONS.

Mr. Irish offered the following resolution:

*Resolved*, That the Committee on the Suppression of Intemperance be instructed by this House to report a bill for a license law, to the end that the intemperance which prevails under the operation of the present law to an extent so alarming as to provoke petitions from forty-five thousand people of this State, may be controlled and in part suppressed.

Mr. Dudley moved that the resolution be laid on the table.

On the motion to lay on the table Mr. Murray demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Atkins, Ballinger, Bent, Bowen, Brown of Fayette, Burnett, Burrows, Chase, Craig, Cramer, Dashiell, Dudley, Ellis, Fulton Garrett, Gaylord, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Johnson, of Marshall, Kasson, Kilburn, Lambert, McKean, McNutt, Mechem, Morrison, Murray, Ordway, Parker, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Tenney,

Tillson, Tucker, Walling, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—52.

The nays were, Messrs. Adams, Allen, Atwood, Babbitt, Bailey, Bander, Blackwell, Brown, of Van Buren, Caldwell, Cotton, Oriss, Davis, Donovan, Glasgow, Hartsock, Hawthorn, Hunter, Irish, Johnson, of Cherokee, Kelley, Knapp, Leach, Leffingwell, Lockwood, Longueville, Miller, Newberry, Peck, Rector, Rohlf, Smith of Dickinson, Stuart, Tritz, Werner, Wheeler, Wilson of Dubuque, and Wright.—37.

Absent and not voting, Messrs. Bolton, Brown, of Howard, Browne, of Lee, Hamilton, McCoun, Miles, Orr, Perry, Traer and Trusdell.

So the motion to lay on the table prevailed.

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

*Resolved*, That the joint rules printed with the rules of the Twelfth General Assembly of the State of Iowa, with the concurrence of the Senate, be adopted as the joint rules of the two Houses.

Mr. Knapp offered the following resolution, which was referred to the Committee on Federal Relations.

*Be it Resolved by the General Assembly of the State of Iowa*, That our Senators in Congress be, and are hereby instructed, and our representatives requested to use their influence to secure as soon as practicable, the establishment of a tri-weekly mail from Iowa Falls, Hardin county, Iowa, to Mason City, Cerro Gordo county, Iowa, via Maysville, Hampton and Chapens, Franklin county, Iowa, and the Secretary of State is hereby instructed to forward to each of our members in Congress, a copy of this resolution.

Mr. Smith of Dickinson, offered the following resolution, which was referred to the Committee on Federal Relations.

WHEREAS, The early development of the mineral resources of what is known as the Black Hills of Dakota Territory, would materially aid in the settlement and growth of North-western Iowa; and

WHEREAS, The State of Minnesota, through her Legislature, has memorialized Congress in the matter; therefore

*Resolved*, That our Senators in Congress be instructed, and our Representatives be requested to co-operate with the Minnesota delegation, and to use their best endeavors to obtain an appropriation for the purpose of exploring and opening a wagon-road from some point on the upper Missouri river, by way of the Black Hills, Virginia City, or some other point in Montana Territory.

Mr. Ordway moved that the report of the Committee on Suppression of Intemperance, relating to the employment of a clerk, be taken up, which motion prevailed.

The resolution was read and discussed.

Mr. Wilson of Dubuque, moved the previous question, which was seconded, and the main question ordered.

The resolution was then adopted.

Mr. Rees asked leave of absence for Mr. Criss for one week, which was granted.

Mr. McNutt asked leave of absence for Mr. Burnett for three days, which was granted.

Leave of absence was granted Mr. Hart for two days.

Leave of absence was granted Mr. Knapp for two days.

Mr. Brown of Van Buren, asked leave of absence for Mr. Craig for two days, which was granted.

Leave of absence was granted Mr. Stanley for two days.

Mr. Fulton asked leave of absence for Mr. Hayden for two days, which was granted.

Leave of absence was granted Mr. Blackwell until Tuesday next.

Mr. Trusdell asked leave of absence for the Committee on State University for three days, which was granted.

Mr. Dudley offered the following resolution :

*Resolved*, That the members of this General Assembly who are anxious to entertain this House on the subject of a license law, shall have an evening set apart for them from 7 to 10, p. m., whenever as many as ten members shall desire the Speaker to designate a time for them to be heard.

Mr. Wilson of Dubuque moved to amend, "provided that no member shall be compelled to be present."

Mr. McKean moved to amend the amendment by adding "or any other man."

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

Leave was granted Mr. Grantham to take up House File, No. 5, A bill for an act to legalize the organization of the city of Mt. Pleasant as a city of the second class.

The report of the committee with amendment was read.

Leave was granted Mr. Grantham to amend by striking out the words in section 1, "as contained in," and inserting the word "including."

The report of the committee as amended was concurred in.

Mr. Grantham moved that the rule be suspended and the bill read a third time now, which motion prevailed.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Blackwell, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter,

Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—84.

The nays were Messrs. Babbitt, McKean, Stuart, Tillson—4.

Absent and not voting, Messrs. Bolton, Brown of Howard, Browne of Lee, Burrows, Knapp, McCoun, Miller, Orr, Perry, Traer and Werner—11.

So the bill passed, and the title was agreed to.

Mr. Hunter asked leave to call up House File No. 18, A bill for an act providing for the publication and distribution of the Adjutant General's report, January 1, 1867, to January 14, 1868, which was granted.

Mr. Dudley moved that the bill be recommitted to the Committee on Printing and ordered printed, with instructions to report the cost of printing and binding, which motion prevailed.

Mr. Atkins offered the following resolution, which was lost.

*Resolved by the House of Representatives,* That the Committee on County and Township Organization be, and the same are, hereby instructed to inquire into the expediency of transferring all road matters from the supervisors to a set of highway commissioners or trustees of the usual township.

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

*Resolved,* That the Committee on Roads and Highways be instructed to inquire into the expediency of amending chapter 46, sections 883 and 884, of the Revision of 1860, so as to attach the same penalty to supervisors appointed according to law, and refuse to qualify, that is attached to supervisors that are elected.

Mr. Murray moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 1, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. Hobbs.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

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 bill :

House File No. 12, A bill for an act changing the time of holding court, in the Third Judicial District.

Also that the Senate has adopted a concurrent resolution relative to printing and binding certain documents, and the exclusion of the same from the journals, in which the concurrence of the House is asked.

JAMES M. WEART, Secretary.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

Your Committee on Enrolled Bills, have examined the following Senate File, and report the same as correctly enrolled :

Senate File No. 76, A bill for an act legalizing the organization of the Independent School District of Decorah, Iowa.

H. C. RIPPEY, Chairman.

Mr. Fulton from the Committee on Engrossed Bills, submitted the following report :

Your Committee on Engrossed Bills report that they have examined House File No. 5, A bill for an act to legalize the organization and acts of the city of Mount Pleasant, as a city of the second class, and find the same correctly engrossed.

A. R. FULTON, Chairman.

The Chair announced as Special Committee on Insurance :

Messrs. Kilburn, Cramer, Hatch, Ordway, Stone and Leffingwell.

Mr. Brown of Fayette, from the Committee on Military Affairs, submitted the following report :

The Committee on Military Affairs, to whom was referred House File No. 78, A bill for an act to provide for the adjustment of claims of members of the First Iowa Cavalry, have had the same under consideration, and directed me to report the bill back with the amendment, to strike out section two, and insert in lieu thereof sections *two* and *three* as herewith reported.

AARON BROWN, Chairman.

Mr. Ordway, from the Committee on the Suppression of Intemperance, submitted the following report :

Your Committee on the Suppression of Intemperance, to whom was referred the resolution to strike out the word "twelve" in section number 1575, of the Revision of 1860, and insert "a majority" in lieu thereof, have instructed me to report the accompanying bill, and recommend its passage.

GEORGE ORDWAY, Chairman.

The bill was ordered upon the files.

Mr. McKean, from the Committee on Constitutional Amendments, submitted the following report:

Your Committee on Constitutional Amendments, to whom was referred the accompanying resolution, authorizing them to take such action as would be necessary to obtain a legal opinion as to the legality of certain steps already taken to amend the Constitution of this State, beg leave to report that they have obtained the written opinion of the Attorney-General on the subject; that said opinion herewith submitted, expresses that no reasonable doubts exist as to the legality in form and substance of the steps already taken, which meets with the decided approval of the committee, and they recommend action accordingly.

JOHN McKEAN, Chairman.

Mr. McKean asked leave to take up Senate resolution relative to printing reports, memorials, addresses, etc., and excluding them from the journals of the two Houses, which was granted.

Mr. McKean moved to concur in the Senate resolution.

The motion prevailed.

Mr. Dudley, from the Committee on Claims, submitted the following report:

So much of said report as relates to claims of individuals mentioned therein, was referred to Committee on Ways and Means; and so much as refers to amending chapter 191 of the Revision of 1860, to the Judiciary Committee.

MR. SPEAKER:—Your committee to whom was reported the claim of E. B. Lusey and others, for services and expenses in arresting fugitives from justice, would recommend that there be allowed E. B. Lusey, for the arrest of Leander Bremer, the sum of one hundred and nineteen dollars and ten cents.

Also, E. B. Lusey, for the arrest of James M. Edwards, the sum of one hundred and thirty-seven dollars and eighty-five cents.

Also, Thomas C. Haskins, for the arrest of William Ayrs, the sum of one hundred and thirty-five dollars.

Also, A. S. Perry, for the arrest of William Callendine, the sum of sixty-one dollars and thirty-nine cents.

Also, Robert Buxter, for the arrest of Ben Meon, the sum of one hundred and fifty dollars.

Also, John W. Crooks, for the arrest of John M. Harlow, the sum of one hundred and thirty-two dollars.

Also, A. F. Blarksbire, for not arresting Anderson Oline and Polly Baker, the sum of one hundred and fifty dollars; and would refer the same to the Committee of Ways and Means to be incorporated in the general appropriation bill.

We would further recommend, that chapter 191, Revision of 1860, be so amended as to give the Governor some discretion, when granting requisitions for the arrest of fugitives from justice, whether it shall be at the expense of the State.

C. DUDLEY, Chairman.



Mr. Hatch, from the Committee on Public Buildings, submitted the following report:

Your Committee to whom was referred that portion of the Governor's Message relating to a new capitol building, have had the same under consideration, and, together with a joint committee of the House and Senate on the same subject, instructed me to report by bill, which is herewith most respectfully submitted, with the recommendation unanimously by the joint committee that it do pass.

J. H. HATCH, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Hatch, from Committee on Public Buildings, introduced House File No. 152, which was read first and second time, and ordered on file and printed.

Mr. Parker, from the Committee on Schools, reported a substitute for House File No. 137, A bill for an act relating to independent school districts, which was read first and second time, and ordered on file.

Mr. Ordway introduced House File No. 153, A bill for an act to organize fire companies in unincorporated towns and villages, and to regulate the same, and to legalize acts of such companies heretofore organized.

Read first and second time, and referred to the Committee on the Judiciary.

Mr. Lockwood introduced House File No. 154, A bill for an act to amend chapter 45 of the Revision of 1860, which was read first and second time, and referred to the Committee on Ways and Means.

Mr. Brown of Van Buren introduced House File No. 155, A bill for an act to amend section 2 of chapter 76, laws of the Tenth General Assembly, in relation to labor on roads.

Read first and second time, and referred to the Committee on Roads and Highways.

#### RESOLUTIONS.

Mr. Babbitt offered the following resolution, which was referred to the Committee on Federal Relations:

Joint resolution for a mail-route and mail-service from Council Bluffs, in Pottawattamie county, to Harlan, in Shelby county, Iowa.

*Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed and our Representatives be requested to use their influence to have a mail-route established and weekly mail-service thereon, from Council Bluffs, in Pottawattamie county, *via* Beard's Grove, on Keg creek, and Newtown, on

Nishnabotany river, to Harlan, in Shelby county, Iowa, a distance of fifty-two miles.

Mr. McNutt offered the following resolution :

WHEREAS, The duties of the Legislative Visiting Committees to the various State Institutions, located at different points in the State, will require the absence from this body of a considerable number of our members; and

WHEREAS, It is unwise and unsafe to pass laws when many members are absent, and the public interest will rather be promoted than otherwise, by a legislative recess; therefore,

*Be it Resolved by the House of Representatives, the Senate concurring,* That both Houses of the General Assembly will adjourn on Thursday, the 13th day of February, inst., until Tuesday the 25th day of the same month.

Mr. Cotton moved to lay the resolution on the table, which motion did not prevail.

Mr. Ordway moved to amend by striking out the "13th" and inserting the "12th."

Mr. Caldwell moved to amend the amendment by inserting the "4th" in the place of the "12th," and the "12th" in the place of the "25th."

Mr. Goodspeed moved to lay the whole matter on the table.

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

The yeas were Messrs. Atwood, Ballinger, Bowen, Brown of Fayette, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Dashiell, Davis, Fulton, Garrett, Goodspeed, Grantham, Guthrie, Hawthorn, Kasson, Kelley, Lambert, Morrison, Parker, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Tillson, Werner, Wilson of Davis, Wright. — 33.

The nays were Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Bent, Cramer, Donovan, Dudley, Ellis, Gaylord, Glasgow, Hartsock, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kilburn, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Ordway, Peck, Phillips, Rector, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker. — 47.

Absent and not voting, Messrs. Bauder, Blackwell, Bolton, Brown of Howard, Browne of Lee, Burnett, Craig, Oriss, Hamilton, Hart, Hatch, Hayden, Knapp, McCoun, Orr, Perry, Stanley, Traer and Trusdell. — 19.

So the motion to lay on the table did not prevail.

The amendment to the amendment was lost.

The amendment offered by Ordway was withdrawn.

Mr. Lambert moved to amend by adding the following, viz. :

" Provided that no pay as per diem, shall be allowed any member during the recess."

Mr. Wilcox moved to amend the amendment by adding, "and all who have had, or shall have, temporary leave of absence."

The amendment to the amendment did not prevail.

On the adoption of the amendment, Mr. Lambert demanded the yeas and nays, which were as follows:

The yeas were Messrs. Allen, Atwood, Ballinger, Bowen, Brown of Van Buren, Caldwell, Chase, Cotton, Davis, Ellis, Fulton, Garrett, Glasgow, Hawthorn, Lambert, Leach, Morrison, Parker, Phillips, Ramsay, Stuart, Tillson, Werner, and Wilson of Davis—24.

The nays were Messrs. Adams, Atkins, Babbitt, Bailey, Bent, Brown of Fayette, Burrows, Cramer, Dashiell, Donovan, Dudley, Gaylord, Goodspeed, Grantham, Guthrie, Hartsock, Hatch, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Ordway, Peck, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—56.

Absent and not voting, Messrs. Bauder, Blackwell, Bolton, Brown of Howard, Browne of Lee, Burnett, Craig, Criss, Hamilton, Hart, Hayden, Knapp, McCoun, Orr, Perry, Rees, Stanley, Traer, and Trusdell.

So the amendment was lost.

On the question of the adoption of the resolution, Mr. McNutt demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Atkins, Babbitt, Bailey, Bent, Cramer, Donovan, Dudley, Ellis, Gaylord, Glasgow, Hartsock, Hunter, Irish, Johnson of Marshall, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miller, Newberry, Ordway, Peck, Rector, Rowell, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—48.

The nays were, Messrs. Allen, Atwood, Ballinger, Bowen, Brown of Fayette, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Dashiell, Davis, Fulton, Garrett, Goodspeed, Grantham, Guthrie, Hatch, Hawthorn, Kasson, Kelley, Kilburn, Lambert, Miles, Morrison, Murray, Parker, Phillips, Ramsay, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Tillson, Werner, Wilson of Davis—37.

Absent and not voting, Messrs. Bauder, Blackwell, Bolton, Brown of Howard, Browne of Lee, Burnett, Craig, Criss, Hamilton, Hart, Hayden, Johnson of Cherokee, Knapp, McCoun, Orr, Perry, Stanley, Traer, and Trusdell—19.

So the resolution was adopted.

Mr. Bent offered the following resolution which was adopted:

*Resolved*, That the Committee on Military Affairs are hereby instructed to inquire into the duties of the office of Adjutant-General, with a view to the reduction of the expense of said office, and report by bill or otherwise.

Mr. Wilcox offered the following resolution which was adopted :

*Resolved*, That there be no more leave of absence granted except for sickness or other good cause.

Mr. Mechem offered the following resolution, which was referred to the Committee on Schools.

*Resolved*, That the Committee on Public Schools be requested to investigate and report by bill or otherwise, whether any further legislation is necessary to secure to all without distinction of color, the right to have their children educated in the public schools.

On the adoption of the resolution, the yeas and nays were demanded, which were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Cramer, Dashiell, Davis, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hartsock, Hatch, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leach, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Peck, Phillips, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tillson, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—62.

The nays were Messrs. Babbitt, Donovan, Hawthorn, Irish, Kelley, Leffingwell, Lockwood, Longueville, Miller, Rector, Rees, Stuart, Tritz, Tucker, Werner, Wilson of Dubuque—16.

Absent and not voting Messrs. Bauder, Blackwell, Bolton, Brown of Howard, Browne of Lee, Burnett, Craig, Criss, Garrett, Hamilton, Hart, Hayden, Hunter, Knapp, McCoun, Orr, Perry, Stanley, Traer, Trusdell, and Wright—21.

So the resolution was adopted.

Mr. Stuart offered the following resolution, which was referred to the Committee on Ways and Means.

WHEREAS, The statute at present only requires the equalization board of the State to equalize real property ; and

WHEREAS, The burden of State tax bears unequally in the various counties of the State by reason of the personal property of the various counties being unequally assessed ; therefore,

*Be it Resolved*, That the Committee on Ways and Means are hereby instructed to inquire into the expediency of changing or amending the said statute law, so the State tax may bear as equally upon the various counties of the State as may be, and report upon the same by bill or otherwise, at as early a period as practicable.

Mr. Hawthorn offered the following resolution, which was referred to the Committee on Federal Relations:

*Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed and our Representatives be requested to use their influence in procuring mail facilities, as follows:*

A semi-weekly mail from Nevada, in Story county, *via* Story City, Henryson's, Lakin's Grove and Rose Grove to Hawley, in Hamilton county; and return *via* Chadwick's and Oliver Thompson's, twice a week.

Also, a daily mail from Des Moines, in Polk county, *via* Greenwood, Ottawa and Cambridge to Nevada, in Story county.

Also, on route No. 11,120 from Aldon, in Hardin county, *via* Oakland, Otisville and Freyburg to Belmond, in Wright county, three times per week.

Thence *via* Amsterdam and Hancock Center to Forest City in Winnebago county, once per week.

And that the Secretary of State be requested to forward a copy of the same to each of our Senators and Representatives in Congress.

Mr. Rees offered the following resolution, which was referred to the Committee on Federal Relations.

*Be it Resolved by the House of Representatives of the State of Iowa, the Senate concurring, That our Senators in Congress from this State be instructed and Representatives requested to use their utmost exertions to procure the establishment of a weekly mail route at earliest day, from Yatesville, in Calhoun county, Iowa, to Lake City, in the same county.*

Leave of absence was granted Mr. Caldwell for two days.

Leave of absence was granted Mr. Bauder for two days.

Leave of absence was granted Mr. Adams until Wednesday next.

Leave of absence was granted Mr. Rector until Tuesday next.

Leave of absence was granted Mr. Irish until Wednesday next.

Mr. Rowell moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 3, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Ingalls.

Journal of Saturday read and approved.

## MESSAGE FROM THE SENATE.

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 bill in which the concurrence of the House is asked:

Senate File No. 64, A bill for an act to authorize the Governor to release lands which have been certified to the State by authority of the Secretary of the Interior, under any of the land grants, where settlers rights have intervened prior to the time when the title vested in the State, and for the purpose of correcting errors in the transfers to the State.

Also that the Senate has concurred in the House amendments to Senate File No. 62, A bill for an act making appropriations for the payment of mileage of members of the Twelfth General Assembly, and the per diem of the temporary officers thereof, and for postage.

Also that the Senate has concurred in the House resolution relative to printing one thousand copies of the rules of this General Assembly, and that the joint rules as printed, be adopted as the joint rules of the two Houses.

Also that the Senate has passed a resolution requesting your Honorable Body to appoint a committee of seven members, to act with a committee of the Senate, composed of Senators Hedges, Griffith, Bulis, Cattell and Needham, to consider and report upon the memorial of the Trustees of White's Iowa Manual Labor Institute, which memorial is transmitted herewith and which has been ordered printed.

Also that the Senate agrees to the conference asked by the House, on the disagreeing votes of the two Houses, on the House amendment to the resolution relative to appointing committees to visit the Iowa Soldiers' Orphans Home, and have appointed Senators Casady and Woolson managers of said conference on the part of the Senate.

JAMES M. WEART, Secretary.

## PETITIONS AND REMONSTRANCES.

Mr. Miller presented a petition from G. W. Carver, of Allamakee county, asking for relief, which was referred to the Committee on Claims.

Mr. Gaylord presented a petition from citizens of Butler county, praying for the enactment of a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Guthrie presented a petition from the youths of Greene county, praying for the enactment of a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.



Mr. Bowen presented a petition from the citizens of Marion County, praying for the passage of a law for the encouragement of immigration from Europe, which was referred to the Committee on Internal Improvements.

REPORTS OF COMMITTEES.

Mr. Cotton, from the Judiciary Committee, submitted the following report:

The Judiciary Committee have considered House File No. 135, A bill for an act to fix the compensation of the Attorney-General for certain services, and recommend that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee having considered House File No. 14, A bill for an act to legalize the levy of certain taxes for the payment of soldier's bounties, have directed that the substitute herewith submitted be reported, and its passage recommended.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have considered House File No. 124, A bill for an act to perfect the title of Peter Olsen and Magnus Rangoin in and to certain lands, and recommend that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee to whom was referred House File No. 142, A bill for an act to amend section 754, of the Revision of 1860, and directed a report in favor of its passage.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have had under consideration Senate File No. 66, A bill for an act to amend section 2642, of the Revision of 1860, relating to the argument term of the Supreme Court of the State of Iowa at Davenport, the effect of the bill being to transfer the county of Van Buren from the argument terms at Davenport to the terms at Des Moines, and the committee recommend, that instead of passing this bill, the county of Van Buren be added by an amendment to the bill now pending before this House, which makes the same change in respect to Lee and other counties.

AYLETT R. COTTON, Chairman.

Mr. Wilcox, from the Committee on Ways and Means, submitted the following report:

Your Committee on Ways and Means, to whom was referred Senate File No. 14, A bill for an act to authorize boards of supervisors to levy taxes to pay county indebtedness, have had the same under consideration, and have instructed me to report the same back to this House, with the recommendation that the bill do pass.

WILCOX, Chairman.

The Committee on Ways and Means, to whom was referred House File No. 148, A bill for an act to encourage the development of production of peat in the State of Iowa, have had the



same under consideration, and instruct me to recommend that it do not pass.

WILCOX, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom was referred the resolution of inquiry "whether any further legislation is necessary to secure to all, without distinction of color, the right to have their children educated in the public schools," beg leave to present the following report, adopted unanimously:

The Constitution of this State contains the following language, not easily misunderstood: "The Board of Education SHALL provide for the education of ALL the youths of the State." The laws of this State are in harmony with the constitution. We think additional legal requirements can not secure educational privileges to all any more efficiently than the present law now does, since the exclusion of any youth of this State from such privileges on the ground of color, is already as truly a violation of law as is theft or murder.

PARKER, Chairman.

Mr. Hunter, from the Committee on Printing, submitted the following report:

The Committee on Printing, to whom was recommitted House File No. 18, A bill for an act to provide for the printing and distribution of certain Adjutant-General's Reports, with instructions to inquire into the expense of printing and binding the same, beg leave to report as follows:

First. That the work contemplated by the bill embraces only alterations, additions and corrections to reports previously published and distributed, and will make a pamphlet of not over one hundred pages.

Second. That the cost of printing and binding (in paper) will cost from twenty to twenty-five cents a volume.

HUNTER, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Grantham introduced House File No. 157, A bill for an act to amend so much of the revenue laws as requires each tax levied to be carried out in separate columns on the tax books, and for the repeal of that part of the school laws which authorize the levy of sub-district taxes.

Read first and second time and referred to the Committee on the Judiciary.

Mr. Brown of Fayette, introduced House File No. 158, A bill for an act to amend chapter 172 of the acts of the Ninth General Assembly.

*And be it further Resolved*, That the Secretary of State, be requested to forward an authenticated copy of this preamble and resolution to each of our Senators and Representatives in Congress.

Mr. McNutt moved to amend by striking out "Council Bluffs" wherever it occurs, and insert in lieu thereof "Muscatine."

Mr. Kasson moved to refer the resolution and amendment to the Committee on Federal Relations.

Mr. Lambert moved to postpone until the 4th day of July, which motion did not prevail.

The motion to refer to the Committee on Federal Relations prevailed.

Mr. Sanborn offered the following resolution :

*Resolved*, That the Judiciary Committee be requested to examine, and, if necessary, report a bill extending the provisions of section 3277, of Revision of 1860, in regard to an indemnifying bond in case of execution to writs of attachment; also, to secure sheriff's costs in said cases.

Mr. Rowell moved that the resolution be referred back to its author, with instructions to draw up a bill.

The motion did not prevail.

The resolution was then adopted.

Mr. Williams offered the following resolution which was adopted :

*Resolved*, That the Committee of Ways and Means be instructed to incorporate in the general appropriation bill, the sum of seventy-five dollars, to pay for the translation of the Governor's Biennial Message into the German, Norwegian, Holland and Bohemian languages.

Mr. Tritz offered the following resolution, which was referred to the Committee on Federal Relations :

At a regular meeting of the Board of Supervisors of Jackson county, Iowa, held on the first Monday of January, 1868, the following resolution was offered by James Dunn, and made the order of the Board :

**WHEREAS**, The American Colonies declared their independence in 1776, of the British King and his tyrannical government and compelled by the sword his acknowledgment in 1783, of their sovereignty and independence as one of the sovereign nations of the world under the name of the United States of America.

**AND WHEREAS**, in 1812 the United States of America found it necessary to again declare war against the British King and his government to protect the persons of naturalized American citizens upon the high seas from the tyrannical and arbitrary assumptions by the British Government of the right to search American vessels for, and seize the persons of naturalized citizens and compel them to bear arms to protect and defend what they despised. British tyranny—which terminated in a glorious and complete

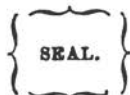
triumph of the American arms at New Orleans, January 8th, 1815, under that great statesman, patriot and hero "Old Hickory," himself of Irish parentage.

AND WHEREAS, the British Government now claim and put in force the right to hang naturalized American citizens of Irish birth, having recently executed as traitors a large number for acts done and language spoken upon American soil. Therefore, be it

*Resolved*, That it is the duty of the United States government to signify to the English authorities that expatriation is the natural and inherent right of every person, and that such right is fully recognized by this government; that this government also recognizes to the fullest extent the right of every person to renounce his allegiance to any government of which he may be a subject or citizen and become the subject or citizen of any other government, being subject to all the rights and privileges thereof, thus completely severing his connection with the former and annulling any and all claims which it may have had upon him.

*Resolved*, That this Board forward a copy of the above to our Senator and Representatives in the Legislature, asking that Congress be memorialized upon the subject.

I, E. J. Holmes, clerk of the Board of Supervisors in and for Jackson county, State of Iowa, hereby certify that the foregoing is a true copy of a resolution passed by said board at their January Term, 1868.



In testimony whereof I have hereunto affixed my name and the seal of said county. Done at Andrew, this 24th day of January, A. D. 1868.

E. J. HOLMES, Clerk B. S.

Mr. Wilson of Dubuque, offered the following resolution:

*Resolved*, That in view of the condition of business on the Speaker's table, this House will, from and after the — day of February, hold two sessions per day until otherwise ordered.

Mr. Grantham moved to fill the blank with "5th," which motion prevailed.

The resolution was then adopted.

Messages on the Speaker's table were taken up.

Senate File No. 64, A bill for an act to authorize the Governor to release lands certified to the State by the Secretary of the Interior, was read a first and second time.

Mr. Kilburn moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Van Buren, Burrows, Chase, Cotton, Cramer, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartssock,

Hawthorn, Johnson of Marshall, Kasson, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Peck, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Tritz, Tucker, Walling, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—68.

The nays were none.

Absent and not voting, Messrs. Adams, Atwood, Bander, Blackwell, Bolton, Brown of Howard, Browne of Lee, Barnett, Caldwell, Craig, Criss, Garrett, Hart, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Knapp, McConn, McNutt, Murray, Orr, Perry, Rector, Rohlf, Stanley, Traer, Trusdell, Wilcox, and Williams—37.

So the bill passed, and the title was agreed to.

A communication from the Attorney-General, relative to the regulation of charges of railroad companies in this State, for the transportation of freight and passengers, by the General Assembly, was taken up.

Mr. Cotton moved that the reading of the opinion of the Attorney-General be dispensed with, and five hundred copies be ordered printed, which motion prevailed.

Mr. Cotton moved to reconsider the vote by which five hundred copies of the Attorney General's opinion were ordered printed.

The motion prevailed.

Mr. Cotton moved to amend by inserting two thousand instead of five hundred, which motion prevailed.

The motion to dispense with the reading of the Attorney-General's opinion, and to order two thousand printed, prevailed.

A memorial of the trustees of the White Manual Labor Institute, for orphans assistance, and Senate resolution connected therewith, was taken up and read.

Mr. Grantham moved that the House concur in the Senate resolution, which prevailed.

On motion of Mr. McKean, the opinion of the Attorney-General, relating to the legality of the action of the Eleventh General Assembly, in relation to amendments of the Constitution, and the report of the Committee on Constitutional Amendments, were taken up and read.

Mr. McKean moved that the opinion of the Attorney-General, and accompanying report, be printed, which motion prevailed.

#### BILLS ON SECOND READING.

House File No. 40, A bill for an act authorizing the board of supervisors to compromise certain judgments, was taken up and considered.

Mr. Kasson moved to amend as follows: *Provided*, that no compromise shall be made until the sheriff shall have made return

on execution to the effect that no property can be found whereon to levy the execution.

Mr. McNutt moved to recommit the bill, with amendments, to the Committee on Judiciary, which motion prevailed.

Mr. McNutt asked leave to withdraw his motion, which was granted.

The amendment was then adopted.

On motion of Mr. McNutt, the bill was ordered to be engrossed, and read a third time.

House File, No. 41, A bill for an act to repeal sections 1 and 2 of chapter 28 of the acts of the Eleventh General Assembly, was taken up and discussed.

Mr. Rippey moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 4, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Geiger.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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. 56, A bill for an act relative to the claim of Joseph D. Hoag as commissioner to locate a permanent seat of government.

Also House File No. 5, A bill for an act to legalize the organization of the city of Mount Pleasant as a city of the second class, without amendment.

Also that the Senate has concurred in the House resolution relative to an adjournment of the two Houses from the 13th to the 25th of the present month.

Also that the Senate has indefinitely postponed House resolution relative to binding five hundred copies of the census report in half-sheep.

JAMES M. WEART, Secretary.

Mr. McNutt moved that the regular order of business, after the

presentation of petitions, be suspended and the House take up unfinished business of yesterday, which motion prevailed.

The Chair announced as committee on memorial of trustees of White's Manual Labor Institute, Messrs. Kasson, Grantham, Atkins, Sanborn, Werner, Rees, and Johnson of Marshall.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills report that they have examined House File No. 40, A bill for an act to authorize the board of supervisors to compromise certain judgments, and find the same correctly engrossed.

A. R. FULTON, Chairman.

#### PETITIONS.

Mr. Grantham presented a petition from Peter Hobson and one hundred and seventy others, praying for an appropriation to aid White's Manual Labor School.

Referred to the special committee on White's Manual Labor Institute.

Mr. Burrows presented a petition from citizens of Clarke county praying for the enactment of a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Wilson of Dubuque presented a petition from the Bar of Buchanan county, praying for an argument term of the Supreme Court at Dubuque.

Referred to the Judiciary Committee.

#### UNFINISHED BUSINESS.

House resumed consideration of House File No 40, A bill for an act to repeal section 1 and 2 of chapter 28 of the Acts of the Eleventh General Assembly.

Mr. Dudley moved that the bill be recommitted back to the Committee on Judiciary, with instructions.

Mr. Brown of Van Buren moved to amend the instruction as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1 of chapter 28, laws of the Eleventh General Assembly, be amended as follows: Strike out the word "fifty" in the seventh line thereof, and insert "fifteen."

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa Evening Statesman and Iowa State Register, newspapers published at Des Moines, Iowa.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

Your Committee on Enrolled Bills, have examined the following House Files, and report the same as correctly enrolled:

House File No. — A, joint resolution authorizing the payment of the postage accounts of the Twelfth General Assembly.

H. C. RIPPEY, Chairman.

The motion to amend did not prevail.

The question recurred on the motion to recommit with instructions to the Committee on Judiciary. Prevailed.

#### BILLS ON SECOND READING.

House File No. 28, A bill for an act legalizing the acts of E. Kingsley, a notary public in Lee county, was taken up, and the amendment recommended by the committee was concurred in and the bill ordered to be engrossed and read a third time.

House File No. 4, A bill for an act for the further prosecution of the Geological Survey of the State of Iowa, was taken up, and on motion of Mr. McNutt the bill was laid on the table and ordered printed.

House File No. 52, A bill for an act to provide for taxing indemnity swamp land, was taken up and read, and the amendments recommended by the committee were concurred in.

Mr. Smith of Dickinson, moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion did not prevail.

The bill was ordered to be engrossed, and read a third time.

House File No. 62, A bill for an act to amend section 3265 of the Revision of 1860, giving clerks of the District Court power to issue execution, in certain cases, was considered.

Mr. Grantham moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

The motion did not prevail.

Mr. Murray moved to amend by adding a publication clause, which motion prevailed.

Mr. McKean moved to amend, as follows:

Insert after the word "executed:" "against the judgment debtor."

The motion to amend prevailed.

Mr. Wheeler moved to amend, as follows:

Add in the proper place after the word "court," in the thirteenth line: "upon application of any party having an interest in such judgment, or any person having unpaid costs in said case," which motion prevailed.

Mr. Murray moved to amend section 4, as follows:

"And all judgments that have been settled by the parties and left the costs unpaid."

Mr. Wilson of Dubuque moved to recommit the bill, with amendments, to the Committee on Judiciary, which motion prevailed.



Leave was granted Mr. Hatch to take up House File No. 152, A bill for an act to provide for the erection of a State House.

Mr. Hatch moved that it be made the special order for Tuesday next, at 2 o'clock, P. M.

Mr. Dudley moved to amend by striking out "Friday" and insert in lieu thereof "Thursday, the 27th inst."

The motion to amend prevailed.

Leave of absence was granted Mr. Kilburn for three days.

Mr. Mechem moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 5, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Lounsbury.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Stanley presented a petition from the citizens of Mahaska county, praying for the establishment of a State Normal School, which was referred to the Committee on Schools.

Mr. Rippey presented a remonstrance from the citizens of Greene county, remonstrating against the repeal of the act of the last General Assembly, providing for the publication of the general laws in the county newspapers, which was referred to the Committee on Printing.

Mr. Phillips presented a petition from the citizens of Appanoose county, praying for the enactment of an insurance law similar to the insurance law of the State of New York, which was referred to the Committee on Insurance.

Mr. Trusdell presented a petition from the citizens of Clinton county, in regard to insurance, which was referred to the Committee on Insurance.

Mr. Grantham presented a petition from Timothy Whiting and three hundred and thirty others, citizens of Henry county, praying for the enactment of a law regulating insurance companies, which was referred to the Committee on Insurance.

Also, a petition from one hundred and twenty-five citizens of Henry county, praying for a more stringent liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Atwood presented a petition from citizens of Jasper county,

praying for the enactment of an insurance law similar to the insurance law of New York, which was referred to the Committee on Insurance.

Mr. Miles presented a petition from W. Graves and thirty-two other citizens of Washington county, relating to insurance, which was referred to the Committee on Insurance.

Mr. Rees presented a petition from the citizens of Cedar county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Davis presented a petition from the citizens of Scott county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. McNutt presented a petition of S. G. Stein and fifty-three others, citizens of Muscatine county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Rohlf's presented a petition from citizens of Scott county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Glasgow presented a petition from the citizens of Wayne county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Bolton presented a petition from citizens of Iowa county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Hunter presented a petition from the citizens of Franklin county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Burrows presented a petition from the citizens of Clarke county, relating to insurance, which was referred to the Committee on Insurance.

Mr. Kasson presented a petition from S. Perkins, for relief under his contract for stone work on the Arsenal, which was referred to the Committee on Claims.

Mr. Dudley presented a petition from the citizens of Wapello county in relation to insurance, which was referred to the Committee on Insurance.

Also petitions from the ladies, gentlemen and youths of Wapello county, praying for the enactment of a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Burnett presented a petition from citizens of Muscatine county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Rowell presented a petition from the teachers of Union county, asking for the establishment of a State Normal School, which was referred to the Committee on Schools.

Mr. Smith of Dickinson, presented a petition from citizens of Clay and Buena Vista counties, in relation to dividing the Fourth

Judicial District, which was referred to a special committee of the members of the Fourth Judicial District.

Mr. Bolton presented a petition from citizens of Iowa county, in relation to insurance, which was referred to the Committee on Insurance.

Mr. Bowen presented a petition from Henry Hospers, of Pella, Iowa, asking pay for the translating of the Laws of the Eleventh General Assembly, which was referred to the Committee on Claims.

On leave, Mr. Wilcox called up substitute for Senate File No. 9, A bill for an act to reimburse Appanoose and other counties, for swamp land indemnity warrants, miss-appropriated, which was read first and second time, and adopted.

Mr. Wilcox moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

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 bill and joint resolution in which the concurrence of the House is asked :

Senate File No. 63, A bill for an act providing for, and requiring the early construction of the Chicago, Rock Island and Pacific Railroad, from Davenport to Council Bluffs, Iowa.

Also joint resolution for the relief of Buchanan county, Iowa.

Also that the Senate has ordered printed the reports of Dr. White, State Geologist.

JAMES M. WEART, Secretary.

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. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bent, Blackwell, Bolton, Bowen, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Davis, Donovan, Ellis, Fulton, Gaylord, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Knapp, Lambert, Leach, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Tenney, Truedell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Tama, Wright, and Mr. Speaker.—72.

The nays were, Messrs. Brown of Fayette, Dudley, Garrett, Glasgow, Irish, Leffingwell, Lockwood, Longueville, Murray, Ordway, Rippey, Rowell, Sheldon, Stone, Stuart, Traer, Tritz, Werner, Wilson of Davis, Wilson of Dubuque.—20.

Absent and not voting, Messrs. Bauder, Kelley, Brown of Howard, Criss, Kilburn, McCoun, and Tillson.—7.

So the bill passed, and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills report that they have carefully examined the following bills, and find the same correctly engrossed:

House File No. 28, A bill for an act to legalize the acts of E. Kinley, a notary public of Lee County.

House File No. 52, A bill for an act to provide for the taxing of land entered with indemnity swamp-land script.

A. R. FULTON, Chairman.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, have examined the following House Files, and report the same as correctly enrolled:

Senate File No. 62, A bill for an act making an appropriation for the payment of the mileage of the members of the Twelfth General Assembly, and the per diem of the temporary officers and employes thereof, and for postage.

Senate File No. 8, A bill for an act to amend section 1 of chapter 36, of the Eleventh General Assembly of the State of Iowa, entitled, An act to annex the township of Charlestown in the county of Lee, to the townships of Jackson, Montrose, Des Moines, and Van Buren, in said county, for judicial purposes.

H. C. RIPPEY, Chairman.

MR. SPEAKER: Your Committee on Enrolled Bills, have examined the following House Files, and report the same as correctly enrolled:

House File No. 38, A bill for an act to amend chapter 123 of the laws of the Eleventh General Assembly, relative to the gray uniform, so called, which was furnished by the State to certain members of the Second and Third Iowa Infantry.

House File No. 75, A bill for an act granting to the United States Government the right of way for a ship-canal around the Des Moines or lower rapids in the Mississippi river, on the Iowa side.

Senate File No. 64, A bill for an act to authorize the Governor to release lands which have been certified to the State by authority of the Secretary of Interior, under any of the land grants, where settlers' rights have intervened prior to the time when title vested

in the State, and for the purpose of correcting errors in transfers to the State.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Kasson to take up Senate File No. 63, A bill for an act to provide for early construction of the Chicago, Rock Island and Pacific Railroad, which was referred to the Committee on Railroads.

Mr. Irish moved to amend the title to substitute for Senate File No. 9, A bill for an act to reimburse certain counties for swamp land indemnity warrants misappropriated, as follows :

An act to repay to sundry counties swamp land indemnity funds embezzled by Gov. Stone's private secretary, R. G. Orwig, which motion to amend did not prevail.

Mr. Burnett submitted the following report, which was adopted :

The Committee of Conference on the disagreement of the two Houses on the adoption of the amendment to the Senate resolution for the appointment of committees to visit the Soldiers' Orphan Homes, have considered the same, and report that the House amendment be so amended as to read as follows :

Strike out of the Senate resolution all after the eleventh line, and insert : That a like committee be appointed whose duty it shall be to visit the branch of the Soldiers' Orphans Home at Glenwood, and also the site selected by the Commissioners for the Deaf and Dumb Asylum, selected by the Commissioners at Council Bluffs, who shall report upon the situation, management, and propriety of location of said institution." And as thus amended, that the amendment be adopted.

BURNETT, Chairman.

Mr. Wilson of Dubuque from the Special Committee on Game Law submitted the following report :

The special committee to whom were referred House Files No. 110 and 149, and also sundry petitions of citizens of this State, asking for additional legislation to protect game, have had the same under consideration, and have authorized me to present the accompanying substitute for the bills above referred to.

Laws to prevent such destruction of game as would result in its extinction are to be found in the statutes of all civilized countries, and at an early period received the sanction of our forefathers upon this continent. It would take away very much of the attraction of our young, growing and beautiful State, if the game for which it is now so justly celebrated, should wholly be destroyed. Aside from this every consideration of humanity calls upon us to forbear to kill these animals when producing or rearing their young, or to permit our greed of gain to deprive ourselves and our posterity of the pleasures of the chase or the luxury of the feast which our game affords. We can not more fully present the evil complained of than by giving an extract from the petition of several citizens in the eastern and central portions of the State. They state that they

have been resident settlers of the eastern and central portions of the State for twenty years and some for a longer period. During the greater portion of this time there have been large quantities of prairie fowl, which during certain seasons of the year have afforded a healthy and pleasing pastime, and so long as the shooting and trapping was confined to the permanent settlers, there was no perceptible diminution in the supply and the game laws at present in force, were perfectly satisfactory. For the last three or four years, however, the increased facilities for transportation by railway and the high prices obtained for this kind of game in New York and other markets in the eastern States induced numbers of men from distant parts of the country, to take up a temporary residence in Iowa for the sole purpose of trapping prairie chickens.

These men were mostly idle, trifling characters from other States, who by means of buckwheat and other appliances to entice these birds, have nearly annihilated them. Some of the parties in the immediate neighborhood of where we reside, have realized several hundred dollars by the sale of prairie chickens in a single winter, while those men in whose corn-fields they have been fed and fostered for many years are now deprived of the satisfaction of procuring one for their own table. The large flocks of these birds which once were counted by thousands have almost entirely disappeared.

Your committee, in the bill recommended for your adoption, have not fully carried out the views expressed in the foregoing extracts. In this, we have not entirely forbidden the trapping of prairie chickens, but have limited the time within which it can be done.

We are aware that the bill presented by the committee will only mitigate the evil complained of to some extent. Had the individual wishes of your committee, or those of the people in the eastern part of the State, been alone carried out, a bill would have been recommended preventing the trapping of these birds at any time; but, aware that such a proposition would at present be unacceptable to many persons in the western portion of the State, the accompanying bill is presented as a temporary alleviation of the evil, with the belief that as emigration rolls westward, and time passes away, our successors in the Legislature will from time to time produce the necessary remedial legislation.

WILSON of Dubuque, Chairman.

Mr. Williams, from the Committee on Railroads, submitted the following report:

The Committee on Railroads, to whom was referred House File No. 136, A bill for an act resuming certain rights conferred upon the Dubuque & Pacific (now Dubuque & Sioux City) Railroad, have had the same under consideration, and have instructed me to



report the same back to the House with the recommendation that it do pass, and ask to have it printed.

WILLIAMS, Chairman.

The Committee on Railroads, to whom was referred House File No. 138, being a bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing and maintaining dams and reservoirs to hold and accumulate water to supply engines, and for the purpose of laying down pipes to supply water for the use of engines, and in operating such railroads, also petition of Chicago & Northwestern Railway to same effect, have had the same under consideration, and have instructed you to report the same back to the House with recommendation that the bill do pass.

WILLIAMS, Chairman.

The committee to whom was referred House File Nos 84 and 115, being bills for an act to resume the lands granted to the State of Iowa for the benefit of the McGregor Western Railroad, by an act of Congress May 12, 1864, have had the same under consideration, and have instructed me to report a substitute for both, and recommend that it do pass, and ask to have it printed.

WILLIAMS, Chairman.

Mr. Cotton, from the Committee on Judiciary, submitted the following report:

The Judiciary Committee have had under consideration House File No. 81, A bill for an act to enable sureties on replevin-bonds to exonerate themselves from further liability on the same, and have instructed me to report the same with an amendment, and recommend its passage as thus amended.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have considered House File No. 101, A bill for an act authorizing suits for the collection of taxes in certain cases, and instructed me to report the same with an amendment, and to recommend that as so amended it do pass.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 130, A bill for an act to repeal section 3852 of the Revision of 1860, having considered the same, have instructed me to report the same with a recommendation that it do not pass.

COTTON, Chairman.

The Judiciary Committee, having considered House File, No. 121, A bill for an act to amend section 3000 of Revision of 1860, recommend that it do not pass.

COTTON, Chairman.

The Judiciary Committee, to whom was referred the petition of citizens of Henry county, in relation to an amendment of the revenue laws, recommend that it be referred to the Committee on Ways and Means.

COTTON, Chairman.



Mr. Parker, from the Committee on Schools, submitted the following report:

Your Committee on Schools beg leave to present the accompanying bill, and to recommend its passage.

PARKER, Chairman.

Mr. Miles, from the Committee on Elections, submitted the following report:

Your Committee on Elections, to whom was referred House File No. 128, A bill for an act to amend sections 493 and 494 of the Revision of 1860, have had said bill under consideration, and have directed me to report the same back and recommend that it do pass.

J. D. MILES, Chairman.

Your Committee on Elections, to whom was referred House resolution in relation to right of suffrage of aliens, have directed me to report it back to the House, and recommend that it be referred to the Committee on Constitutional Amendments.

J. D. MILES, Chairman.

The Committee on Elections to whom was referred House resolution in relation to rights of persons to the elective franchise, have directed me to report the same back to the House and recommend that it be referred to Committee on Constitutional Amendments.

J. D. MILES, Chairman.

The Committee on Elections to whom was referred House File No. 16, A bill for an act to ascertain the citizens entitled to the right of suffrage and to prevent fraudulent voting, have had said bill under consideration and have directed me to report the same back to the House and recommend that it do pass.

J. D. MILES, Chairman.

Mr. Dudley from the special committee of Second Judicial District submitted the following report:

Your committee to whom was referred House File No. 57, An act fixing the time of holding courts in the Second Judicial District have had the same under consideration and have instructed me to report the accompanying substitute, and recommend its passage.

C. DUDLEY, Chairman.

Mr. Dudley from the Committee on Claims, submitted the following report:

Your committee to whom was referred Senate File No. 1, have had the same under consideration, and have instructed me to report the same back, and recommend its passage, although we are not able to see the necessity for so many whereases, but felt that it would be discourteous to the Honorable Senate to strike out these where-ases.

C. DUDLEY, Chairman.

MR. SPEAKER:—Your committee to whom was referred the claim of Junken & Davis, S. R. Hopkins, Hiram Barnett, E.

Whitcomb and Jesse Ceverdale, have had the same under consideration and have instructed me to report the same back to the House, and recommend that they be not allowed for the following reasons :

1. They are for material furnished to build forts and stockades on the northern border, and the property was all turned over to the United States, in 1863, and the claims if just should have been presented to the United States for settlement.

2. We find that Junken & Davis have each had claims allowed for material furnished the same time, and had never presented their bills until now, as far as we know. We think if they had felt that they had a just claim against the State, they would not have held back, but presented them all at the same time. All of which is respectfully submitted.

C. DUDLEY, Chairman.

Leave was granted Mr. Wilson of Dubuque, to introduce the following resolution, which was referred to the Committee on Railroads.

*Resolved by the House of Representatives, the Senate concurring,* That a joint committee consisting of two members of the Senate and three of the House, be appointed to draft and forward to the legislature of Illinois, a memorial on behalf of this General Assembly, asking for such legislation as will enable the Dubuque and Dunleith Bridge Company to construct said bridge as a wagon as well as a railroad bridge.

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

*Resolved,* That Messrs. Kelsey and Hartung, leaders of the celebrated "Orchestra String Band," of the city of Des Moines, shall have the use of this hall on Thursday evening, February 6th, 1868, for the purpose of giving a Grand Concert, half of the proceeds of which shall be appropriated to the Orphans' Homes of this State, and the remainder for the benefit of said band.

#### INTRODUCTION OF BILLS.

Mr. Grantham introduced House File, No. 159, A bill for an act to amend an act entitled an act for the incorporation of cities and towns, passed March 23, 1850, chapter 51, Revision of 1860.

Read first and second time, and referred to the Committee on Incorporations.

Also House File No. 160, A bill for an act to amend chapter 102 of the Revision of 1860, entitled "Marriages."

Read first and second time, and referred to the Judiciary Committee.

Mr. Tillson introduced House File No. 161, A bill for an act to encourage the planting and growing of orchards, hedges, and shade trees.

Read first and second time, and referred to the Committee on Horticulture.

On motion of Mr. Grantham, the House adjourned until two o'clock P. M.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

INTRODUCTION OF BILLS.

Mr. Wilson of Tama introduced House File No. 162, A bill for an act for the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments of writing.

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

Mr. Ordway introduced House File No. 163, A bill for an act to amend section 3304, of the Revision of 1860, exempting property from execution.

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

Mr. Leach introduced House File No. 164, A bill for an act to amend section 4881 of chapter 218, Revision of 1860.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Browne of Lee, introduced House File No. 165, A bill for an act to remit state and county taxes in certain cases, which was read a first and second time, and referred to the Committee on Ways and Means.

Mr. Rippey introduced House File No. 166, A bill for an act to repeal chapter 65, of the Revision of 1860, an act authorizing general banking in the State of Iowa; also, to repeal chapter 66, of the Revision of 1860, an act to incorporate the State Bank of Iowa.

Read first and second time, and referred to the Committee on Banks and Banking.

Mr. Babbitt introduced House File No. 167, A bill for an act for the observance of the Sabbath.

Read first and second time, and referred to the Committee on Police Regulation.

Mr. Rowell introduced House File No. 168, A bill for an act regulating the sale of drugs and medicines.

Read first and second time, and referred to the Committee on the Judiciary.

Mr. Wright introduced House File No. 169, A bill for an act to prohibit one or more of the several owners of land enclosed in common, turning domestic animals during certain seasons of the year into such inclosures without the consent of all the other owners.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Rohlf's introduced House File No. 170, A bill for an act to legalize the acts of the Board of Trustees of Le Claire township in Scott county, relating to independent school district No. 1, Le Claire township, and to legalize the acts of said school district under chapter 143, acts of the Eleventh General Assembly.

Read first and second time, and referred to the Committee on Schools.

#### RESOLUTIONS.

Mr. Rippey offered the following resolution which was adopted :

*Resolved*, That the Committee on Judicial Districts be instructed to inquire if it is necessary to re-district the State into judicial districts and to create a thirteenth judicial district, composed of the counties of Emmett, Palo Alto, Pocahontas, Calhoun, Greene, Carroll, Sac, Buena Vista, Kossuth, Humboldt and Webster, and if so, to report a bill providing for the formation of a thirteenth judicial district, and for the election of a district judge and district attorney and fixing the time of holding courts in the several judicial districts in the State of Iowa.

Mr. McKean offered the following resolution :

WHEREAS, The correspondence between General Grant, Secretary Stanton and the President of the United States, which reaches us to-day by telegraph, discloses an infamous intention on the part of President Johnson to destroy the fair fame of Gen. Grant: and

WHEREAS, The statements of General Grant justify an expression of this General Assembly; therefore,

*Be it Resolved*, That we feel humbled and disgraced by the perfidy of our accidental President, and request him to resign the place which he disgraces.

*Resolved*, That we tender to General Grant our thanks for his respect shown to the laws of the nation, for the renewed evidence of his honor, patriotism and integrity, and pledge him our support and the assurance of the gratitude of the loyal people of Iowa.

On motion of Mr. Irish, the correspondence between the President and General Grant was read.

Mr. Blackwell moved to refer to the Committee on Federal Relations.

The motion to refer did not prevail.

Mr. Adams offered the following substitute :

*Resolved*, To obviate the necessity of frequently introducing

resolutions condemning President Johnson, that this House now decide that Andrew Johnson is all wrong in every particular, and whenever a collision occurs between it, Johnson, or any other man, we anticipate the same, and in view of that fact we now decide that General Grant is and always has been right.

Mr. Tilson offered an amendment to the amendment as follows :

*Resolved*, That Gen. Grant, the Wellington of America, is the first choice of Iowa and the Union for the next President of the United States.

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Kasson offered the following substitute :

*Be it Resolved by the General Assembly of the State of Iowa*, That this General Assembly has full faith and confidence in Major-General U. S. Grant, in his integrity, in his fidelity to Republican principles, and in his ability to administer the affairs of the Government of the United States in the highest position to which the people can elevate him ; and in common with the loyal people of the other states of this Union, we shall rejoice to see the hour come that shall replace the present Chief Magistrate of this Union with the gallant soldier, and wise statesman, and soand republican, who is now at open issue with the President, and to whom we hereby offer the thanks of this State for the great services he has rendered to the country.

Mr. Parker moved to refer the resolution and substitute to a select committee, consisting of Messrs. McKean and Kasson and one member to be appointed by the Chair, and made the special order for to-morrow at two o'clock P. M.

Mr. Rippey moved to refer to the Committee on Federal Relations, which motion did not prevail.

The motion to refer to the select committee, and make special order, prevailed.

The Chair announced Mr. Parker as the additional member of the committee.

Mr. Wheeler offered the following resolution :

*Resolved*, That it is the sense of this House that the passage by this General Assembly of a license law to authorize the sale of intoxicating beverages would be unwise and ruinous to the best interests of the people of this State ; that such a law would increase intemperance and crime in our midst ; that it is not the intention of the advocates of such a law to suppress intemperance, but on the contrary to let it stalk abroad in the land under the sanction of law ; therefore, we are opposed to the passage of such a law.

Mr. Brown of Van Buren, moved to refer to the Committee on the Suppression of Intemperance.

Mr. Irish moved to refer with instructions.

The motion did not prevail.

The motion of Mr. Brown of Van Buren prevailed.

Mr. Parker offered the following resolution, which was adopted:  
*Resolved*, That the Judiciary Committee be requested to report to this House, what legislation, if any, is necessary to authorize the Auditor of State, to audit such losses to the school fund as may have occurred prior to the adoption of the new state constitution.

Mr. Ballinger offered the following resolution:

WHEREAS, Our Governors, during their official terms, have not heretofore resided at the capital of the State, so as to be able to give their constant personal attention to the responsibilities of the office; and

WHEREAS, Experience has fully shown that too much care can not be entertained in guarding the interest of the State in every department; therefore,

*Resolved*, That it is the sense of this House, the Senate concurring, that a committee of three from the House and two from the Senate be appointed, who shall, during the session of the General Assembly, inquire into, and, if necessary, receive propositions to buy or build a suitable mansion, to be occupied by the Governors during their official terms, said committee to take into consideration the cost and convenience of the same.

Mr. Ballinger moved to refer the resolution to the Committee on Public Buildings.

The motion to refer prevailed.

Mr. Gaylord offered the following resolution:

WHEREAS, The question whether the present prohibitory liquor law shall be repealed and a more stringent law, or a license law enacted in its stead, are vexatious questions, the answer to which no one political party is or should be responsible for; therefore,

*Resolved*, That it is the sense of this House, that before the present prohibitory liquor-law be disturbed, modified, amended or repealed, and another recommended as a substitute therefor, that the substitute, whatever its provisions may be, should be submitted at a special election to the electors of this State for ratification or rejection before it shall become a law; *provided*, the same can be constitutionally done.

Mr. Tillson moved to refer the resolution to the Committee on Suppression of Intemperance.

Mr. Stone moved to amend the motion by referring all resolutions hereafter to the committee without debate, which motion to amend prevailed, and the motion to refer prevailed.

On motion of Mr. McNutt, the regular order of business was suspended and bills on second reading were taken up.

#### BILLS ON SECOND READING.

House File No. 65, A bill for an act to repeal section 3276, chapter 125, of the Code was considered, and on motion of Mr. Cotton the bill was ordered to lay on the table.

House File No. 55, A bill for an act to provide for an additional argument term of the Supreme Court, was considered and ordered to lay on the table until to-morrow.

House File No. 13, A bill for an act to amend an Act in relation to jurors' fees, approved February 17, 1862, was considered, and on motion of Mr. Grantham the bill was ordered to lay on the table.

Mr. Rohlfs asked leave of absence for Mr. Kelley for four days, which was granted.

Mr. Mechem moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 6, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Turnbull.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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.

Substitute for Senate File No. 19, A bill for an act to amend section 1193 of the Revision of 1860, in relation to incorporation of benevolent, charitable, scientific and missionary societies, and legalizing such incorporations in certain cases.

Senate File No. 52, A bill for an act for the encouragement of agriculture, and to provide for the distribution of reports of the State Agricultural Society.

Senate File No. 54, A bill for an act in relation to the payment of the expenses of agents appointed to demand fugitives from justice.

Also, that the Senate has ordered printed the report of Dr. Otto Thieme, commissioner to the Paris Exposition, and supplemental report of the Register of the State Land Office.

JAMES M. WEART, Secretary.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented House File No. 38, A bill for an act to amend chapter 123



of the laws of the Eleventh General Assembly relative to a gray uniform, so-called, which was furnished by the State to certain members.

Also, House File No. 75, A bill for an act granting to the United States government the right-of-way for a ship-canal around the Des Moines or Lower Rapids in the Mississippi river, on the Iowa side, to His Excellency, the Governor, for his signature.

H. C. RIPPEY, Chairman of Committee.

#### SPECIAL ORDER.

The hour having arrived for the special order, relative to change of our present system of county government, Mr. McNutt moved to postpone the special order until the 26th day of February.

Mr. Rector moved to strike out "26th" and insert the "28th."

Mr. McNutt moved to amend the amendment by striking out the "28th day of February" and inserting the "2d day of March."

The amendment to the amendment prevailed.

The motion to postpone until the 2d day of March prevailed.

Mr. Wilson of Dubuque, asked leave to call up House File No. 55, which was granted.

House File No. 55, A bill for an act to provide for an additional argument term of the Supreme Court at Dubuque, was taken up and considered.

Mr. Wilson of Dubuque moved that the rule be suspended and the bill be considered, ordered to be engrossed and 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. Allen, Atkins, Atwood, Babbitt, Bailey, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Craig, Cramer, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wright—78.

The nays were Mr. Speaker.

Absent and not voting, Messrs. Ballinger, Bent, Brown of Howard, Chase, Criss, Garrett, Hamilton, Hartsock, Johnson of Cherokee, Kassou, Kelley, Kilburn, Knapp, Lambert, Miles, Peck, Rees, Tilleon, Williams and Wilson of Tama—20.

So the bill passed, and the title was agreed to.

Mr. Smith of Dickinson asked leave to take up certain petitions, reported from the Committee on Claims in order to re-commit.

Objections were made and leave was not granted.

#### BILLS ON SECOND READING.

Mr. McNutt moved that the regular order of business be suspended and bills on their second reading be taken up.

The motion prevailed.

On motion of Mr. Cotton House File No. 53, A bill for an act to amend section 2642 of chapter 109 of the Revision of 1860, was taken up and considered.

Mr. Cotton moved to amend by inserting after the word Lee the words Van Buren and Jefferson, and also by adding after the word "fifth" the words and "sixth lines of said section."

The motion to amend prevailed.

Mr. Cotton moved that the rule be suspended and the bill be read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miller Morrison, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—88.

The nays were none.

Absent and not voting Messrs. Bolton, Brown of Howard, Criss, Garrett, Johnson of Cherokee, Kelley, Kilburn, McCoun, Miles, Murray and Orr.—11.

So the bill passed, and the title was agreed to.

House File No. 49, A bill for an act entitled an act to prevent the driving away of cattle and other stock, was taken up and read a second time.

The amendment reported by the committee, was adopted, and the bill ordered engrossed, and to be read a third time.

House File No. 30, A bill for an act to amend chapter 46 of the Revision of 1860, was taken up and considered.

Mr. Hamilton moved to amend by striking out the words "exempt from execution."

The motion to amend prevailed.

The bill was ordered to be engrossed, and read a third time.

House File No. 19, A bill for an act to vacate an alley in Waterloo, Iowa, was taken up.

On motion of Mr. Ordway, the bill was indefinitely postponed.

House File No. 36, A bill for an act repealing section 118, laws of the Eleventh General Assembly, was taken up and made the special order for February 28, at 10 o'clock A. M.

House File No. 90, A bill for an act to prevent railroad companies from discriminating against the people and commerce of Iowa, was taken up and the bill was considered by sections.

Mr. Perry moved to amend the first section by adding "nor from any point out of and beyond this State, to any point within this State."

The amendment did not prevail.

Mr. Parker moved to amend the first section by inserting after the word "charged," in the fourth line, "nor shall such company charge, receive, or accept."

The amendment prevailed.

Mr. McKean moved to amend the first section by inserting in the first line, after the word "incorporation," the following words: "company or person, or any agent, officer, or employe thereof."

The amendment was adopted.

Mr. Bent moved to amend the first section by striking out after the word "state," in the second line, the words "having a terminus on either the Mississippi or Missouri river"; and also the same words in the fifth line.

The motion did not prevail.

Mr. Ordway moved to amend the first section by inserting the words "or from," after the word "to," in the fourth and fifth lines.

The amendment was adopted.

Mr. Traer moved to amend the first section by inserting in the fifth line after the words "Missouri river," the words "a higher rate of freights."

The amendment was adopted.

Mr. Ordway moved to amend the first section by striking out "Mississippi and Missouri river," in the second and fifth lines, and insert "any points within the State."

The amendment was adopted.

Mr. Garrett moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

## SPECIAL ORDER.

The hour having arrived for the consideration of the special order, the resolution offered by Mr. McKean and a substitute offered by Mr. Kasson, Mr. McKean from the special committee appointed to consider and report upon the resolution and substitute, submitted the following report:

Your special committee, consisting of McKean, Kasson, and Parker, to whom was referred the resolution and proposed amendment thereto, condemning the conduct of President Johnson, and approving the course of General Grant, have had the same under consideration, and have instructed me to report the same back to the House, with a joint resolution as a substitute therefor, and recommend that the substitute be adopted.

JOHN McKEAN, Chairman.

*Be it Resolved by the General Assembly of the State of Iowa,* That the President of the United States, owing his election to the loyal people thereof, and committed by repeated pledges prior to his election to the maintenance of Republican principles, having deserted the loyal associations to which he was pledged in honor and good faith, and ranged himself as a leader of the opposition, and a champion of the interests and party which so recently plunged the country into civil war, has forfeited alike his good faith and the confidence of all loyal people, and ought to resign the office which he has perverted to thwart the restoration of the Union and the interests of loyalty and of good government.

That in his recent attempts to darken the fair fame of the Chief of our Armies—the first soldier of the Republic—he has given fresh offense to all the gallant soldiers of the country, and to the people who gratefully acknowledge the eminent services of the great captain of the war; and thereupon this General Assembly declares its unhesitating confidence in the honor and integrity of the soldier whom the President has assailed, and when the loyal citizens of the United States shall select General ULYSSES S. GRANT to bear the Republican standard once more in triumph into the National capital, the people of Iowa will rejoice in the opportunity to restore harmony to the Union, by sending the loyal chieftain to the White House, and Andrew Johnson to private life.

That a copy of this Joint Resolution be fairly engrossed, and by the Governor transmitted to General GRANT, and copies thereof be forwarded by the Secretary of State to our Senators and Representatives in Congress.

The substitute recommended by the Special Committee was concurred in.

The question recurred on the adoption of the resolution.

Mr. McKean moved the previous question, which was seconded, and the main question ordered.

Upon which Mr. Irish demanded the yeas and nays which were as follows :

The yeas were Messrs. Adams, Allen, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Johnson of Cherokee, Johnson of Marshall, Kasson, Knapp, Lambert, Leach, Leffinwell, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Tama, and Mr. Speaker—71.

The nays were Messrs. Babbitt, Bander, Blackwell, Browne of Lee, Donavan, Hawthorn, Irish, Lockwood, Longueville, Miller, Peck, Rector, Stuart, Tritz, Wilson of Dubuque, Wright—16.

Absent and not voting, Messrs. Brown of Howard, Criss, Dashiell, Davis, Hunter, Kelley, Kilburn, McCoun, Rees, Rohlf, Werner and Wilson of Davis—12.

So the resolution was adopted.

Mr. Parker moved that all members absent be allowed to record their votes upon the substitute as adopted.

The motion prevailed.

House resumed the consideration of House File No. 90, A bill for an act to prevent railroad companies from discriminating against the people and commerce of Iowa.

Mr. Burnett moved that the bill, with amendments, be re-committed to the Committee on Commerce.

The motion prevailed.

Mr. Trusdell moved that the committee be instructed to report a bill and that it be printed.

The motion prevailed.

House File No. 35, A bill for an act providing for the publication and distribution of an Alphabetical Index of Iowa Volunteers, was taken up and

On motion of Mr. McNutt the bill was laid on the table.

House File No. 76, A bill for an act to amend chapter 103 of the Revision of 1860, in relation to divorce, was taken up.

#### MESSAGE FROM THE SENATE.

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 bill:

House File No. 45, A bill for an act to secure to certain persons, residents of Harrison county, their homes on lands known as the excess of the 500,000 acre grant, at the price of \$1.25 per acre, with an amendment, in which the concurrence of the House is asked.

GEO. P. ABEL, Assistant Secretary.

Mr. Knapp moved to lay the bill upon the table, which motion prevailed.

House File No. 50, A bill for an act to amend section 2730 and 2731 of the Revision of 1860, in relation to the manner of drawing jurors, was taken up with substitute.

Mr. Cotton moved the adoption of the substitute reported by the committee.

The motion prevailed and the substitute was adopted.

Mr. Grantham 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Babbitt, Ballinger, Bander, Bent Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Burnett, Caldwell, Chase, Cotton, Craig, Donavan, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Orr, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—75.

The nays were, Messrs. Atkins, Bailey, Brown of Van Buren Burrows, Cramer, Davis, Garrett, Grantham, Irish, Newberry, Perry, Rippey, Stanley Tenney and Traer.—15.

Absent and not voting, Messrs. Brown of Howard, Criss, Dashiell, Dudley, Kelley, Kilburn, McCoun, Werner and Wilson of Davis—9.

So the bill passed and the title was agreed to.

On leave, Mr. Williams, from the Committee on Railroads, submitted the following report;

Your committee, to whom was referred Senate File No. 63, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad from Davenport to Council Bluffs, Iowa, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments, to wit: Insert after the word "law," in the 35th line of section 2, the words "having uniform operation

and effect upon all railroads in this State:" also, to insert in the 87th line of section 2, after the word "thereon," the word "and," and after the word "provided," same line, the word "further," and with a recommendation that it pass.

WILLIAMS, Chairman.

Mr. Wilson, of Tama, from the Committee on Railroads, submitted the following minority report:

Your committee, to whom was referred Senate File No. 63, A bill for an act requiring the early completion of the Chicago, Rock Island and Pacific Railroad, have had the same under consideration, and a minority report in favor of striking out the words "by general law," in section 2 of said bill, and also against the words offered in committee as amendment to the bill, "having uniform operation and effect on all railroads in the State."

JAMES WILSON,  
W. S. CHASE.

House File No. 80, A bill for an act to prohibit boards of supervisors from employing attorney or counsel in doing ordinary county business, was taken up.

Mr. Murray moved to lay the bill on the table, which prevailed.

House File No. 60, A bill for an act providing for the payment of witness fees in certain cases by the State, was taken up with substitute, and the substitute reported by the committee was read and adopted.

Mr. Cotton moved to amend by striking out the words "all costs of the justice of the peace shall be paid by the county in cases where the prosecution fails."

The motion prevailed.

Mr. Ordway moved to amend by inserting before the word "cases," in the second line of the second section, the word "criminal."

The motion to amend prevailed.

The bill as amended was ordered to be engrossed, and passed to a third reading.

House File No. 87, A bill for an act to prevent betting on elections, was taken up, and on motion, laid on the table.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has adopted the resolution herewith transmitted, relative to purchasing certain lands for penitentiary purposes, in which the concurrence of the House is respectfully asked.

GEO. P. ABEL, Assistant Secretary.

House File No. 73, A bill for an act to repeal section 135 of the acts of the Eleventh General Assembly, was taken up, and on motion, laid on the table.



House File No. 72, A bill for an act to repeal article 7, chapter 22, of the Revision of 1860, was taken up, and on motion, laid on the table.

House File No. 15, A bill for an act to fix the compensation of road supervisors, was taken up and considered.

Mr. Parker moved to refer to the Committee on Roads and Highways.

The motion prevailed.

House File No. 34, A bill for an act to provide for the compensation of school directors, was taken up and considered.

Mr. Babbitt moved to strike out "\$1.50" and insert "\$1.00."

Mr. Burnett moved to lay the bill and amendments on the table.

The motion prevailed.

House File No. 100, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad from Des Moines to Council Bluffs, by consent of the House, was left on the files, and Senate File No. 63, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad, was taken up, with amendments, and substitutes therefor.

Mr. Hatch moved to make the bill a special order for to-morrow morning at ten o'clock.

Mr. Rippey moved to substitute the 11th day of February at half past ten o'clock, A. M.

The motion to amend did not prevail.

Mr. Murray moved to amend by substituting next Monday at ten o'clock, A. M.

Mr. Johnson of Cherokee, moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 7, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Rice.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 bill in which the concurrence of the House is asked:

Senate File No. 51, A bill for an act to amend section two, chapter 114 of the acts of the Tenth General Assembly of the State of Iowa. Also that the Senate has concurred in House substitute for Senate File No. 9, A bill for an act to reimburse certain counties for swamp land indemnity warrants misappropriated, and have amended the title as follows, by striking out the words: "swamp land indemnity warrants misappropriated" and inserting the words "the loss of their several interests in the swamp land indemnity warrants issued by the United States to the State of Iowa," in which amendment the concurrence of the House is asked.

JAMES M. WEART, Secretary.

Mr. Grantham asked leave to take up a petition of Joseph D. Hoag from Senate messages, which was granted and the petition was referred to the Committee on Claims.

Mr. Wilson of Dubuque presented a petition from citizens of Waterloo, Black Hawk county, praying for the repeal of the prohibitory liquor law and the enactment of a judicious license law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Hawthorn presented a petition from the citizens of Story county, praying for the enactment of a special law to prohibit the sale of all intoxicating beverages, wine and cider excepted, within the limit of two miles of the Agricultural College Farm.

Referred to the Committee on Agricultural College and Farm.

Mr. Bolton presented a petition from one thousand citizens of Iowa county, praying for the enactment of a more stringent prohibitory liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Irish presented a petition from citizens of Johnson county, praying for the repeal of the present prohibitory liquor law and the enactment of a judicious license law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Miller presented a petition from the citizens of Allamakee county, asking for the repeal of the prohibitory liquor law and the enactment of a judicious license law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Wilcox presented a petition from L. S. Allen, praying for an amendment to the law, so that road supervisors shall be elected by voters living in such district, and not by voters living in other districts which was referred to the Committee on County and Township Organization.

Also a petition from S. Craxton and fifty-five others, praying for the passage of a law to restrain stock from running at large, which was referred to the Committee on Agriculture.

Mr. Sanborn presented a petition from the Iowa State Teachers' Association, praying for the establishment of a State Normal School, which was referred to the Committee on Schools.

Mr. Werner presented a petition from the citizens of Lee county,

praying for the repeal of the present prohibitory liquor law, and the enactment of a judicious license law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Hatch moved that the regular order of business be suspended, and House resume consideration of Senate File No. 63, A bill for an act providing for, and requiring the early construction of the Chicago, Rock Island and Pacific Railroad, which motion prevailed.

Question recurred on the motion of Mr. Murray, to amend by making the bill a special order for Monday next, at 10 o'clock, A. M.

MESSAGE FROM THE SENATE.

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 respectfully asked:

*Resolved by the Senate, the House concurring,* That two thousand copies of the report of the Secretary of the State Agricultural Society, be printed for the use of the General Assembly, as recommended by the Committee on Agriculture.

GEO. P. ABEL, Assistant Secretary.

Upon the motion to amend by striking out "to-day," and insert "Monday morning at 10½ o'clock A. M.," Mr. Rippey demanded the yeas and nays, which were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Babbitt, Blackwell, Bolton, Browne of Lee, Caldwell, Craig, Cramer, Dudley, Fulton, Garrett, Gaylord, Glasgow, Hartsock, Hawthorn, Johnson of Marshall, Lambert, McKean, Morrison, Murray, Newberry, Rector, Rippey, Smith of Harrison, Stuart, Traer, Tritz, and Wright—30.

The nays were Messrs. Atwood, Bailey, Ballinger, Bauder, Bent, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Dashiell, Davis, Donavan, Ellis, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Knapp, Leach, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsey, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Tenney, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—62.

Absent and not voting, Messrs. Brown of Howard, Criss, Kilburn, McCoun, Stone, Tillson, and Wilson of Davis—7.

So the motion to amend did not prevail.

Mr. Hatch, with consent of his second, withdrew the motion to make Senate File No. 63, special order of to-day.

Mr. Babbitt moved to refer the bill to a special committee composed of five members of the House, with instructions to report on Monday next.

The motion to refer did not prevail.

The House proceeded to consider the bill by sections.

Mr. McNutt asked leave of absence until Tuesday next, which was not granted.

Mr. Peck moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House convened pursuant to adjournment.

Mr. Wright asked leave of absence for his colleague, Mr. Miller, on account of sickness, which was granted.

Mr. Garrett asked leave of absence for his colleague, Mr. Wilson, on account of sickness, which was granted.

Mr. Williams asked leave of absence for Mr. Leach for two days, which was granted.

Mr. Grantham asked leave of absence for two days, which was granted.

Mr. Johnson of Marshall, asked leave of absence for Mr. Hartsock for one day, which was granted.

Mr. McNutt asked leave of absence for two days, which was granted.

On leave Mr. Rowell introduced House File No. 172, A bill for an act to increase the compensation of the members of the legislature, and to regulate the election of the officers of the General Assembly.

Read first and second time, and referred to the Committee on the Compensation of Public Officers, and ordered printed.

Mr. Fulton from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills report that they have examined the following bills, and find the same correctly engrossed:

House File No. 30, A bill for an act to amend chapter 46 of the Revision of 1860, in relation to state and county roads.

House File No. 49, A bill for an act to amend an act entitled "An act to prevent the unlawful driving away of cattle and other stock by drovers and others," approved March 17th, 1862.

Substitute for House File No. 60, A bill for an act to provide for the payment of witness fees and jurors fees in state cases.

A. R. FULTON, Chairman.

House resumed the consideration of Senate File No. 63.

Mr. Wilson of Tama, moved to amend section 2, by striking out after the words "State of Iowa," the words "by general law."

Mr. Ramsay moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 8, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. King.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 and joint resolution, in which the concurrence of the House is asked:

Senate File No. 6, A bill for an act to legalize the organization of the independent school-district of Epworth, county of Dubuque, Iowa.

Joint resolution relative to the protection of the rights of American citizens in foreign countries.

House File No. 53, A bill for an act to amend section 2642 of chapter 109 of the Revision of 1860, with an amendment.

Also the Senate has adopted the report of the Committee of Conference on the disagreeing votes of the two Houses on the resolution to appoint committees to visit the Iowa Soldiers' Orphans Homes.

JAMES M. WEART, Secretary.

Mr. Brown of Fayette, asked leave to take up House File No. 18, which was not granted.

By leave, Mr. Irish introduced House File No. 173, A bill for an act to develop the law and normal department of the University, appropriating money therefor, and providing for the levy of a tax for University purposes.

On motion of Mr. Irish, the bill was referred to the Committee on State University, and ordered printed.

PETITIONS.

Mr. Browne of Lee, presented a petition from citizens of Iowa, praying for the enactment of a law to prevent dental quackery, which was referred to a special committee, consisting of Messrs. Dashiell, Garrett, Guthrie, Hamilton, Mechem, Miles, and Ramsay.

Mr. Tillson presented a petition from citizens of Monona County, praying against confining the Dubuque and Sioux City Railroad to any particular route, which was referred to the Committee on Railroads.

Mr. Orr presented petitions from citizens of the Upper Des

Moines Valley, praying for the resumption of the Des Moines Valley Railroad grant.

Also, a petition of thirty-six locomotive engineers on the Chicago and Northwestern Railway, praying for the enactment of a law to prevent accidents on railroads by prohibiting the employment of intemperate or incompetent engineers, which was referred to the Committee on Railroads.

Mr. Babbitt presented a petition from A. J. Myers and others, praying for a mail route from Clarinda to Council Bluffs.

Also, a joint resolution for the purpose of carrying out the prayer of the petitioners, which was referred to the Committee on Federal Relations.

Mr. Rippey presented a petition from Godfrey Jerue, praying for the passage of a law to prevent the judges of election from opening the ballot-box before the polls shall be closed for counting, which was referred to the Committee on Elections.

Mr. Miles presented a petition from the citizens of Washington County, praying for the repeal of the game law, which was referred to the special committee on game-law.

A communication on the Speaker's table from S. A. Killborn was taken up and read.

On motion of Mr. Rowell the communication and accompanying documents were referred to the Committee on Domestic Manufactures.

Mr. Williams moved to suspend the rules and take up bills on their second reading, which motion prevailed.

The House resumed the consideration of Senate File No. 63, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad.

The question recurred on the amendment offered by Mr. Wilson of Tama, to amend section 2 by striking out after the words State of Iowa, "by general law."

Mr. Craig moved to refer the bill to the Committee on Printing, and that it be ordered printed, which motion did not prevail.

Mr. Williams moved the previous question, which was not seconded.

Mr. Wilson of Dubuque, by leave, introduced House File No. 174, A bill for an act to amend section 2813 of the Revision of 1860.

Read first and second time, and referred to Committee on Judiciary.

Also House File No. 175, A bill for an act to provide for the issuing of writs of attachment against co-partnerships, where members are non-residents.

Read first and second time, and referred to the Committee on Judiciary.

Also, House File No. 176, A bill for an act to protect fish.

Read first and second time, and ordered on file.

Mr. Werner introduced House File No. 177, A bill for an act to repeal all acts and parts of acts on the suppression of intemperance and the enactment of a judicious license law instead.

Read first and second time.

Mr. Dudley moved to lay the bill on the table.

Upon which the yeas and nays were demanded, which were as follows:

The yeas were Messrs. Atwood, Bent, Bolton, Bowen, Brown of Van Buren, Burnett, Chase, Cramer, Dashiell, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hatch, Hayden, Hunter, Johnson of Marshall, Knapp, McKean, Mechem, Miles, Morrison, Murray, Ordway, Parker, Perry, Phillips, Ramsay, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Traer, Trusdell, Walling, Wheeler, Wilcox, Williams, Wilson of Tama, and Mr. Speaker—48.

The nays were Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Brown of Fayette, Browne of Lee, Burrows, Caldwell, Cotton, Craig, Davis, Donavan, Hawthorn, Irish, Johnson of Cherokee, Kasson, Kelley, Lambert, Leffingwell, Lockwood, Longueville, Newberry, Orr, Peck, Rector, Rees, Rohlf, Sanborn, Stuart, Tenney, Tillson, Tritz, Tucker, Werner, Wilson of Dubuque, Wright—40.

Absent and not voting Messrs. Brown of Howard, Criss, Garrett, Grantham, Hartsock, Kilburn, Leach, McCoun, McNutt, Miller and Wilson of Davis—11.

So the bill was laid on the table.

Mr. Rippey introduced House File No. 178, A bill for an act to prevent the keeping of any intoxicating liquors, ale, porter, lager beer, wine or cider, to sell or retail by the glass, to be drunk in, around, or about the premises.

Mr. Adams moved to lay the bill on the table, and demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Bailey, Ballinger, Bauder, Davis, Garrett, Hamilton, Leffingwell, Newberry, Parker, Phillips, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Walling, Werner, Wilson of Dubuque and Mr. Speaker.—22.

The nays were, Messrs. Atwood, Babbitt, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Donavan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Lockwood, Longueville, McKean, Mechem, Miles, Morrison, Murray, Orr, Ordway, Peck, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Stanley, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Tama, and Wright—67.



Absent and not voting, Messrs. Brown of Howard, Criss, Grantham, Hartsock, Kilburn, Leech, McCoun, McNutt, Miller, and Wilson of Davis.—10.

So the motion to lay on the table did not prevail.

Mr. Tenney moved to refer the bill to the Committee on the Suppression of Intemperance, which motion prevailed.

By leave, Mr. Kasson presented a petition from J. W. Denison, praying for the establishment of a State Normal School, which was referred to the Committee on Schools.

Mr. Hatch asked leave of absence for Mr. Browne of Lee, until after the recess, which was granted.

Leave of absence was granted Mr. Wilcox for four days, commencing on Tuesday next.

Mr. Brown of Van Buren, asked leave of absence for the Visiting Committee on the Blind Asylum, for four days, commencing from Tuesday next, which was granted.

Mr. Williams asked leave of absence for four days commencing from Tuesday next, which was granted.

Leave of absence was granted Mr. Rector for four days, commencing Tuesday next.

Mr. Rowell moved that when the House adjourn, that it will be on Monday 9 o'clock, A. M., which motion prevailed, and on motion the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 10, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of Saturday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Rowell presented a remonstrance from citizens of Union county, remonstrating against the repeal of the act of the last General Assembly providing for the publication of the general laws in the county newspapers, which was referred to the Committee on Printing.

Mr. McKean, presented a petition from the citizens of Anamosa, Jones county, Iowa, praying for an act enabling the town of Anamosa to aid in the construction of the Muscatine, Tipton and Anamosa Railroad, by issuing the bonds of said town, which was referred to the Committee on Railroads.

Also petitions, from citizens of Jones county praying for the passage of an act to enable the townships of Jackson, Cass, Fairview, Greenfield and Rome in said county to aid in the construction of the Muscatine, Tipton and Anamosa Railroad, by issuing the bonds of said townships, which were referred to the Committee on Railroads.

Mr. Wilcox presented a petition from Jed. Lake and others of Buchanan county, praying for a Court of Quarter Sessions, presided over by the county judge, with jurisdiction to the amount of one thousand dollars, in civil cases, which was referred to the Committee on Judiciary.

Leave was granted Mr. Davis to introduce House File No. 179, A bill for an act conferring certain powers upon municipal corporations acting under special charters, which was read first and second time, and referred to the Committee on Incorporations.

Leave was granted Mr. Peck to introduce House File No. 180, A bill for an act to enable counties to subscribe stock to railroad companies, which was read first and second time, and referred to the Committee on Railroads.

Leave was granted Mr. Lockwood to introduce House File No. 181, A bill for an act to regulate the running of steam engines on land, which was read first and second time, and referred to the Committee on Judiciary, and ordered printed.

Mr. Rees presented a petition from citizens of the State of Iowa, praying for the enactment of a law releasing to the settlers in good faith, upon the odd sections of land lying along the Des Moines river, all the title or claim which the State of Iowa now has to the same, which was referred to the Committee on Judiciary.

Mr. Traer moved that the regular order of business be suspended and the unfinished business of Saturday be taken up, which was granted.

Senate File No. 63, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad from Davenport, Iowa, to Council Bluffs, was taken up.

Mr. Wilson of Tama, moved the previous question, which was seconded.

The question recurred on the amendment offered by Mr. Wilson of Tama.

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

The yeas were Messrs. Adams, Atkins, Babbitt, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Cramer, Criss, Davis, Donavan, Dudley, Ellis, Garrett, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartssock, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kelley, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Morrison, Murray, Newberry, Perry, Ramsay, Rippey, Rohlf, Sauborn, Smith of Dickinson, Smith of Harrison, Sheldon,

Stanley, Stuart, Traer, Tritz, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—54.

The nays were Messrs. Allen, Atwood, Ballinger, Bauder, Bent, Cotton, Fulton, Hatch, Hayden, Hunter, Irish, Kasson, Kilburn, Knapp, Miller, Ordway, Peck, Phillips, Rector, Rees, Rowell, Stone, Tillson, Tucker, Walling, Werner, Wheeler, Wilcox, Williams.—29.

Absent and not voting, Messrs. Bailey, Brown of Howard, Browne of Lee, Burrows, Dashiell, Gaylord, Grantham, Leach, McCoun, McNutt, Mechem, Orr, Parker, Tenney, Trusdell, and Wilson of Dubuque.—16.

So the amendment was adopted.

The question recurred upon the amendment offered by the Railroad Committee, which was adopted.

Insert at the end of the sixth section, "and the provisions of an act of the General Assembly of Iowa, entitled 'An act to quiet the title to certain lands, sold by the State of Iowa to individuals, as part of the Des Moines River Grant,' approved April 2, 1866, are hereby ratified and confirmed."

By unanimous consent, Mr. Kasson offered the following amendment, which was adopted:

*Provided*, That said consolidated railroad company shall relinquish to the county of Pottawattamie all right or claim which it now has or may hereafter acquire, to any bonds, or agreement to take stock, or any indebtedness heretofore voted by the county of Pottawattamie to, or in aid of, the construction of the Mississippi and Missouri Railroad; and that so far as said consolidated railroad company is concerned, all acts, votes, decrees or agreements on the part of Pottawattamie county to issue bonds to the Mississippi and Missouri River Railroad Company are hereby declared null and void.

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

Mr. Dudley moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were: Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, John, son of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn-Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Peck, Perry, Phillips, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tillson,

Traer, Tritz, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Brown of Howard, Browne of Lee, Dashiell, Gaylord, Grantham, Leach, McCoun, McNutt, Mechem, Orr, Parker, Ramsay, Stuart, Tenney, Trusdell, and Wilson of Dubuque.

So the bill passed.

Mr. Kasson moved to amend the title by adding, "upon certain conditions therein named."

The motion to amend prevailed, and the title as amended was agreed to.

Mr. Cotton asked leave to call up House File No. 53, A bill for an act to amend section 2642 of chapter 109 of the Revision of 1860, which was granted.

The bill was taken up, and the Senate amendment concurred in.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File No. 58, A bill for an act in relation to the power of a successor in office of a justice of the peace, and to repeal section 3977 of the Revision.

Also, that the Senate refuses to concur in the House resolution relative to restoring to the District Court of the United States for the State of Iowa, such jurisdiction in civil cases as is now exercised by the Circuit Court.

JAMES M. WEART, Secretary.

Mr. Smith of Harrison, asked leave to take up House File No. 45, A bill for an act for the relief of Josiah Crom, *et al.*

The bill was taken up, and the Senate amendment concurred in.

Mr. Wilcox asked leave to call up substitute for Senate File No. 9, A bill for an act to reimburse Appanoose and other counties, which was granted.

The amendment to the title offered by the Senate was concurred in.

Mr. Sanborn asked leave to call up Senate File No. 6, A bill for an act to legalize the organization of the independent school district of Epworth, Dubuque County, Iowa.

Read first and second time, and referred to the Committee on Schools.

Mr. Adams asked leave to take up House File No. 184, A bill for an act to attach certain territory in Union Township, Des Moines County, Iowa, to Burlington Township for school and

school-house purposes, which was granted, and the bill was taken up and the report of the committee concurred in.

Mr. Adams 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.

Upon the question, shall the bill pass, the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donavan, Dndley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Killburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Peck, Perry, Phillips, Ramsay, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—81.

The nays were none.

Absent and not voting, Messrs. Babbitt, Blackwell, Bolton, Brown of Howard, Browne of Lee, Dashiell, Grantham, Hatch, Leach, McCoun, McNutt, Mechem, Orr, Parker, Rees, Traer, Wilcox, and Wilson of Dubuque.—18.

So the bill passed, and the title was agreed to.

Mr. Rohlf asked leave to call up House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens as to the acquisition, enjoyment and transfer of property, which was granted.

Mr. Kasson moved that the bill be re-committed to the Committee on the Judiciary.

The motion to re-commit prevailed.

Leave was granted Mr. Parker to offer the following resolution, which was on motion of Mr. McKean referred to the Committee on Commerce.

WHEREAS, Several railroads in this State are still unfinished and the expense of operating them is probably greater at present than it will be in the future, and

WHEREAS, The benefit to the State of the early completion and operation of these roads will be far greater than any real or supposed detriment arising from any past or reasonably anticipated future tariffs. Therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That we deem it inexpedient to take any action at present, regulating such tariff rates.

Mr. Bent asked leave to call up substitute for House Files No. 84 and 115, which was granted.

The substitute was adopted and ordered to be engrossed and read a third time.

Mr. Bent moved that the rule be suspended, and the bill read a third time now.

The motion prevailed.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Caldwell, Chace, Cotton, Craig, Cramer, Criss, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, H. Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—85.

The nays were none.

Absent and not voting, Messrs. Adams, Brown of Howard, Browne of Lee, Burrows, Dashiell, Donavan, Grantham, Kasson, Leach, McConn, McNutt, Mechem, Orr, and Wilson of Dubuque—14.

So the bill passed, and the title was agreed to.

Mr. Rippey asked leave to call up House File No. 18, A bill for an act to provide for the publication and distribution of the Adjutant-General's Report from January 1, 1867, to January 14, 1868, which was granted.

On motion of Mr. Dudley, the bill was read by sections.

Mr. Dudley moved to amend the first section as follows:

Add after the word "bound," in first section, "at a price not to exceed the price this legislature shall fix for binding such documents."

The amendment prevailed.

Mr. McKean moved to amend section 2 by adding: "three copies to each incorporated library association, college and university in this State."

Mr. Dudley moved to amend by adding a publication clause.

The motion prevailed.

Mr. Williams moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs Adams, Allen, Atkins, Atwood, Babbitt,



Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—88.

The nays were, none.

Absent and not voting, Messrs. Brown of Howard, Browne of Lee, Dashiell, Grantham, Leach, McCoun, McNutt, Mechem, Orr, Tenney, and Wilson of Dubuque—11.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Rees to take up House File No. 136, A bill for an act resuming certain rights conferred upon the Dubuque and Pacific (now Dubuque and Sioux City) Railroad.

Mr. Williams moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were: Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—84.

The nays were: Messrs. Adams and Babbitt—2.

Absent and not voting, Messrs. Brown of Howard, Browne of Lee, Dashiell, Ellis, Grantham, Hatch, Kelley, Leach, McCoun, McNutt, Mechem, Orr, and Wilson of Dubuque—13.

So the bill passed, and the title was agreed to.

By leave, Mr. Kasson from the special committee on the White's Manual Labor Institute, submitted the following report:



The joint committee, to whom was referred the memorial touching an appropriation for the "White's Manual Labor Institute," report the accompanying resolution, in order to take the sense of the General Assembly upon the general provisions of a law applicable to the case.

They do not think it would be a safe precedent to appropriate funds solely for the improvement of property not belonging to the State, or for the maintenance of a charity, however laudable, which is not under the control of the State.

They believe, however, that the privilege reserved to the State of sending juvenile offenders, of limited age and prescribed character, to that institution, to be there maintained and educated subject to the supervision of the State, until the proposed appropriation should have become balanced by the just compensation due therefor to the Institute, would be a safe, prudent, and useful appropriation of a limited amount of public money.

JOHN A. KASSON, Chairman.

*Resolved, the Senate concurring,* That the Joint Committee on the White Manual Labor Institute, be instructed to report to the respective Houses a bill for an act to appropriate a sum not exceeding            thousand dollars to the trustees of said Institute, with conditions that the same shall be expended on buildings, workshops, furnishing, &c.; and that in consideration thereof the State shall have the right to keep at said Institute, under regulations to be provided by law, a number, not exceeding fifty at any one time, of juvenile offenders, who shall be there fed, lodged, and educated without expense to the State, until said appropriation shall be balanced by a charge against the appropriation of            dollars per month for each offender so kept at said Institute; and with the further provision that said Institute shall be ready for occupancy by such juvenile offenders before the close of the current year.

Chair announced the following Visiting Committees:

Agricultural College and Farm — Messrs. Kasson and Stuart.

Soldiers' Orphans Home at Davenport — Messrs. Burnett and Hatch.

Orphans Home at Cedar Falls — Messrs. Gaylord and Knapp.

Orphans Home at Glenwood, and Deaf and Dumb Asylum at Council Bluffs — Messrs. Parker and Wright.

Leave was granted Mr. Williams to submit the following report:

Your committee, to whom was referred House File No. 116, being a bill for an act to resume all rights conferred upon the Burlington and Missouri River Railroad Company, have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that it do not pass.

WILLIAMS, Chairman.

Mr. McKean moved that the House do now adjourn, which motion prevailed and the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

House resumed the consideration of the resolution offered by Mr. Kasson from the select committee on White's Manual Labor Institute.

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

Mr. Burnett moved to reconsider the vote by which House File No. 177, A bill for an act to repeal all acts and parts of acts on the suppression of intemperance and the enactment of a judicious license law, which was laid on the table.

Mr. Irish moved a call of the House, which motion did not prevail.

Upon the question to reconsider the yeas and nays were demanded, which were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—85.

The nays were none.

Absent and not voting Messrs. Brown of Howard, Browne of Lee, Criss, Dashiell, Gaylord, Grantham, Johnson of Cherokee, Leach, McCoun, McNutt, Mechem, Orr, Smith of Dickinson, and Wilson of Dubuque—14.

So the motion to reconsider prevailed.

Mr. Burnett moved that the bill be referred to the Committee on the Suppression of Intemperance.

Mr. Bauder moved to amend by adding "and ordered printed." The motion to amend prevailed.

The motion to refer prevailed.

By leave, Mr. Rohlf introduced House File No. 182, A bill for an act in relation to insurance.

Read first and second time, and referred to the Committee on Insurance, and ordered printed.

By leave, Mr. Rees introduced House File No. 183, A bill for an act to secure to settlers on the odd sections of land within five miles of the Des Moines river a right to purchase the land occupied by them.

Read first and second time, and referred to the Judiciary Committee, and ordered printed.

By leave, Mr. Trusdell introduced a bill for an act to propose an amendment to the Constitution of the State of Iowa, prohibiting the sale of intoxicating liquors.

Read first and second time, and referred to the Committee on Constitutional Amendments.

#### BILLS ON SECOND READING.

House File No. 4, A bill for an act for the further prosecution of the geological survey of the State of Iowa, was considered by sections.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 9, A bill for an act to reimburse certain counties for the loss of their several interests in the swamp land indemnity warrants issued by the United States to the State of Iowa.

Senate File No. 34, A bill for an act to repeal section 3276 of the Revision of 1860, in relation to the liability of officers of municipal corporations.

H. C. RIPPEY, Chairman.

Mr. Wilcox moved to amend as follows, strike out after the word "office," in the third line, the words "until removed by the General Assembly," and insert "for two years." Also strike out "six thousand five hundred," and insert "five thousand." Strike out all after the word "appropriated," in the fourth line; and also all of the fifth and sixth lines, and insert "for two years." Also strike out the tenth, eleventh and twelfth lines.

Mr. Williams moved to amend the amendment by striking out "the further prosecution," and inserting "completing."

Mr. Fulton from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills report that they have examined House File No. 18, A bill for an act providing for the publication of the Adjutant-General's Report, from January 1st, 1867, to January 14th, 1868; and find the same correctly engrossed.

A. R. FULTON, Chairman.

Mr. Kilburn moved that the House do now adjourn, which motion did not prevail.

The amendment to the amendment did not prevail.

On the amendment proposed by Mr. Wilcox, a division of the question being called for, the time for which the State Geologist is to be continued in office, was by vote of the House, limited to two years.

The motion to amend by striking out the tenth, eleventh and twelfth lines prevailed.

Mr. Rippey moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 11, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Dinsmore.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 and resolution, in which the concurrence of the House is asked:

Senate File No. 3, A bill for an act in relation to the school fund and school lands.

Substitute for Senate File No. 77, A bill for an act to amend chapter 114, Revision of 1860, in relation to the qualifications of attorneys and counselors at law.

Joint resolution relative to indemnifying citizens of Lee county, Iowa, for lands and property used in the construction of the Mississippi river improvement.

Also that the Senate has concurred in the House amendments to the following bills:

Senate File No. 34, A bill for an act to repeal section 3276 of the Revision of 1860.

Senate File No. 63, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad, from Davenport, Iowa, to Council Bluffs.

MR. SPEAKER:—I am directed to return herewith the substitute for House Files No. 84 and 115, A bill for an act to resume all the lands and rights conferred upon the McGregor Western Railroad Company, by or under an act of Congress approved May 12, A. D. 1864, which has passed the Senate without amendment.

Also, that the following members of the Joint Committee have been announced on the part of the Senate:

To visit the Soldiers' Orphans Home at Cedar Falls, Senator Donnan.

To visit the Soldiers' Orphans Home at Davenport, Senator Larrabee.

To visit the Soldiers' Orphans Home at Glenwood, and proposed location of the Deaf and Dumb Asylum at Council Bluffs, Senator Smyth.

JAMES M. WEART, Secretary.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and present it for your signature:

Senate File No. 63, A bill for an act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad, from Davenport to Council Bluffs, Iowa, upon certain conditions therein named.

H. O. RIPPEY, Chairman.

By leave, Mr. Kasson moved to re-commit House File No. 116, A bill for an act to resume all rights conferred upon the Burlington and Missouri River Railroad Company, and the accompanying report be recommitted to the Committee on Railroads.

The motion prevailed, and the bill and report were recommitted.

Mr. Cotton moved to reconsider the vote by which the House concurred in the Senate amendment to House File No. 53, A bill for an act to amend section 2642, of chapter 109, of the Revision of 1860.

The motion prevailed, and the vote was reconsidered.

Leave was granted Mr. Cotton to take up Senate resolution relating to penitentiary.

On motion of Mr. Cotton the House concurred in the resolution.

#### PETITIONS.

Mr. Phillips presented a petition from the members of the Bar of Appanoose county, praying for the passage of an act creating a Court of Common Pleas.

Referred to the Committee on the Judiciary.

Mr. Werner presented a proposal that the Constitution of Iowa be so amended as to give aliens the right of suffrage who can read and write, and have declared their intentions to become citizens of the United States.

Referred to the Committee on Constitutional Amendments.

Mr. Peck presented a memorial from the board of supervisors of Decatur county, praying for the creation of the office of county assessor.

Referred to the Committee on County and Township Organization.

Also, a memorial from the board of supervisors of Decatur

county, praying for the repeal of section 5116, chapter 245, of the Revision of 1860.

Referred to the Committee on the Judiciary.

Mr. Ordway presented a petition from the citizens of Black Hawk county, praying for the change of the county supervisor system to three commissioners.

Referred to the Committee on County and Township Organization.

Mr. Wright presented a remonstrance from the citizens of Allamakee county, Iowa, remonstrating against the repeal of the law of the Eleventh General Assembly, providing for the publication of the laws in county newspapers.

Referred to the Committee on Printing.

Mr. Criss presented a petition from the counties of Carroll, Sac, Buena Vista, Clay and Dickinson, praying for the establishment of a mail route, which was referred to the Committee on Federal Relations.

Leave was granted Mr. Hunter to offer the following resolution, which was referred to a special committee of five.

WHEREAS, The Dunleith and Dubuque Bridge Company are meeting with serious opposition in obtaining the right-of-way to connect with the railroad on the west side of the Mississippi river; therefore,

*Be it Resolved by the Senate and House of Representatives of the State of Iowa, That said Bridge Company be and is hereby authorized to change the location of their bridge to any point on said river, not more than one mile and a half south of its present location.*

#### REPORTS OF COMMITTEES.

Mr. Bent from the Committee on Police Regulations, submitted the following report:

Your Committee on Police Regulations, to whom was referred House File No. 144, A bill for an act to prevent the keeping of billiard-tables and bowling-alleys for hire or reward, would respectfully report that they have had the same under consideration and have instructed me to report the same back to the House and do recommend its passage.

Those voting against the recommendation were Messrs. Blackwell and Davis.

C. R. BENT, Chairman.

Mr. Cotton from the Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred House File No. 120, A bill for an act for the relief of Hardin county, Iowa, for money stolen from the county safe, September 14, 1865, have

considered the same, and instructed me to report the bill to the House with the recommendation that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee having considered House File No. 26, A bill for an act to promote the collection of revenue of incorporated cities and towns acting under special charters, recommend its passage.

COTTON, Chairman.

The Judiciary Committee having considered House File No. 127, A bill for an act to amend section 28 of the Revision of 1860, and to legalize certain roads and highways, have instructed me to report the accompanying substitute, and recommend its passage.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File, No. 39, A bill for an act to amend chapter 51 of the Revision of 1860, and instructed me to report a substitute, the passage of which is recommended.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 41, A bill for an act to repeal sections 1 and 2 of chapter 28, of the acts of the Eleventh General Assembly, which bill was re-committed to the committee, with instruction to so modify the bill as to give concurrent jurisdiction to the District Court and justices of the peace in cases arising under that chapter; and the committee beg leave to report that under section 11, article 1, of the Constitution of this State, such concurrent jurisdiction can not be given.

That section of the Constitution confers jurisdiction on justices of the peace in cases in which the punishment does not exceed a fine of one hundred dollars or imprisonment for thirty days; and in such cases a party can not be indicted in the District Court, while in all higher criminal offenses no person can be held to answer unless on indictment in the District Court.

The committee recommend the passage of the substitute which is herewith presented. The effect of the substitute is to limit the jurisdiction of justices of the peace to cases where the value of the property does not exceed ten dollars.

COTTON, Chairman.

Mr. Knapp from the Committee on Public Lands submitted the following report:

The Committee on Public Lands to whom was referred House File No. 108, A bill for an act to authorize the sale of certain school lands in Webster and Hamilton counties, have had the same under consideration, and have directed me to return the same back to the House with a recommendation that it do pass.

THOMAS B. KNAPP, Chairman.

Mr. Kilbarn from the Committee on Library submitted the following report:

Your Committee on Library, to whom was referred House File



No. 103, have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

G. F. KILBURN, Chairman.

Mr. Gaylord from the Committee on Agriculture submitted the following report:

The Committee to whom was referred House File No. 169, entitled a bill for an act to prohibit one or more of the several owners of land enclosed in common, turning domestic animals during certain seasons of the year into such enclosure without the consent of all the owners, have had the same under consideration, and have directed me to report it back, and recommend that it do pass with the following amendments, to-wit: Strike out of section one, twelfth line the word "twentieth" and insert in place thereof the word "first," and strike out the words "twentieth day of October" in the thirteenth and fourteenth lines of section one, and insert in place thereof the words, "first day of December."

W. P. GAYLORD, Chairman.

Mr. Kasson from the Committee on Federal Relations submitted the following report:

The Committee on Federal Relations, to whom was referred the accompanying resolution respecting the rights of suffrage, of representation, and of taxation, respectfully report:

That they have had the same under consideration, and find that the terms of the resolution involve the construction of the principles of moral and civil jurisprudence, of the Declaration of Independence, of the United States Constitution, of native and foreign citizenship, of male and female suffrage, of suffrage without distinction of color, sex, or loyalty, and the proper voting basis of southern reconstruction. They, therefore, report back the resolution with the recommendation that it be indefinitely postponed.

JOHN A. KASSON, Chairman.

Mr. Tritz submitted the following minority report, which was passed on file:

The undersigned, a minority of the Committee on Election, to whom was referred House File No 128, A bill for an act to repeal sections No. 493 and 494 of the Revision of 1860, and substituting therefor a section requiring every foreigner whose vote is challenged to produce his certificate of naturalization, begs leave to recommend that said bill should not pass, for the following reasons, to-wit:

It is well known that many of our foreign-born citizens, who have been regularly naturalized have lost their certificates of naturalization, and could not, from their remoteness from the county where their certificates were issued, and from the fact that no records have been kept in many instances of the proceedings, procure the evidence necessary under this bill to authorize them to exercise the right of suffrage. Many of this class of men are

laboring men who have not the facilities or the time to attend to the preservation of their papers, and the certificates of others have been accidentally lost or destroyed. The sections of the present law which are sought now to be repealed, and which authorize citizenship to be proved by oath, have been the law of this State ever since the organization of Iowa as a territory, and is the law of every State and Territory of this Union. The existence of these sections upon our statute books rendering unnecessary the production of such papers at the polls, have encouraged carelessness in preserving them. No such severe enactment against foreigners has been adopted, it is believed, in any other State, not even in those where the strictest registry laws prevail, for the latter provide that the registry commissioners and judges of election may hear and decide the question as to the legality of a vote, by testimony other than record. The voter might be able to prove by good witnesses that they had seen him naturalized, or that his certificate was in existence, but had since been lost or destroyed, and yet this would exclude all such testimony.

Further, this law would operate to exclude votes of native-born citizens, for it assumes that when a man's vote is challenged because he is a foreigner, that he is foreign-born, and requires him to produce a certificate of naturalization before he can exercise the right of suffrage.

No greater insult could be offered to our foreign-born population, many of whom will compare favorably with any other class of citizens, than the enactment of the proposed law, because it openly and defiantly assumes that no one of them is worthy of belief under oath whenever a captious, or malicious political opponent should challenge his vote.

While many of our sister States in the West are incurring great expense by the appointment and payment of commissioners who are stationed in the great seaport cities of the East, to turn to those States the great tide of emigration, it is proposed in, and recommended to the Iowa Legislature by a committee of this body, to enact a law so interfering with the exercise of the right of suffrage, and so odious and insulting to foreigners, as to exclude any further immigration here, and to drive from our midst this population which constitute so material a part of the industry, intelligence and bone and sinew of the land.

The undersigned has been credibly informed, and believes that in the county which he has the honor, in part, to represent, no record for many years was kept of the naturalization of foreigners, and by the enactment of this law very many of his constituents who honestly complied with the law, would, without any fault of their own, be deprived of one of their dearest rights.

As a German citizen, who, with many of his countrymen emigrated from his fatherland to this great and growing State to enjoy its liberty and equality, he protests in their name, and in the name

of every foreign-born citizen, against a measure so insulting to them personally, and so violative of their rights politically.

JOHN A. TRITZ.

JOHN D. MILES.

Mr. Dudley, from the Committee on Claims, submitted the following report:

Your committee to whom was referred so much of the Adjutant-General's report as relates to the deficiency in the appropriation for the completion of his office and arsenal, have had the same under consideration, and instructed me to report the accompanying bill and recommend its passage.

C. DUDLEY, Chairman.

Your committee to whom was referred the claim of Joseph D. Hoag, with a bill for the payment of the same, Senate File No. 56, have had the same under consideration, and have instructed me to report the same back and recommend that said bill, Senate File No. 56, do pass.

C. DUDLEY, Chairman.

Your committee to whom was referred the claim of E. R. Rockwell for the arrest of Joseph P. Menefee, have had the same under consideration, and have instructed me to report the same back and recommend that it be referred to the census board for their consideration and adjustment.

C. DUDLEY, Chairman.

Mr. Fulton, from Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills report that they have examined the following bills, and find the same correctly engrossed:

House File No. 45, A bill for an act to secure to certain persons, residents of Harrison county, their homes on lands known as the excess of the five hundred thousand grant, at one dollar and twenty-five cents per acre.

House File No. 53, A bill for an act to amend section 2642 of chapter 109 of the Revision of 1860.

A. R. FULTON, Chairman.

Mr. Dudley, from the Committee on Claims, submitted the following report:

Your committee to whom was referred the claim of Henry Hospers of \$250.00, for translating the laws of the Eleventh General Assembly into the Holland language, have had the same under consideration, and have instructed me to report the same back without recommendation, and ask that it be considered by the House.

C. DUDLEY, Chairman.

Mr. Babbitt moved that the claim be allowed, and that the Committee on Ways and Means incorporate the same in the general appropriation bill.

The motion did not prevail.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to return herewith House File No. 18, A bill for an act providing for the publication and distribution of the Adjutant-General's Report, from January 1, 1867, to January 14, 1868, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

## INTRODUCTION OF BILLS.

Mr. McKean introduced House File No. 186, a bill for an act to enable counties, townships and incorporated towns and cities to aid in the construction of railroads, which was read a first and second time.

Mr. Traer moved to refer to the Committee on Railroads, and order to be printed.

Mr. Murray moved to amend by striking out all in relation to printing, and insert "and instructed to print such bill as they may agree upon, to be reported back to the House."

Mr. Babbitt moved to amend the amendment by striking out "Railroads," and inserting "Judiciary."

The amendment to the amendment did not prevail.

The amendment did not prevail.

The motion to refer to Committee on Railroads prevailed.

Mr. Lambert introduced House File No. 187, A bill for an act supplemental to an act entitled an Act providing for, and requiring the early construction of the Chicago, Rock Island and Pacific Railroad from Davenport to Council Bluffs, Iowa.

Read first and second time, and referred to the Committee on Railroads.

Mr. Brown of Fayette, introduced House File No. 188, A bill for an act making a grant of land to the McGregor and Sioux City Railroad Company.

Read first and second time, and referred to the Committee on Railroads, and ordered printed.

Mr. Newberry introduced House File No. 189, A bill for an act to amend chapter 60 of the acts of the Tenth General Assembly.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. Criss introduced House File No. 190, A bill for an act to legalize the acts of the board of supervisors of Ida county, in conveying certain swamp lands to soldiers as bounties.

Read first and second time, and referred to a select committee consisting of Messrs. Criss, Knapp and Grantham.

Mr. Wright asked leave of absence which was not granted.

Mr. Irish moved that Mr. Wright be granted a leave of absence for two days which motion prevailed.

Leave of absence was granted Mr. Wilson of Davis, for two days.

Mr. Knapp moved that the House do now adjourn, which motion prevailed, and the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

#### INTRODUCTION OF BILLS.

Mr. Brown of Van Buren introduced House File No. 191, A bill for an act to amend chapter 46, of the Revision of 1860, and chapter 163 of the acts of the Ninth General Assembly, in relation to working roads and highways, which was read first and second time, and referred to the Committee on Roads and Highways, and ordered printed.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature :

House File No. 45, A bill for an act to secure to certain persons, residents of Harrison county, their homes on lands known as the excess of the 500,000 acre grant, at the price \$1.25 per acre.

H. C. RIPPEY, Chairman.

Mr. Smith of Harrison, introduced House File No. 192, A bill for an act to amend section No. 4155 of the Revision of 1860, as amended by section 1, chapter 109, of the acts of the Eleventh General Assembly, regulating the fees of county surveyors.

Read first and second time, and referred to the Committee on Public Lands.

Mr. Rippey introduced House File No. 193, A bill for an act regulating the election and duties of State Librarian.

Read first and second time, and referred to the Committee on Library.

Mr. Bowen introduced House File No. 194, A bill for an act to legalize the acts of William Van Asch and Kœnraad De Yong, attorneys of Johanna J. Zeelt.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Rees introduced House File No. 195, A bill for an act to quiet the title to certain lands in Webster county.

Read first and second time, and referred to the Committee on Public Lands, and ordered printed.

Mr. Miles introduced House File No. 197, A bill for an act to amend section 4538 of the Revision of 1860.

Read first and second time, and referred to the Committee on Judiciary.

## RESOLUTIONS.

Mr. Wheeler offered the following resolutions:

WHEREAS, The colored people of Des Moines, Iowa, have erected a neat brick church edifice, called Burns' Chapel, at a cost of some \$4,000; and

WHEREAS, They have a very interesting society of about one hundred members, who, but a few years ago, together with their pastor, was in bondage, hence they are poor, but devoutly pious; and

WHEREAS, They are in debt some \$2500, and there has been a judgment rendered against them at the present term of the District Court of Polk county, and an execution will issue against them in a few days to expose their church edifice to sale, to satisfy said judgment, and unless they get aid from some source they will lose their house of worship; therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* In order to relieve said church from its embarrassment, we hereby donate to said Burns' Chapel one-third of our *per diem* during the recess of the General Assembly.

Mr. Irish moved to amend as follows: "And that the member from Lucas be permitted to donate the whole of his *per diem* to the above purpose."

Mr. Phillips moved to amend the amendment by including the gentleman from Johnson.

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

Mr. Tenney offered the following resolutions which were referred to the Committee on Federal Relations:

*Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed, and our Representatives requested to use their influence for the establishment of a continuous mail route and weekly service put thereon, between the following points: From Mason City in Cerro Gordo county, Iowa, via Clear Lake, Forest City, Algona to Spirit Lake in Dickinson county, Iowa.

*Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed and our Representatives requested to use their influence for the establishment of a continuous mail route and tri-weekly service put thereon between the following points: From Waverly, Bremer county, Iowa, via Clarksville, Elm Springs, Marble Rock, Rockford, Rock Grove City, Nora Springs, Shell Rock Falls, Plymouth, Northwood, Albert Lea to Owatonna, Minnesota.

Mr. Kilburn offered the following resolution:



*Resolved*, That the Committee on Railroads be hereby instructed to have printed House File Nos. 141, 180 and 151, which said bills were referred to them.

Mr. Rees moved to amend by striking out "Committee on Railroads" and inserting "Clerk of this House."

The motion to amend did not prevail.

The resolution was adopted.

Mr. Stanley offered the following resolution, which on motion of Mr. Burnett was referred to the Committee on Commerce:

*WHEREAS*, Adverse or contrary opinions have been given by the different Attorney-Generals of this State concerning the right of the people by its legislature assembled to regulate the tariffs of freight and passengers on the different railroads now operating in this State; therefore,

*Be it Resolved by the General Assembly of the State of Iowa*, That the right to regulate the tariffs and transportation of freight and passengers upon any or all railroads now constructed, or that may be hereafter constructed and operated in or through the State of Iowa, be and the same hereby is vested in the legislature of this State.

Mr. Fulton offered the following resolution, which was referred to the Committee on Schools:

*Resolved*, That the Committee on Schools be requested to inquire as to the propriety of using the Teachers' Fund, or any portion thereof, in the payment of teachers for time spent in attendance at teachers' institutes, and if such application of the school fund is not proper and legitimate, to report what legislation (if any) is necessary to present such use of said fund.

Mr. Kasson offered the following resolution which was adopted:

*Resolved*, That the Committee on the Agricultural College and Farm be directed to visit the Agricultural College prior to reporting upon the appropriations to be made for the completion and fitting up of said institution.

Mr. Dudley offered the following resolution:

*Resolved by the House, the Senate concurring*, That the Treasurer of State be and he is hereby required to retain in the treasury of moneys credited to Appanoose and other counties, by virtue of substitute for Senate File No. 9, so much moneys as said counties are found to be in arrears with the State treasury, until said counties settle their arrears, or show good cause why they can not do it.

Mr. Traer moved to refer the resolution to the Committee on County and Township Organization.

Mr. Goodspeed moved to lay the resolution on the table.

Upon this motion, Mr. Dudley demanded the yeas and nays, which were as follows:

The yeas were Messrs. Babbitt, Blackwell, Bolton, Brown of Fayette, Donavan, Ellis, Goodspeed, Guthrie, Hatch, Hawthorn,



Irish, Kelley, Lambert, Lockwood, Miles, Miller, Murray, Ordway, Peck, Phillips, Rohlf, Smith of Harrison, Tillson, Traer, Trusdell, Tucker, Walling, and Wheeler—28.

The nays were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bent, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Dudley, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hartsock, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Leffingwell, McKean, McNutt, Morrison, Newberry, Orr, Parker, Perry, Ramsey, Rees, Rippey, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Werner, Wilson of Tama, and Mr. Speaker—54.

Absent and not voting, Messrs. Bowen, Brown of Howard, Browne of Lee, Dashiell, Fulton, Garrett, Leach, Longueville, McCoun, Mechem, Rector, Smith of Dickinson, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, and Wright—17.

So the motion to lay on the table did not prevail.

The motion to refer to the Committee on County and Township Organization prevailed.

Mr. McKean offered the following resolution :

*Resolved*, That the Speaker of this House be directed to employ Charles Blodgett as an additional messenger, said Blodgett to commence his work upon the re-assembling of the Legislature.

Mr. Kilburn moved to lay the resolution on the table, which did not prevail.

The resolution was adopted.

Mr. Perry offered the following resolution, which was referred to the Committee on Schools :

WHEREAS, The officers of district township school-boards are now elected in March, and their secretary required to make his annual report in September following, thereby having to report the half year preceding his election ; therefore,

*Resolved*, That the Committee on Schools (should they deem it necessary to recommend any change in the school-law), be instructed to take into consideration the expediency of so amending chapter 172, of the session laws of 1862, and the amendments thereto in chapter 143, of the session laws of 1866, as to make the report of the secretary correspond with his term of office.

Mr. Johnson of Cherokee, offered the following resolution, which was lost :

*Resolved*, That this hall be tendered the East Des Moines Brass Band for a musical concert, Wednesday evening next.

Mr. Sanborn offered the following resolution, which was referred to the Committee on Insurance :

WHEREAS, Accident insurance companies are in the habit of issuing tickets for the purpose of insuring persons against accident or death, without keeping a duplicate of said tickets, and

WHEREAS, Said tickets can not be made available in many cases for want of such a duplicate; therefore,

*Resolved*, That the Committee on Insurance be required to inquire into the expediency of so changing the insurance-law, as to require all companies, whether domestic or foreign, to keep a correct duplicate of all life and accident tickets sold by them, said duplicates to be open at all times to the inspection of all parties concerned.

Mr. Traer offered the following resolution, which was laid over under Rule 34:

*Resolved*, That the Attorney-General be requested to communicate to this House, his opinion as to the constitutionality of a law conferring on county, township or incorporated cities power to subscribe to stock of, or otherwise aid in the construction of railroads, and if so, the mode in which the same can be done.

Mr. Cotton offered the following resolution, which was laid over under Rule 34:

*Resolved*, That His Excellency, the Governor of Iowa, be respectfully requested to inform this House what steps have been taken to obtain payment from the United States on the claims of the county of Clinton, and cities of Lyons and Clinton, or of the claims of any other counties and cities which have been filed in the office of the Governor by the Board of Commissioners, in pursuance of section 7, chapter 129, Laws of the Ninth General Assembly.

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

*Resolved*, That in order to command a more able and efficient discharge of the duties of the office of justice of the peace, the Committee on the Compensation of Public Officers be instructed to inquire into the expediency of increasing the fees of such justices; and if they deem advisable to report a list of fees so increased.

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

*Resolved*, That the Committee on Police Regulations be and they are hereby directed to report upon the expediency of introducing a bill restraining cattle, horses, mules and asses from running at large on the streets of unincorporated towns and villages, and in the vicinity of flouring mills and churches, during the months of November, December, January and February, at as early a date as practicable.

House File No. 53. A bill for an act to amend section 2642 of chapter 109 of the Revision of 1860, was taken up. Upon the concurrence in the Senate amendment, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey,

Ballinger, Bauder, Bent, Blackwell, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilson of Tama, Wright and Mr. Speaker—78.

The nays were Messrs. Babbitt and Burrows. — 2.

Absent and not voting, Messrs. Bolton, Brown of Howard, Browne of Lee, Dashiell, Davis, Hamilton, Hunter, Johnson of Cherokee, Leach, McCoun, McKean, Mechem, Parker, Rippey, Smith of Dickinson, Wilcox, Williams, Wilson of Davis, and Wilson of Dubuque. — 19.

So the motion to concur, prevailed.

The Chair announced the special committee on the resolution offered by Mr. Hunter, Messrs. Hunter, Ordway, Rees, Wilcox, and Criss.

Mr. Smith of Harrison moved to reconsider the vote by which the House concurred in Senate amendment to House File No. 45, A bill for an act for the relief of Josiah Crom *et al.*

On the motion to reconsider, the yeas and nays were ordered, and were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Lockwood, Longueville, McKean, McNutt, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilson of Tama, Wright, and Mr. Speaker—82.

The nays were none.

Absent and not voting, Messrs. Brown of Howard, Browne of Lee, Burrows, Dashiell, Gaylord, Johnson of Cherokee, Knapp, Leach, Leffingwell, McCoun, Mechem, Rector, Rippey, Wilcox, Williams, Wilson of Davis, and Wilson of Dubuque—17.

So the motion to reconsider prevailed.

Mr. Burnett moved that when this House adjourn, it adjourn to meet at nine o'clock to-morrow morning.

The motion prevailed.

Joint resolution for the relief of Buchanan county was taken up.

Mr. Dudley moved that the House concur in the resolutions, which motion prevailed.

Senate File No. 54, A bill for an act in relation to the payment of the expenses of agents appointed to demand fugitives from justice, was read first and second time.

Mr. Dudley moved that the bill be ordered engrossed, the rule suspended, and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilson of Tama, Wright, and Mr. Speaker—82.

The nays were none.

Absent and not voting, Messrs. Brown of Howard, Browne of Lee, Dashiell, Gaylord, Grantham, Leach, McCoun, Mechem, Miller, Ordway, Rector, Smith of Harrison, Traer, Wilcox, Williams, Wilson of Davis, and Wilson of Dubuque—17.

So the bill passed, and title agreed to.

Substitute for Senate File No. 19, A bill for an act to amend section 1193 of the Revision of 1860, in relation to the incorporating of benevolent, charitable and missionary societies, was read first and second time, and referred to the Committee on Judiciary.

Senate File No. 51, A bill for an act to amend section 2, chapter 114 of the acts of the Tenth General Assembly, was read first and second time, and referred to Committee on Judiciary.

Senate resolution relating to the printing of reports of the State Agricultural Society, was concurred in.

Joint resolution relating to the protection of the rights of American citizens in foreign countries, was read and referred to the Committee on Federal Relations.

Senate File No. 58, A bill for an act in relation to the powers of a succession in office of a justice of the peace, was read a first and second time and referred to the Committee on Judiciary.

Mr. Burnett by leave, introduced House File No. 196, A bill for an act to increase the duties of the Superintendent of Public Instruction, and to provide additional compensation therefor.

Read a first and second time, and referred to the Committee on Schools.

Leave of absence was granted Mr. Miller for two days.

Leave of absence was granted Mr. Atkins for two days.

Leave of absence was granted Mr. Bauder for two days.

Leave of absence was granted Messrs. Bent, Brown of Fayette, Cramer and Bailey for Thursday next.

Substitute for Senate File No. 77, A bill for an act to amend chapter 114, Revision of 1860, in relation to the qualification of attorneys and counselors at law, was read first and second time, and referred to the Committee on the Judiciary.

Senate joint resolution relating to indemnifying citizens of Lee county for lands and property used in construction of the Mississippi improvement on the rapids, was concurred in.

Senate File No. 3, A bill for an act in relation to school fund and school lands, was read a first and second time, and referred to the Committee on Judiciary.

Leave of absence was granted Messrs. Walling and Hawthorn for two days.

Leave of absence was granted Mr. Rees until the 26th inst.

Mr. Rowell moved that the House do now adjourn.

Which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 12, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Hayhurst.

Mr. McNutt moved that the reading of the journal of yesterday be dispensed with, which motion prevailed.

PETITIONS.

Mr. Trusdell presented petitions from citizens of Mitchell and Scott county, praying for the enactment of a more stringent prohibitory liquor law, which were referred to the Committee on the Suppression of Intemperance.

Mr. Perry presented a petition from the citizens of the township of Boulder, in the county of Linn, praying for the passage of a law so that each sub-district may become to all intents and purposes an independent school district, which was referred to the Committee on Schools.

Also, a petition from citizens of Linn county, praying for the

passage of a law to create the office of township collector, which was referred to the Committee on County and Township Organization.

Mr. Burrows presented a remonstrance against the repeal of the law of the Eleventh General Assembly, providing for the publication of the general laws in the county newspapers, which was referred to the Committee on Printing.

Mr. Parker from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom were referred Senate File No. 6, for legalizing the organization of the independent school district of Epworth, and House File No. 95, for legalizing the organization of an independent school district in Burlington, would return the same and recommend their passage.

PARKER, Chairman.

Your Committee on Schools, to whom was referred House File No. 63, for the amendment of the school law, return the same with the recommendation that it shall not be passed.

PARKER, Chairman.

Mr. McNutt moved to reconsider the vote by which the Hall of the House was refused the Des Moines Brass Band.

The motion to re-consider prevailed.

On motion of Mr. McNutt the use of the Hall was granted the Des Moines Brass Band for this evening.

#### RESOLUTIONS LAID OVER UNDER RULE THIRTY-FOUR.

The following resolution, laid over under Rule 34, was taken up and adopted:

*Resolved*, That the Attorney General be requested to communicate to this House his opinion as to the constitutionality of a law conferring on county, townships or incorporated cities, power to subscribe to the stock of or otherwise aid in the construction of railroads, and if so, the mode in which the same can be done.

The following resolution laid over under Rule 34, was taken up and adopted:

*Resolved*, That His Excellency the Governor of Iowa be respectfully requested to inform this House what steps have been taken to obtain payment from the United States of the claims of the county of Clinton and cities of Lyons and Clinton, and of the claims of any other counties and cities, which have been filed in the office of the Governor by the board of commissioners, in pursuance of section 7, chapter 129, laws of the Ninth General Assembly.

By leave Mr. Phillips offered the following resolution:

WHEREAS, The Auditor's Report shows that Wapello and other counties are indebted to the State. Therefore,

*Be it Resolved*, That the Committee on County and Townships



be, and they are hereby permitted to inquire into the propriety of instructing the Treasurer of State to withhold the pay from the members of this House, hailing from such delinquent until his, or their respective county shall have liquidated such indebtedness, or given full and complete evidence that such delinquency is not of their inefficiency or neglect of duty.

Mr. Dudley moved the adoption of the resolution.

The motion did not prevail.

#### INTRODUCTION OF BILLS.

Mr. Hunter introduced House File No. 198, A bill for an act to legalize the acts of D. D. Miracle, a notary public.

Read first and second time, and referred to the Special Committee on Notaries Public.

Mr. Wilson of Tama introduced House File No. 199, A bill for an act to legalize the official acts of W. H. Stivers, a notary public of Tama county.

Read first and second time, and referred to the Special Committee on Notaries Public.

Mr. Kilburn introduced House File No. 200, A bill for an act to regulate life insurance companies.

Read first and second time, and referred to the Committee on Insurance, and ordered printed.

Mr. Grantham introduced House File No. 201, A bill for an act making further provision for the dockets and papers of justices of the peace in certain cases.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Knapp introduced House File No. 202, A bill for an act restraining stock certain seasons of the year.

Read first and second time, and referred to the Committee on Agriculture, and ordered printed.

Mr. Wilson of Dubuque introduced House File No. 203, A bill for an act in aid of poor patients of the State of Iowa, incapacitated from self-support by curable diseases of the eye.

Read first and second time, and referred to the Committee on Blind Asylum.

By leave, Mr. Wilson of Dubuque presented a petition which was referred to the Committee on Claims.

Leave was granted Mr. Wilson of Dubuque to submit the following report from the Committee on Railroads:

The Committee on Railroads, to whom was referred the joint resolution asking for the appointment of a joint committee to memorialize the legislature of Illinois to grant such legislation as will authorize the construction of the railroad bridge at Dubuque for a wagon bridge, have authorized me to report the same back to the House with the recommendation that it do pass.



*Resolved by the House of Representatives, the Senate concurring,*  
That a joint committee consisting of two members of the Senate and three of the House, be appointed to draft and forward to the legislature of Illinois, a memorial on behalf of this General Assembly, asking for such legislation as will enable the Dubuque and Dunleith Bridge Company to construct said bridge as a wagon, as well as a railroad bridge.

WILSON, of Dubuque.

By unanimous consent the resolution was considered.

On motion the resolution was adopted.

Leave was granted Mr. Knapp to take up House File No. 120, A bill for an act for the relief of Harding County, Iowa, for money stolen from the county safe, September 14, 1865.

The bill was considered.

Mr. Knapp 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.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atwood, Bailey, Ballinger, Bauder, Bent, Blackwell, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Dudley, Ellis, Fultou, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker.—64.

The nays were, Messrs. Adams, Allen, Gaylord, Johnson of Cherokee, Leffingwell, Orr, Rippey, Stanley, Tenney, Werner, and Wheeler.—11.

Absent and not voting, Messrs. Atkins, Babbitt, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Cramer, Criss, Garrett, Grantham, Hawthorn, Kasson, Leach, McCoun, Mechem, Miller, Peck, Rector, Walling, Wilcox, Williams, Wilson of Davis, and Wright.—24.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

House File No. 53, A bill for an act to amend section 2642, of chapter 109, of the Revision of 1860.

H. O. RIPPEY, Chairman.

Leave was granted Mr. Sanborn to take up Senate File No. 6.

The bill was considered.

Mr. Wilson of Dubuque, moved that further consideration of the bill be postponed until the 6th of March, which motion prevailed.

By unanimous consent of the House, the bill was re-committed to the Committee on Schools.

#### RESOLUTIONS.

Mr. Grantham offered the following resolution, which was adopted.

WHEREAS, Sundry propositions are already before this House to amend the several laws regulating fees; and

WHEREAS, It is true that at the present time many officers entitled to fees, are compelled to look through all the acts since the Revision of 1860, in order to ascertain what their fees are; therefore

*Resolved*, That the Committee on Compensation of Public Officers be requested to inquire into the expediency of passing a law at this session covering in detail the fees of all county and township officers now entitled to fees by law, and repealing all laws now in force on the subject, and, if they find it expedient, to report by bill.

#### BILLS ON SECOND READING.

House File No. 100 was considered.

On motion of Mr. Hatch, the bill was laid on the table.

House File No. 56, was considered.

Mr. Kilburn moved that the bill be laid on the table.

The motion did not prevail.

Mr. Hatch moved that the bill be indefinitely postponed.

The motion prevailed, and the bill was indefinitely postponed.

House File No. 114, A bill for an act to provide for the guardianship of the property and minor children of inebriates, was considered.

Mr. Irish moved to refer to Committee on Judiciary.

The motion prevailed.

On motion of Mr. Trusdell, the bill was ordered printed.

By leave, Mr. Cotton from the Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred the petition of the board of supervisors of Decatur county, asking that section 5116 of Revision of 1860, be so amended as to take from the Governor the power to remit fines and forfeitures, beg leave to report that the authority to remit fines and forfeitures under such regulations as may be prescribed by law, is invested in the Governor by

section 16, article 4, of the constitution, and therefore recommend that the petition be ordered to lie on the table.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 174, A bill for an act to amend section 2813 of the Revision of 1860, and having come to an unfavorable opinion thereon, recommend that it be postponed indefinitely.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 175, A bill for an act to provide for the issuing of writs of attachment against copartnership whose members are non-residents, have had the same under consideration, and being of opinion that the bill should not be passed, recommend that it be indefinitely postponed.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File No. 160, A bill for an act to amend chapter 102 of the Revision of 1860, entitled "marriages," and the committee recommend that the same be amended by striking the word "this" from the 7th line of the 120th section, adding the words "102 of the Revision of 1860" after the word "chapter" in that line, and adding at the end of the 1st section the words, "and having conscientious scruples in relation to obtaining such license." And as thus amended, the passage of the bill is recommended.

COTTON, Chairman.

The Judiciary Committee, having considered House File No. 163, A bill for an act to amend section 3304, of Revision of 1860, exempting property from execution, are of opinion that the same should pass.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 164, A bill for an act to amend section 4881, of chapter 218, of Revision of 1860, have instructed me to report the same, with a recommendation that it pass.

COTTON, Chairman.

The Judiciary Committee, having considered House File No. 162, A bill for an act relating to the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments of writing, recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File No. 168, A bill for an act regulating the sale of drugs, and have directed a report in favor of its passage.

COTTON, Chairman.

The Judiciary Committee, having considered Senate File No. 77, A bill for an act to amend chapter 114, Revision of 1860, in

relation to the qualification of attorneys and counselors at law, recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee, to whom was referred Senate File No. 51, A bill for an act to amend section 2, chapter 114, of the acts of the Tenth General Assembly, have considered the same, and recommend its passage.

COTTON, Chairman.

The Judiciary Committee have considered Senate File No. 3, A bill for an act in relation to school-fund and school-lands, and recommend that it do pass.

COTTON, Chairman.

By leave, Mr. Cramer, from the Committee on Expenditures, submitted the following report:

The Committee on Expenditures, to whom was referred the account and vouchers of N. B. Baker, Adjutant-General and chairman of the commission for building the edifice to be used as offices for Adjutant-General and Quartermaster-General, report that they have examined the same, and find said account correct and properly vouched.

That there is a balance due to said N. B. Baker of \$121.75, which they recommend should be refunded to him.

That they would recommend that the other expenditures made in excess of appropriation, be also paid :

And that the recommendations for further improvements for fencing, grading, stone-work and office-furniture, should be adopted:

J. CRAMER, Chairman of Committee.

Mr. Wilson of Dubuque moved that the report be referred to the Committee on Claims.

The motion to refer, prevailed.

House File No. 89, A bill for an act to amend chapter 135 of the acts of the Eleventh General Assembly, in relation to threshing-machines, was considered and ordered to be engrossed, and read a third time.

House File No. 93, A bill for an act requiring owners of dams to attach thereto aprons or chutes, was considered.

Mr. Craig moved that the bill be postponed and made the special order of March 7th, which motion prevailed.

House File No. 117, A bill for an act making appropriation for two Lawson Wood Furnaces, pipes and register, furnished the Adjutant-General's office, was considered.

Mr. Dudley 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atwood, Bailey, Ballinger, Bauer, Bent, Blackwell, Bolton, Brown of Fayette, Burnett, Burrows,

Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Tama. — 76.

The nays were none.

Absent and not voting, Messrs. Adams, Atkins, Babbitt, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Gaylord, Hawthorn, Leach, McCoun, Mechem, Miller, Murray. Rector, Tillson, Walling, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wright and Mr. Speaker.—23.

So the bill passed, and the title was agreed to.

House File No. 44, A bill for an act to amend chapter 158, section 3850 of the Revision of 1860 was considered, and on motion of Mr. Blackwell, was laid on the table.

House File No. 29, A bill for an act to change the time of holding court in Waveriy Bremer county, was considered.

Mr. Grantham moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass," the yeas and nays were as follows:

The yeas were Messrs. Allen, Atwood, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Burnett, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Dubuque, Wilson of Tama—74.

The nays were none.

Absent and not voting Messrs. Adams, Atkins, Babbitt, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Gaylord, Hawthorn, Johnson of Cherokee, Leech, McCune, Mechem, Miller, Ordway, Rector, Rholf, Walling, Wilcox, Williams, Wilson of Davis, Wright and Mr. Speaker—25.

So the bill passed, and the title was agreed to.

Mr. Trusdell moved that when this House adjourn, it adjourn to meet at 8 o'clock to-morrow morning.

Upon the question, the yeas and nays were demanded, which were as follows:

The yeas were, Messrs. Adams, Blackwell, Bolton, Brown of Fayette, Burnett, Caldwell, Chase, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Ellis, Gaylord, Guthrie, Hartsock, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, McKean, McNutt, Murray, Orr, Rees, Rohlf, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell and Tucker.—44.

The nays were, Messrs. Allen, Atwood, Bailey, Ballinger, Bauder, Bent, Burrows, Cotton, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hatch, Hayden, Longueville, Miles, Morrison, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rippey, Rowell, Sanborn, Stanley, Traer, Werner, Wheeler, Wilson of Dubuque, and Wilson of Tama.—37.

Absent and not voting, Messrs. Atkins, Babbitt, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Hawthorn, Leach, McConn, Mechem, Miller, Rector, Walling, Wilcox, Williams, Wilson of Davis, Wright and Mr. Speaker.—18.

So the motion not receiving a two-third majority, was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 120, A bill for an act to amend an act of the Twelfth General Assembly of the State of Iowa, in which the concurrence of the House is asked.

GEO. P. ABEL, Assistant Secretary.

Mr. Rowell moved that the House do now adjourn.

The motion did not prevail.

Mr. Wilson of Dubuque, asked leave to take up Senate File No. 120, A bill for an act to amend an act of the Twelfth General Assembly, which was not granted.

Mr. Dudley moved that Mr. Wilson of Dubuque have leave to take up Senate File No. 120.

The motion prevailed, and the bill was taken up and read a first and second time.

Mr. Wilson of Dubuque, moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were: Messrs. Adams, Allen, Atwood, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell,

Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Murray, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, and Wilson of Tama—74.

The nays were, none.

Absent and not voting, Messrs. Atkins, Babbitt, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Gaylord, Hawthorn, Hunter, Johnson of Cherokee, Leach, McCoun, Mechem, Miller, Newberry, Rector, Rippey, Tenney, Walling, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wright, and Mr. Speaker—25.

So the bill passed, and the title was agreed to.

Mr. Johnson of Cherokee, asked leave of absence for Mr. Peck for one day, which was granted.

Mr. Orr asked leave of absence for Mr. Smith of Harrison, for one day, which was granted.

Mr. McNutt moved that when this House adjourn, it adjourn to meet to-morrow morning at fifteen minutes past 8 o'clock.

Upon this question Mr. Rowell demanded the yeas and nays, which were as follows :

The yeas were Messrs. Adams, Allen, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Brown of Fayette, Burnett, Caldwell, Chase, Craig, Cramer, Dashiell, Davis, Donavan, Ellis, Gaylord, Guthrie, Hartsock, Hatch, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Morrison, Murray, Newberry, Orr, Ordway, Peck, Rees, Rohlf, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Dubuque, Wilson of Tama—58.

The nays were Messrs. Atwood, Burrows, Cotton, Criss, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hayden, Miles, Parker, Perry, Phillips, Ramsay, Rowell, Sanborn, Stanley, Traer—22.

Absent and not voting Messrs. Atkins, Babbitt, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Hawthorn, Leach, McCoun, Mechem, Miller, Rector, Rippey, Walling, Wilcox, Williams, Wilson of Davis, Wright, and Mr. Speaker—19.

So the motion to adjourn prevailed.

Mr. Bander moved that the House do now adjourn.

The motion prevailed, and the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 13, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Mr. Hatch moved that the House adjourn to 10 o'clock A. M.,  
February 25, 1868.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 25, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. DeForest.

Journal of February 13th read and approved.

On motion of Mr. McNutt the regular order of business was  
suspended.

Mr. Burnett offered the following resolution :

WHEREAS, Andrew Johnson, acting President of the United States, has proved to the citizens of this republic his determination to defeat the expressed will of the people—to destroy the beneficent results of the late war for the Union—to give over the government into the hands of men stained with the blood of the nation—into the hands of unrepentent rebels and traitors.

AND WHEREAS, His dangerous and evil course, culminating in his late open and flagrant violation of the laws of the country demand a speedy and effectual check. Therefore

*Resolved by the General Assembly of the State of Iowa*, That Andrew Johnson, acting President of the United States should be impeached for high crimes and misdemeanors, and if found guilty, immediately and promptly removed from office.

*Resolved*, That the Supreme power of the nation is in the representatives of the people in Congress assembled.

*Resolved*, That to the maintenance of this fundamental principle of our government and to the action of Congress in accordance therewith, we pledge the support and sympathy of the people of Iowa.

*Resolved*, That a copy of these resolutions be immediately forwarded to our Senators and Representatives in Congress.

Mr. Wilson of Dubuque offered the following substitute :

*Resolved by the House of Representatives, the Senate concurring*, That the Legislature of this State looks with alarm and solicitude upon any and all attempts on the part of Congress to destroy either

the executive or judicial branches of the Government; we hereby declare our opposition to such measures, and that it is declared our firm belief that the people of America will not submit to the absorption by one branch of the Government of all essential powers of the other branches, but will demand and maintain the just balance of those powers as fixed and settled by the fathers of the republic.

## MESSAGE FROM THE SENATE.

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. 43, A bill for an act to release to Alfred Heber Reynolds any and all right of the State of Iowa, by way of escheat, to certain lands in Buchanan county, Iowa.

Senate File No. 70, A bill for an act for the relief of the widow and children of Steiner Larson.

Senate File No. 24, A bill for an act for the more efficient collection of certain delinquent taxes.

Senate File, No. 12, A bill for an act to amend the Revision of 1860, in relation to land sold on execution.

The Senate has also passed a concurrent resolution, relative to memorializing the Legislature of Illinois, which is herewith transmitted, in which the concurrence of the House is respectfully asked.

GEORGE P. ABEL, Assistant Secretary.

Mr. Kilburn moved the previous question, which was not seconded.

Mr. Trusdell moved that the House adjourn till 2 o'clock this afternoon.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment, and resumed the consideration of the resolution offered by Mr. Burnett, and the substitute offered by Mr. Wilson of Dubuque.

Mr. Dudley moved that when the House adjourn, it be until 7 o'clock this evening.

Mr. Babbitt moved to amend by striking out "7 o'clock this evening," and insert "9 o'clock to-morrow (Thursday) morning."

Mr. Murray moved the previous question, which was seconded, and the main question was ordered.

The question recurred upon the adoption of the substitute offered by Mr. Wilson of Dubuque.

Upon this question Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were Messrs. Babbitt, Bauder, Blackwell, Browne of Lee, Davis, Donovan, Hawthorn, Irish, Kelley, Lockwood, Longueville, Miller, Peck, and Stuart—14.

The nays were Messrs. Allen, Atkins, Atwood, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Dudley, Ellis, Fulton, Garrett, Goodspeed, Grantham, Guthrie, Hart, Hatch, Johnson of Cherokee, Johnson of Marshall, Kilburn, Leach, Leffingwell, McCoun, McNutt, Mechem, Morrison, Murray, Perry, Phillips, Ramsay, Rowell, Sanborn, Traer, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—48.

Absent and not voting, Messrs. Adams, Bailey, Bent, Brown of Fayette, Gaylord, Glasgow, Hamilton, Hartsock, Hayden, Hunter, Kasson, Knapp, Lambert, McKean, Miles, Newberry, Orr, Ordway, Parker, Rector, Rees, Rippey, Rohlf, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Tucker, Walling, Werner, Wilcox, Wilson of Dubuque, and Wright—37.

So the substitute was lost.

Upon the adoption of the resolution offered by Mr. Burnett, the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Goodspeed, Grantham, Guthrie, Hart, Hatch, Johnson of Cherokee, Johnson of Marshall, Kilburn, Leach, Leffingwell, McCoun, McNutt, Mechem, Morrison, Murray, Perry, Phillips, Ramsay, Rowell, Sanborn, Traer, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—49.

The nays were Messrs. Babbitt, Bauder, Blackwell, Browne of Lee, Donovan, Hawthorn, Irish, Kelley, Lockwood, Longueville, Miller, Peck, and Stuart—13.

Absent and not voting, Messrs. Adams, Bailey, Bent, Brown of Fayette, Gaylord, Glasgow, Hamilton, Hartsock, Hayden, Hunter, Kasson, Knapp, Lambert, McKean, Miles, Newberry, Orr, Ordway, Parker, Rector, Rees, Rippey, Rohlf, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Tucker, Walling, Werner, Wilcox, Wilson of Dubuque, and Wright—37.

So the resolution was adopted.

Mr. Babbitt from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Substitute for House File Nos. 84 and 115, A bill for an act to resume all the lands and rights conferred upon the McGregor Western Railroad Company, by or under an act of Congress approved May 12th, A. D. 1864.

House File No. 5, A bill for an act to legalize the organization and acts of the city of Mt. Pleasant as a city of the second class.

House File No. 18, A bill for an act providing for the publication of the Adjutant-General's Report, from January 1st, 1867, to January 14th, 1868.

BABBITT, Chairman.

Mr. Kilburn moved that the House adjourn until 10 o'clock Thursday morning.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 27, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Heacock.

Journal of Tuesday read and approved.

Mr. McNutt moved that the members present, who did not vote upon the impeachment resolution of Mr. Burnett, now have leave to record their votes upon that resolution.

The motion prevailed, and the members who were absent Tuesday, recorded their votes as follows:

The yeas were, Messrs. Hayden, Bent, Wilcox, Brown of Fayette, Sheldon, McKean, Bailey, Newberry, Parker, Glasgow, Stanley, Rohlf, Hartsock, Orr, Miles, Walling, Tenney, Hamilton, Tucker, Lambert, Smith of Dickinson, and Hunter.

The nays were, Messrs. Wright, Rector, Werner, and Wilson of Dubuque.

Message on the Speaker's table in relation to the funeral of the late Dr. Brooks, taken up and read.

Mr. Cotton moved that when this House adjourn, it adjourn until to-morrow morning at 9 o'clock.

The motion prevailed.

Leave was granted Mr. Babbitt to offer the following resolution, which was adopted.

*Resolved*, That the chief clerk of this House be instructed to

procure on the best terms possible, the necessary paper, pencils and other stationery for the use of this House during the remainder of the session.

## PETITIONS.

Mr. McNutt presented a petition from Edwin Klein and four hundred and two other citizens of Muscatine county, praying for the repeal of the prohibitory liquor law and the enactment of a license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Hayden presented a petition from citizens of Jefferson county, praying for an act to vacate a graveyard in Jefferson county, which was referred to the Committee on Incorporations.

Mr. Rohlf presented a petition from the city council of Davenport, praying for the repeal of the prohibitory liquor law and the enactment of a license law, which was referred to the Committee on the Suppression of Intemperance.

Also, twelve petitions from the citizens of different counties and towns, praying for the enactment of a license law, which were referred to the Committee on the Suppression of Intemperance.

Mr. Atwood presented a petition from D. S. Stone and sixty other electors of Northern Iowa, asking for a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Irish presented a petition numerously signed, praying for the repeal of the prohibitory liquor law and the enactment of a judicious license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Trusdell presented a petition from the board of supervisors of Clinton county, in relation to roads, which was referred to the Committee on County and Township Organization.

Also, a petition from the board of supervisors of Clinton county, in relation to State Reform School, which was referred to the Committee on Reform Schools.

Mr. Blackwell presented a petition from the Board of Curators of the State University, with instructions to have the same printed, if they deem it necessary.

Mr. Stuart presented a petition from the citizens of Jackson county, praying for the repeal of the prohibitory liquor law, and the enactment of a judicious license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Rippey presented a petition from thirty-four citizens of Greene county, asking for the formation of a 13th Judicial District, which was referred to the Committee on Judicial Districts.

Also a petition from the board of supervisors of Carroll county, asking for a law to transfer road business to County Courts, which

was referred to the Committee on County and Township Organization.

Also, a remonstrance from Elihu Millikan, protesting against a law allowing counties to take railroad stock, which was referred to the Committee on Incorporations.

Leave was granted Mr. Trusdell to offer the following resolution, which was adopted :

*Resolved*, That Prof. Leonard be invited to address this General Assembly to-morrow (Friday) evening, on the subject of University Education, in this hall.

Mr. Craig presented a petition from citizens of Van Buren county, praying for relief, which was referred to the Committee on Des Moines River Improvement.

Mr. Hatch presented three petitions from citizens of the Des Moines valley, north of the Raccoon forks, praying for the passage of a law resuming all the lands heretofore granted to the Des Moines Valley Railroad, which were referred to the Committee on Railroads.

Mr. Hart presented a petition from Moses Morton and two hundred other citizens of Henry county, asking the passage of a law requiring the cities of incorporated towns to restrain their stock from running at large, which was referred to the Committee on Agriculture.

Mr. Irish presented a petition praying for the passage of a law by which prairie chickens may be protected during the month of January, the same as other game, which was referred to the Special Committee on Game Law.

Mr. Wilson of Tama, presented a petition from citizens of Tama county, praying for the passage of a law increasing the jurisdiction of County Courts, which was referred to the Committee on Judiciary.

Mr. Ordway presented a petition from citizens of Black Hawk county, asking that stock be restrained from running at large in this State, which was referred to the Committee on Agriculture.

Mr. Tillson presented a remonstrance from the citizens of Crawford county, remonstrating against the repeal of the act of the last General Assembly, providing for the publication of the general laws in the county newspapers, which was referred to the Committee on Printing.

Mr. Lambert presented a petition from Waldo M. White and one hundred and five others, praying for the enactment of a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Also, a petition of W. H. Burrows, and some five hundred others, praying that the C. R. I. and P. R. R. Company be confined to their original survey in building their road, which was referred to the Committee on Railroads.

Also, a petition of eighty-five citizens of Guthrie county, praying

that the C. R. I. and P. R. R. Company be confined to their original survey, which was referred to the Committee on Railroads.

Mr. Orr presented a petition from one hundred and forty-seven citizens of the Des Moines Valley, asking the resumption of the Des Moines Valley Railroad grant by the State, which was referred to the Committee on Railroads.

Mr. Browne of Lee, presented a petition from H. W. Sample, which was referred to the Committee on State Reform School, with instructions to have the same printed if they deem it necessary.

Mr. Brown of Howard, presented a petition from citizens of Howard county, praying for the passage of a law increasing sheriffs' fees, which was referred to the Committee on Compensation of Public Officers.

Mr. Smith of Harrison, presented a petition from the board of supervisors of Harrison county, which was referred to the Committee on County and Township Organization.

Mr. Brown of Howard, presented two petitions from the citizens of Howard county, praying for the passage of a law appointing certain officers, whose duty it shall be to see that the prohibitory liquor law is enforced, in every city, village, town and township in the State of Iowa, which was referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a petition from the citizens of Lee county, praying for the repeal of the present liquor law, and the enactment of a judicious license law, which was referred to the Committee on the Suppression of Intemperance.

Also a petition from German republicans of Lee county, asking for the repeal of the present liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. McKean presented a petition from the citizens of Jones county, praying for the passage of a bill to prevent the spread of Canada thistles, which was referred to the Committee on Agriculture.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed a joint resolution, which is herewith transmitted, relating to Andrew Johnson; approving the action of Secretary Stanton, and sustaining the Congress of the United States, in which the concurrence of the House is respectfully asked.

GEO. P. ABEL, Assistant Secretary.

#### REPORTS OF COMMITTEES.

Mr. Cotton from the Committee on Judiciary, submitted the following report :



The Judiciary Committee to whom was re-committed House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens, as to the acquisition, enjoyment, and transfer of property; having considered the same, have instructed me to again report the same to the House without any modification of the former report, and recommend that the bill be amended in accordance with that report, and that as so amended it be passed.

AYLETT R. COTTON, Chairman.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report:

The Committee on County and Township Organization, to whom the joint resolution, requesting the Treasurer of State to retain of the moneys due Appanoose and other counties, under Senate File No. 9, was referred, after due consideration, are of the opinion that the action recommended is unnecessary, and have instructed me to report the same back to the House, with a recommendation that it be indefinitely postponed.

JOHN P. GRANTHAM, Chairman.

Mr. Hatch, from the Committee on Domestic Manufactures, submitted the following report:

Your Committee on Domestic Manufactures, to whom was referred a communication from S. A. Kilburn, asking the use of this hall, some evening to be named by this House, for the purpose of delivering a discourse on Woman's Wrongs—a specimen of which was also referred to your committee—have had the same under consideration, and, believing from the specimen referred to us, that no permanent good could result to women in their moral or political position among men, could be advanced by the reading of this discourse to the members of this House; also, that the new era that is to open will, when open, furnish full opportunity for the righting of all wrongs that women may at that time be subject to, and that the law makers then, as now, will be willing to give to women all that they may ask, that is legally in their power to give; and for these reasons, your committee have instructed me to return the communication, with the sample discourse, and recommend that both be laid on the table, and subject to the order of S. A. Kilburn.

HATCH, Chairman.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

Senate File No. 120, A bill for an act to amend an act of the Twelfth General Assembly of the State of Iowa, by which section 1, chapter 36, of the Acts of the Eleventh General Assembly was amended.

H. C. RIPPEY, Chairman.

Mr. Brown of Van Buren, from the Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways, to whom was referred House File No. 111, A bill for an act making all streets in towns and villages not incorporated a part of the public highway, have had the same under consideration, and directed me to report a substitute; and the committee recommend that the substitute do pass.

BROWN of Van Buren, Chairman.

The Committee on Roads and Highways, to whom was referred House File No. 147, A bill for an act to compel surveyors of roads within the limits of incorporated towns and cities to work the same under the direction of the town council, have had the same under consideration, and directed me to add as amendment a publication clause; and recommend that the bill as amended do pass.

BROWN of Van Buren, Chairman.

The Committee on Roads and Highways, to whom was referred House File No. 155, A bill for an act to amend section 2 of chapter 76, laws of the Tenth General Assembly in relation to labor on roads, have had the same under consideration, and directed me to report it back to the House with the recommendation that it do pass.

BROWN of Van Buren, Chairman.

The Committee on Roads and Highways, to whom was referred a resolution of inquiry as to the expediency of amending sections 883 and 884 of chapter 46 of the Revision of 1860, so as to attach the same penalty to supervisors appointed according to law, who refuse to qualify, that applies to those elected, have had the same under consideration, and believe that it would be unwise and uncalled-for legislation, and therefore recommend that the resolution lie on the table.

BROWN of Van Buren, Chairman.

Mr. McNutt, from the Committee on Commerce, submitted the following report:

The Committee on Commerce to whom was referred House File No. 48, A bill for an act limiting the value of homesteads exempt from general execution to five thousand dollars, have considered the same and a majority of said committee have instructed me to report the same back to the House and recommend that the bill be amended by striking out the publication clause, and that thus amended the bill do pass.

SAMEL McNUTT, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Trusdell introduced House File No. 204, A bill for an act to legalize the acts of the Council of the city of Clinton in laying and collecting tax for an engine-house.

Read first and second time, and referred to the Committee on the Judiciary.

Mr. Sanborn introduced House File No. 205, A bill for an act for the protection of railway passengers.

Read first and second time, and referred to the Committee on the Judiciary.

Mr. Trusdell introduced House File No. 206, A bill for an act repealing section 7, chapter 129, of the laws of the Ninth General Assembly.

Was read first and second time, and referred to the Committee on Military Affairs.

Mr. Craig introduced House File No. 207, A bill for an act for ascertaining damages caused by dams erected on the Des Moines river in Lee and Van Buren counties.

Was read first and second time, and referred to the Committee on Des Moines River Improvement.

Mr. Baker introduced House File No. 208, A bill for an act to legalize the independent district of Montezuma, and the election and act of the officers thereof.

Read first and second time, and referred to the Committee on Schools.

Mr. Williams introduced House File No. 209, A bill for an act relating to towns incorporated under the provisions of chapter 42 of the code of 1851.

Read first and second time, and referred to the Committee on Incorporations.

Mr. Walling introduced House File No. 210, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly.

Read first and second time, and referred to the Committee on Schools.

Mr. Kilburn introduced House File No. 211, A bill for an act to amend the revenue law, in relation to the publication of delinquent tax lists.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Browne of Lee, introduced House File No. 112, A bill for an act to enlarge the jurisdiction of County Courts.

Read first and second time, and referred to the Committee on Judiciary, with instruction to print, if deemed advisable.

Leave was granted Mr. Wilson of Dubuque, to present a petition for the relief of George Higley, which was referred to the Committee on Military Affairs.

Mr. Burnett introduced House File No. 213, A bill for an act legalizing the official acts of John R. Nisley, a notary public.

Read a first and second time, and referred to the Committee on Notaries Public.

Mr. Blackwell introduced House File No. 214, A bill for an act in relation to the redemption of lands sold for taxes.

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

Mr. Perry introduced House File No. 215, A bill for an act in relation to insurance companies.

Read first and second time, and referred to the Committee on Insurance, and ordered printed.

Mr. Kilburn introduced House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving and other repairs upon the vault in his office.

Read first and second time, and referred to a special committee of three, with instructions.

Leave was granted Mr. Hatch to take up House File No. 152, A bill for an act to provide for the erection of a State House, and on motion was made a special order for Tuesday, March 3d, at ten o'clock, A. M.

Leave was granted Mr. Grantham to present a claim from Dominique Dombrom for work done on the Insane Asylum, which was referred to the Committee on Claims.

Mr. Leach introduced House File No. 217, A bill for an act to amend chapter 84 of the laws of the Tenth General Assembly.

Read first and second time, and referred to the Committee on Military Affairs.

Mr. Guthrie introduced House File No. 218, A bill for an act to amend section 10, chapter 22, of the laws of the Tenth General Assembly.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Cotton introduced House File No. 219, A bill for an act empowering foreign railroad corporations who may operate railroads in this State, to acquire and hold real estate in certain cases, with the right of disposing of the same.

Read first and second time, and referred to the Committee on Railroads.

Leave was granted Mr. Traer to present a claim from J. H. Shields, which was referred to the Committee on Claims.

Mr. Burnett moved to reconsider the vote by which the resolution empowering the Chief Clerk to procure stationery for the use of this House was adopted.

The motion to reconsider prevailed.

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

#### RESOLUTIONS.

Mr. Parker offered the following resolution :

WHEREAS, The Capital of the United States should be more centrally located; and

WHEREAS, The national offices, the national archives, and the halls of national legislation should be surrounded by the friends of the General Government, rather than be in the midst of its foes; therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators and Representatives in Congress be and are hereby instructed to urge the early removal of the Federal Capital to some point in the West.

*Resolved,* That the Secretary of State be instructed to forward a copy of the foregoing preamble and resolution to each of our members in Congress.

Mr. Irish moved that the resolution be referred to the Committee on Federal Relations.

Mr. Irish moved to lay the resolution on the table.

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

The yeas were, Messrs. Bauder, Browne of Lee, Burnett, Caldwell, Irish, Kelley, Lambert, Leach, Lockwood, Miles, Miller, Rector, Rippey, Rohlf, Rowell, Sheldon, Tritz, Werner, Wilson of Dubuque.—19.

The nays were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Dndley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Killburn, Leffingwell, McCoun, McKean, McNutt, Mechem, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—68.

Absent and not voting, Messrs. Adams, Bowen, Donavan, Ellis, Gaylord, Hamilton, Kasson, Knapp, Longueville, Murray, Stone, Stuart.—12.

So the motion to lay on the table did not prevail.

The motion to refer to the Committee on Federal Relations did not prevail.

Mr. Rowell moved to amend the resolution by designating Grinnell, Poweshiek county, as the point.

Mr. Caldwell moved to amend by inserting Eddyville in place of Grinnell.

Mr. McNutt moved to amend the amendment by striking out Eddyville and inserting Muscatine.

Mr. Burnett moved to lay the amendment to the amendment on the table, which motion did not prevail.

The amendment to the amendment did not prevail.

Mr. Wilson of Dubuque moved to amend the amendment by inserting Bally Clough, Dubuque county, in lieu of Eddyville.

Mr. Bent moved that the House do now adjourn, which motion did not prevail.

Leave of absence was granted Mr. Bolton for three days.

The question recurred on the amendment to the amendment offered by Wilson of Dubuque, which did not prevail.

Mr. Brown of Van Buren moved the previous question, which was seconded and the resolution was adopted.

Chair announced special committee on House File No. 216, A bill for an act to authorize the State Treasurer to provide for the shelving and repairing of the vault in his office, Messrs. Kilburn, Leach and Hamilton.

Mr. Murray moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 28, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker and Lieutenant-Governor, and obtained their signatures, and have presented the same to His Excellency the Governor for his signature:

House File No. 5, A bill for an act to legalize the organization and acts of the city of Mt. Pleasant as a city of the second class.

House File No. 18, A bill for an act providing for the publication of the Adjutant-General's Report, January 1, 1867, to January 14, 1868.

House Files No. 84 and 115, A bill for an act to resume all the lands and rights conferred upon the McGregor Western Railroad Company, by, or under an act of Congress, approved May 12, A. D., 1864.

H. C. RIPPEY, Chairman.

PETITIONS.

Mr. Rippey presented a petition from H. F. Anderson, asking that the law be amended in regard to recorders' fees, which was referred to the Committee on Compensation of Public Officers. Also, a petition from Elihu Mallekan, praying for a law preventing

property from being sold for less than two-thirds of the appraised value, which was referred to the Committee on County and Township Organization.

Mr. Cotton presented a petition from Robert Spear, asking for a law requiring tax receipts to express the value of each piece of real property, and the total number of mills tax on the same, which was referred to the Committee on Ways and Means.

Mr. Rees presented a petition from J. Swain and thirty-nine others, asking for the resumption and re-grant of the Dubuque and Sioux City Railroad lands, which was referred to the Committee on Railroads.

Mr. Irish presented a petition from the board of supervisors and citizens of Johnson county, asking that the laws be so amended as to transfer the business pertaining to roads from the board of supervisors to the County Court, which was referred to the Committee on Roads and Highways.

Mr. Leffingwell presented a petition from W. M. Mayden and other citizens of Clinton county, praying for the passage of a law restraining stock from running at large during the night, which was referred to the Committee on Agriculture.

Mr. Dudley presented a petition from C. Mitchell asking pay for recruiting company C, Seventh Regiment of Iowa Cavalry from November 5th, 1862, to April 28, 1863, \$846, which was referred to the Committee on Claims.

Mr. Fulton presented a petition from forty-two citizens of Fairfield, Jefferson county, asking for a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Also, a petition from thirty-two youths of Fairfield, between twelve and eighteen years of age, asking a more stringent law for their protection against the sale of intoxicating liquors, which was referred to the same committee.

Mr. Guthrie presented two petitions from the citizens of Butler county, praying for an extension of time for building the Iowa Falls and Sioux City Railroad, which were referred to the Committee on Railroads.

Mr. Ordway presented a petition from the citizens of Black Hawk county, asking for the passage of a law restraining cattle from running at large, which was referred to the Committee on Agriculture.

Mr. Hatch presented a petition from J. C. Lee and two hundred and forty others, asking that the prohibitory liquor law be repealed, and that a license law be enacted in its stead, which was referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a petition from H. C. Stempel and others, legal voters, mostly republicans, of Fort Madison, Iowa, asking for the repeal of the present liquor law, and the enactment of a judicious license law in its stead, which was referred to the Committee on the Suppression of Intemperance.



Mr. Perry presented a petition from F. Snell; asking for the enactment of a law preventing the removal of improvements, &c., from mortgaged real estate, which was referred to the Committee on Judiciary.

Mr. Tucker presented a petition from George Cowie, asking pay for services as State agent for Iowa, to attend to the wants of sick and wounded soldiers, which was referred to the Committee on Claims.

Mr. Criss presented a petition from the citizens of Woodbury county, remonstrating against the repeal of the act of the last General Assembly, providing for the publication of the general laws in the county newspapers, which was referred to the Committee on Printing.

Mr. Orr presented a petition from citizens of Des Moines valley, praying for the settlement of the Des Moines land grant, which was referred to the Committee on Public Lands.

#### REPORTS OF COMMITTEES.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report :

The Committee on Township and County Organization, have had the following under consideration :

House File No. 189, amending chapter 60, of the laws of the 10th General Assembly, in regard to offering bounties on the scalps of wild animals, and have instructed me to recommend its passage.

Also, the petition of L. S. Allen, in regard to the election of road supervisors, and have instructed me to report adversely to the prayer of the petitioner.

Also, the petition of Wm. H. Ward and others, for a law creating township collectors, and are of the opinion that such a law would increase rather than diminish the evils complained of, and have therefore instructed me to report against granting the prayer of the petitioners.

Also, a memorial of the board of supervisors of Decatur county, for a law creating the office of county assessor, and after careful consideration, for no sufficient reason for the change prayed for, and have instructed me to report against the change asked for in the memorial.

JOHN P. GRANTHAM, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report :

Your Committee on Schools, to whom was referred Senate File No. 6, legalizing the organization of the independent school-district of Epworth, beg leave to report that they have patiently and diligently considered the statements of parties favoring, and of those opposing the bill.

It is admitted that the notice given by the township trustees lacked one day of the required time, while the opposing parties differ as to the *bona fide* population of the independent district at the time of its organization. The committee believe the ordinary mode of enumeration would show over three hundred inhabitants then in the district. They recommend that the bill be passed.

PARKER, Chairman.

Mr. Trusdell moved that the rule be suspended and the bill, Senate File No. 6, A bill for an act to legalize the organization of the independent school-district of Epworth, Dubuque County, Iowa, be now taken up and considered.

The motion prevailed, and the bill was taken up.

On motion of Mr. Trusdell the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atwood, Bailey, Ballinger, Bauder, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leflingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—80.

The nays were, Messrs. Babbitt, Blackwell, Criss, Hawthorn, Miller, Rector, Tillson, Tritz, Werner, Wilson of Dubuque, Wright—11.

Absent and not voting, Messrs. Adams, Bent, Bolton, Browne of Lee, Davis, Hamilton, Kasson, Lockwood.—8.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILLS.

Mr. Babbitt introduced House File No. 220, A bill for an act fixing the time of holding courts in Pottawattamie county, in the Third Judicial District.

Read first and second time.

Mr. Babbitt moved that the rule be suspended, and the bill be read a third time now.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey,

Ballinger, Bander, Blackwell, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—91.

The nays were Mr. McCoun.

Absent and not voting, Messrs. Adams, Bent, Bolton, Hamilton, Kasson, Perry, and Phillips—7.

So the bill passed, and the title was agreed to.

Mr. Leach introduced House File No. 221, A bill for an act to regulate insurance companies.

Read first and second time, and referred to the Committee on Insurance, and ordered to be printed.

Mr. Rippey introduced House File. 222, A bill for an act to amend section 2, chapter 118, laws of Eleventh General Assembly in relation to the publication of the laws in county newspapers.

Read first and second time, and referred to the Committee on Printing.

Mr. Kilburn introduced House File No. 223, A bill for an act to amend section 735 of the Revision of 1860, and to provide against the making of false return to the assessor.

Read first and second time, and referred to the Committee on Ways and Means, and ordered to be printed.

Leave was granted Mr. McNutt, from the Committee on Commerce, to submit the following report:

The Committee on Commerce to which was referred back House File No. 90, entitled A bill for an act to prevent railroad companies from discriminating by tariff rates, against the people and the commerce of the State of Iowa, with proposed amendments, have considered the same, and have instructed me to report the accompanying amended bill, and recommend its passage.

SAMUEL McNUTT, Chairman.

Leave was granted Mr. Hatch to take up House File No. 176, A bill for an act to protect fish.

Mr. Hatch moved to amend the bill, by adding publication clause.

Communication was received from the Governor, and laid on the Speaker's table.

## SPECIAL ORDER.

The hour having arrived for special order. House File No 36, A bill for an act for the repeal of section 118, laws of the Eleventh General Assembly.

On motion of Mr. Brown of Van Buren, the bill was taken up and considered.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

House File No. 12, A bill for an act changing the time of holding courts in the Third Judicial District.

H. C. RIPPEY, Chairman.

Mr. Trusdell moved that the bill with petitions and remonstrances relating thereto, be referred to the Committee on Printing, which motion did not prevail.

Mr. Rowell moved that the bill be laid upon the table, and demanded the yeas and nays, which were as follows:

The yeas were Messrs. Babbitt, Bailey, Brown of Fayette, Brown of Howard, Burnett, Burrows, Cotton, Cramer, Criss, Dashiell, Davis, Donovan, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Orr, Perry, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Stanley, Stone, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—55.

The nays were, Messrs. Allen, Atkins, Atwood, Ballinger, Bauder, Blackwell, Bowen, Browne of Lee, Brown of Van Buren, Caldwell, Dudley, Ellis, Fulton, Garrett, Gaylord, Hamilton, Hawthorn, Irish, Johnson of Cherokee, Lambert, Miller, Newberry, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Smith of Dickinson, Sheldon, Stuart, Tenney, Traer, Werner, Wilson of Davis and Wright.—37.

Absent and not voting, Messrs. Adams, Bent, Bolton, Chase, Craig, Kasson and Longueville.—7.

So the bill was laid on the table.

Leave was granted Mr. Wilson of Dubuque, to introduce House File No. 224, A bill for an act to legalize and confirm a contract between the Dubuque and Sioux City Railroad Company, and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing the railroad and for other purposes.

Read first and second time, and referred to the Committee on Railroads, with instructions, and ordered printed.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:**—The Committee on Enrolled Bills have presented the following enrolled bill to the Speaker of the House and the President of the Senate and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 12, A bill for an act changing the time of holding courts in the Third Judicial District.

H. C. RIPPEY, Chairman.

Mr. Rowell moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

MESSAGE FROM THE SENATE.

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 and resolutions, in which the concurrence of the House is asked:

Substitute for Senate File No. 7, A bill for an act to amend section 3980, of the Revision of 1860, and to repeal section 3982, of the Revision of 1860, in relation to evidence.

Substitute for Senate File No. 28, A bill for an act to prohibit members of the board of supervisors and county officers, to become surety on the official bond of any county officer.

Senate File No. 35, A bill for an act making it the duty of the clerk of the board of supervisors, to make returns to the Governor of the location of the graves of deceased Iowa soldiers in their respective counties, and for other purposes.

Senate File No. 78, A bill for an act to authorize the sale of lands for taxes in certain cases, for an amount less than the taxes, interest and cost due thereon.

Senate File No. 65, A bill for an act to protect the hop-growing interests of the State of Iowa, and to indicate the size of the boxes used in picking hops in the State.

Senate File No. 96, A bill for an act to amend section 3975, chapter 158 of the Revision of 1860 in relation to fees of sheriffs in certain cases.

Concurrent resolution asking additional mail facilities in Floyd and Cerro Gordo counties.

Concurrent resolution of invitation to the superintendent, teachers and pupils of the Blind Asylum to visit the Capitol.

Also, that the Senate has ordered printed two thousand copies of the report of the State Geologist.

Also, has ordered printed the opinion of the Attorney-General in regard to the right of the Legislature to resume the lands conferred upon the Cedar Rapids and Missouri River Railroad Company.

JAMES M. WEART, Secretary.

SPECIAL ORDER.

Mr. Hatch moved to defer the consideration of the special order until House File No. 176, A bill for an act to protect fish, is disposed of.

The motion prevailed.

The amendment adding a publication clause was adopted.

Mr. Ramsay moved to amend by striking out the words "month of June."

The motion prevailed.

Mr. Rees moved to amend by adding to the first section, "not private property."

The motion to amend prevailed.

Mr. Hatch moved that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Blackwell, Bowen, Brown of Fayette, Brown of Howard, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Davis, Dudley, Fulton, Gaylord, Goodspeed, Hamilton, Hatch, Hayden, Kasson, Kelley, Kilburn, Knapp, Leffingwell, McKean, McNutt, Mechem, Miles, Murray, Parker, Peck, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Trusdell, Wheeler, Williams, and Wilson of Tama—53.

The nays were Messrs. Bailey, Bauder, Browne of Lee, Brown of Van Buren, Donovan, Ellis, Garrett, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hawthorn, Hunter, Johnson of Marshall, Lambert, Leach, Longueville, Miller, Morrison, Newberry, Orr, Ordway, Perry, Phillips, Rector, Rippey, Smith of Harrison, Stuart, Tritz, Tucker, Walling, Werner, Wilson of Davis, Wright, and Mr. Speaker—36.

Absent and not voting, Messrs. Adams, Bent, Bolton, Criss, Irish, Johnson of Cherokee, Lockwood, McCoun, Wilcox, and Wilson of Dubuque—10.

So the bill passed, and the title was agreed to.

The hour having arrived for the consideration of special order, Mr. Wheeler moved that the special order, House File No. 93, A bill for an act to require owners of dams to attach thereto aprons or chutes, be taken up and considered.

The motion prevailed, and the bill was taken up and read.

Mr. Stuart moved that the consideration of the bill be postponed till the 7th of March, at 10 o'clock A. M., and that it be made the special order for that day.

The motion prevailed.

Mr. Kasson introduced House File No. 225, A bill for an act to legalize the notarial acts of Charles J. McKay.

Read first and second time, and referred to the Special Committee on Notaries Public.

Mr. Bowen introduced House File No. 226, A bill for an act to regulate the assessment of personal property in certain cases.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Knapp introduced House File No. 227, A bill for an act to change the times of holding courts in Hardin county in the Eleventh Judicial District.

Read first and second time, and referred to the Committee on Judicial Districts.

Mr. Traer introduced House File No. 228, A bill for an act relating to railroad companies incorporated in other States, owning and operating railroads in this State.

Read first and second time, and referred to the Committee on Judiciary, and ordered to be printed.

Leave was granted Mr. Phillips to offer the following resolution, which, on motion of Mr. Burnett, was referred to the Committee on Federal Relations:

WHEREAS, Resumption of specie payments by the Federal and State governments, and all banking institutions, seems not only desirable, but absolutely necessary to our national well-being; and

WHEREAS, The power to resume necessarily embraces the power to accumulate and hold, or command at pleasure, the required amount of specie; and

WHEREAS, The continued importation of foreign commodities is sweeping from our beloved country, its life blood of precious metals, thereby blasting all hope or expectation of ever reaching a time when general resumption can be safely and surely entered on; therefore

*Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested to use their best efforts to so regulate impost duties that the stream of treasure now flowing from our mining regions to foreign countries be checked, or so diminished, that ultimate resumption may ensue.*

*Resolved, It shall be the duty of the Secretary of State to furnish each of our Members and Senators in Congress with a certified copy hereof.*

Mr. Tritz introduced House File No. 229, A bill for an act authorizing the Dubuque and Sabula Railroad Company to



construct a railroad from Dubuque to Sabula *via* the mouth of Tete des Morts and Bellevue, and the granting of certain lands to aid in the construction of said road.

Read first and second time, and referred to the Committee on Railroads, and ordered printed.

Mr. Cotton introduced House File No. 230, A bill for an act relating to the qualification of notaries public.

Read first and second time, and on motion of Mr. Cotton the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—83.

The nays were, Messrs. Gaylord, McKean, Stuart.—3.

Absent and not voting, Messrs. Adams, Bent, Bolton, Dashiell, Donavan, Hartsock, Kasson, Leffingwell, McCoun, McNutt, Orr, Rippey, and Tillson.—13.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Brown of Van Buren, to submit a report from the Committee on Blind Asylum.

On motion of Mr. Wilson of Tama, the report was ordered printed.

Mr. McKean moved the regular order of business be suspended, and House File No. 173, A bill for an act to develop the law and normal departments of the University; appropriating money therefor, and providing for the levy of taxes for University purposes, be taken up.

The motion prevailed.

The amendment recommended by the committee was considered.

Leave of absence was granted Mr. Bauder until Wednesday next.

Leave of absence was granted Mr. Burnett until Thursday next.

Mr. Irish moved that the bill under consideration, be made the special order for 10 o'clock to-morrow morning.

The motion prevailed.

Mr. Ramsay moved that the House do now adjourn.

Mr. Dudley moved to amend by inserting 9 o'clock to-morrow morning.

The motion to amend did not prevail.

The motion to adjourn prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 29, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Hobbs.

Journal of yesterday read and approved.

Communications on the Speaker's table, were taken up.

Resolution of Iowa State Christian Convention in favor of a law prohibiting the sale of wine, ale, and cider in addition to the present prohibitory liquor law was referred to the Committee on the Suppression of Intemperance.

Resolutions of the Iowa State Christian Convention in favor of the establishment of a State Reform School was referred to the Committee on State Reform School.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, House File No. 173, A bill for an act to develop the normal and law department of the State University, appropriating money therefor, and providing for the levy of a tax for university purposes, was taken up.

Mr. Allen moved to reconsider the vote by which House File No. 176, A bill for an act to protect fish was passed.

Mr. Kasson moved to lay the motion to reconsider on the table.

The motion did not prevail.

The motion to reconsider prevailed.

On motion of Mr. Irish the House proceeded to the consideration of the special order.

Leave was granted Mr. Cotton from the Committee on Judiciary to submit the following report:

The Judiciary Committee to whom was referred the petition of the board of supervisors of Lee county in relation to taxing railroads, recommend that it be referred to the Committee on Ways and Means.

COTTON, Chairman.

The Judiciary Committee, not having had any evidence to sustain the recitals in the preamble to House File No. 194, A bill for

an act to legalize the acts of William Van Asch and Koenraad De Yong of Marion county, attorneys of Johanna J. Zeelt, have directed that the same be reported without recommendation.

COTTON, Chairman.

The Judiciary Committee, having considered House File 146, A bill for an act to provide for the more correct and convenient indexing of conveyances of real estate, recommend that it be indefinitely postponed.

COTTON, Chairman.

The Judiciary Committee, having been instructed to inquire into the expediency of requiring the registration of marriages, births and deaths, have directed me to report a bill entitled, A bill for an act to provide for and enforce the registration of marriages, births and deaths, and to recommend its passage.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File 114, A bill for an act to provide for the guardianship of the property and minor children of inebriates, and have instructed me to report a substitute, which is herewith submitted, and its passage recommended.

COTTON, Chairman.

The Judiciary Committee have considered Senate File No. 58, A bill for an act in relation to the powers of a successor in office of a justice of the peace, and to repeal section 3977 of Revision of 1860, and recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee recommend the passage of House File 201, A bill for an act making further provision for the disposition of the dockets and papers of justices of the peace in certain cases.

COTTON, Chairman.

The Judiciary Committee, having had under consideration House File No. 10, A bill for an act concerning the limitation of actions, have directed me to report the accompanying substitute, and to recommend its passage.

COTTON, Chairman.

The Judiciary Committee have come to a favorable conclusion on House File 197, A bill for an act to amend section 4538 of the Revision of 1860, and its passage is recommended.

COTTON, Chairman.

The Judiciary Committee have directed me to report a substitute for House File No. 157, A bill for an act to amend so much of the revenue laws as requires each tax levied to be carried out in separate columns, on the tax books, and for the repeal of that part of the school laws, which authorize the levy of sub-district taxes, with the recommendation that the substitute be passed.

COTTON, Chairman.

The Judiciary Committee having considered House File No.

2051, A bill for an act for the protection of railroad passengers, recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File No. 211, A bill for an act to amend the revenue law in relation to the publication of the delinquent tax lists, and recommend its passage.

COTTON, Chairman.

The Judiciary Committee have considered House File No. 204, A bill for an act to legalize the acts of the council of the city of Clinton, in relation to the levy and collection of a special tax for engine-house and hose purposes, and recommend that it do pass.

AYLETT R. COTTON, Chairman.

The motion to amend, recommended by the committee, to strike out "fifteen thousand" in the second line of the second section, and insert "twenty-five thousand" in lieu thereof, prevailed.

Mr. Wilson of Davis moved to amend by striking out the third section of the bill.

Leave was granted Mr. Trusdell to submit a report from the Committee on State University, relating to House File No. 173, A bill for an act to develop the normal and law departments of the State University.

Mr. Kilburn moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

MESSAGE FROM THE SENATE.

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 :

Substitute for Senate File No. 83, A bill for an act to recover damages for crops destroyed during the night.

Senate File No. 92, A bill for an act to legalize the establishment of county roads.

J. A. T. HULL, Assistant Secretary.

The House resumed consideration of House File No. 173, A bill for an act to develop the normal and law departments of the State University.

Mr. Atwood moved that further consideration of the bill be postponed until the 6th of March, at two o'clock P. M.

The motion to postpone did not prevail.

The amendment offered by Mr. Wilson of Davis, prevailed.

Mr. Wheeler moved to amend, by striking out all after the ending clause in first section.

Mr. Traer moved the previous question, which was not seconded.

Upon the question to amend, Mr. Irish demanded the yeas and nays, which were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Bowen, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Cramer, Criss, Donavan, Dudley, Ellis, Garrett, Gaylord, Glasgow, Hamilton, Hart, Hayden, Lambert, McCoun, McNutt, Mechem, Morrison, Newberry, Parker, Phillips, Ramsay, Stanley, Tritz, Tucker, Wheeler, Wilson of Davis, Wilson of Tama, and Mr. Speaker—37.

The nays were, Messrs. Ballinger, Blackwell, Brown of Fayette, Browne of Lee, Chase, Cotton, Craig, Dashiell, Davis, Fulton, Goodspeed, Grantham, Guthrie, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McKean, Miles, Miller, Murray, Orr, Peck, Perry, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Walling, Werner, Williams, Wilson of Dubuque, and Wright—53.

Absent and not voting, Messrs. Adams, Bauder, Bent, Bolton, Burnett, Longueville, Ordway, Trusdell, and Wilcox—9.

So the amendment was lost.

Mr. Brown of Van Buren offered a substitute to the bill, and moved its adoption.

Upon which, Mr. Murray moved the previous question, which was not seconded.

Upon the adoption of the substitute of Mr. Brown of Van Buren, the yeas and nays were demanded, and were as follows :

The yeas were Messrs. Bailey, Blackwell, Bowen, Browne of Lee, Brown of Van Buren, Caldwell, Chase, Cotton, Cramer, Dashiell, Davis, Dudley, Ellis, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, McNutt, Mechem, Miles, Morrison, Peck, Perry, Phillips, Rohlf, Sanborn, Smith of Dickinson, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, and Mr. Speaker—50.

The nays were Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Brown of Fayette, Brown of Howard, Burrows, Craig, Criss, Fulton, Garrett, Gaylord, Guthrie, Hamilton, Hunter, Johnson of Cherokee, Kilburn, Lambert, McCoun, McKean, Miller, Murray, Newberry, Orr, Parker, Ramsay, Rees, Rippey, Rowell, Smith of Harrison, Sheldon, Stuart, Tucker, Walling, Wilcox, Wilson of Tama, and Wright—38.

Absent and not voting, Messrs. Adams, Bauder, Bent, Burnett, Bolton, Donavan, Lockwood, Longueville, Ordway, Rector, and Trusdell—11.

So the substitute was adopted.

Mr. Wilcox moved to amend by adding as follows:

*Resolved*, That the money herein appropriated shall only be drawn from the State Treasurer in such sums as may be necessary to meet the actual expenditure from time to time, and upon vouchers on file with the Auditor of State.

The amendment was adopted.

Mr. Wilson of Davis, moved that the rule be suspended and the bill considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Blackwell, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Dudley, Ellis, Fulton, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, McKean, McNutt, Mechem, Miles, Miller, Murray, Orr, Parker, Peck, Perry, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Walling, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were Messrs. Garrett, Gaylord, Glasgow, Lambert, McCoun, Morrison, Newberry, Phillips, Ramsay, Rector, Stanley, Wheeler—12.

Absent and not voting Messrs. Adams, Bauder, Bent, Bolton, Burnett, Donovan, Leffingwell, Lockwood, Longueville, Ordway, Trusdell, and Werner.

So the bill passed, and the title was agreed to.

Leave of absence was granted Mr. Irish for one day.

Leave was granted Mr. Rees to present a petition from citizens residing along the line of the Iowa Falls and Sioux City Railroad, praying for the resumption of the Dubuque and Sioux City land grant, and the re-grant of said land to the Iowa Falls and Sioux City Railroad Company, which was referred to the Committee on Railroads.

Mr. Cotton was granted leave of absence for next week.

Mr. Mechem moved that the House do now adjourn, which motion did not prevail.

Leave was granted Mr. Hawthorn to present a petition from sixty citizens of Marshall county, asking amendment to the game law, which was referred to the Committee on Game Law.

On motion of Mr. Hatch, communication on Speaker's table was taken up.

On motion of Mr. Stone, the opinion of the Attorney-General was ordered to be printed.

Communication from the Governor was taken up, and on motion of Mr. Kilburn, the communication was laid on the table, and ordered printed.

Mr. Murray moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 2, 1868.

House convened pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. Mr. Ingalls.

Journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

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 resolution, in which the concurrence of the House is asked:

Concurrent resolution asking for additional mail facilities in Monona and Crawford counties.

Also that the Senate has ordered printed the report of the committee to visit the State University.

Also to return herewith House File No. 220, A bill for an act fixing the time of holding District Courts in Pottawattamie county in the Third Judicial District, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

Leave was granted Mr. Lambert to take up a communication from the Governor, which was referred to the Committee on Commerce.

Leave was granted Mr. Wilcox to offer the following resolution, which was adopted:

*Resolved*, That in order to give time for committees to hold their meetings, this House will hold but one session per day on Monday, Wednesday, and Friday of this week.

Leave was granted Mr. Brown of Van Buren to take up the following resolution which was adopted:

*Resolved by the Senate, the House of Representatives concurring*, That General Geddes, Superintendent of the Blind Asylum, be requested to visit the General Assembly during its present session



with as many of the teachers and pupils of the school as he shall see fit to bring with him.

## PETITIONS.

Mr. Gaylord presented a petition in relation to a certain act of Congress, approved July 1, 1862, establishing a Pacific Railroad and branches, and amendments thereto, which was referred to the Committee on Railroads.

Mr. Gaylord also presented a petition from four hundred ladies of the State of Iowa, over eighteen years of age, residing in St. Charles township and county of Floyd, praying—

1. For the absolute prohibition and suppression of the manufacture and sale of all alcoholic beverages.
2. The entire suppression of all drinking-houses, and making of them in law what they are in fact—public nuisances.
3. Adequate provision for preventing violations and evasions of the law under the pretense of selling for medicinal and mechanical purposes.

Which was referred to the Committee on the Suppression of Intemperance.

Mr. Rees presented a petition of fifty-six citizens of Webster county, asking for resumption of Dubuque and Sioux City railroad lands, and re-grant of the same to Iowa Falls and Sioux City Railroad Company, which was referred to the Committee on Railroads.

The Chair announced that the hour had arrived for the consideration of special order, A resolution that the Committee on Township and County Organization be and are hereby instructed to report a bill creating a County Commissioner's Court, to be composed of three county commissioners, and abolishing the present system of supervisors.

On motion of Mr. Kilburn, the House resolved itself into the committee of the whole, for consideration of the special order.

Mr. Kilburn, from the Committee of the Whole House, reported that the committee ask leave to sit again at two o'clock P. M.

The report of the committee was concurred in.

Leave was granted Mr. Brown of Howard, to introduce House File No. 232, A bill for an act making a grant of land to the McGregor and Sioux City Railroad Company, and to execute the trust conferred by Congress, entitled "An act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12th, 1864, which was read a first and second time, and referred to the Committee on Railroads.

Leave was granted Mr. Craig to introduce House File No. 233, A bill for an act in relation to mill-dams, and injuries resulting therefrom, which was read a first and second time, and referred to the Committee on Des Moines River Improvements.

Mr. McCoun moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 8, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. Lounsbury.

Journal of yesterday read and approved.

Leave was granted Mr. McNutt to introduce House File No. 234, A bill for an act regarding the assessment of farming lands within the limits of incorporated towns and cities, which was read a first and second time, and referred to the Committee on Incorporations.

Also, leave to present a petition for a law forbidding a higher rate of taxation on farming lands, within city limits, than on other farming lands, which was referred to the Committee on Incorporations.

Also to introduce House File No. 235, A bill for an act authorizing county boards of supervisors to devote the swamp lands belonging to their county to certain purposes, which was read a first and second time, and referred to the Committee on County and Township Organization.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

Senate File No. 6, A bill for an act to legalize the organization of the independent school district of Epworth, county of Dubuque Iowa.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Hawthorn to introduce House File No. 236, A bill for an act creating the office of county attorney, and to define his duties, and provide his compensation.

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

Mr. Grantham moved that the regular order of business be suspended, which motion prevailed.

Mr. Wilson of Dubuque introduced House File No. 237, A bill for an act requiring the reporter of the Supreme Court to attend the argument term of the Supreme Court, at Dubuque.

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

PETITIONS.

Mr. Gaylord presented a petition from Nicholas Flenor and others, praying for the relief of David C. Wagner, which was referred to the Committee on Military Affairs.

Mr. Bent presented a petition from the citizens of Fayette county, asking for the passage of a law modifying the present system of county government, so as to reduce the number of supervisors, which was ordered to be considered with the special order for two o'clock, P. M.

Mr. Hart presented a memorial from the Trustees of White's Manual Labor School, which was referred to the Committee on Reform School.

On motion of Mr. Kasson the special committee on White's Manual Labor Institute, was discharged from further duty.

Mr. Rees presented a petition from sixty-three citizens of Webster county, asking for the resumption of the Dubuque and Sioux City Railroad lands, and a re-grant of the same to the Iowa Falls and Sioux City Railroad Company, which was referred to the Committee on Railroads.

Mr. Rowell presented a petition from sixty citizens of Adams county, remonstrating against any action of the General Assembly tending to thwart the building of the B. & M. R. R. R., which was referred to the Committee on Railroads.

Also a remonstrance from citizens of Union county on the same subject, which was referred to the same committee.

Mr. Knapp presented petitions from the citizens of Hardin county, praying for the extension of time for building the Dubuque and Sioux City Railroad which were referred to the Committee on Railroads.

Mr. Burrows presented a petition from citizens of Clarke county remonstrating against the resumption of lands heretofore granted to the Burlington and Missouri River Railroad Company, which was referred to the Committee on Railroads.

Mr Caldwell presented a petition from two hundred and fifty citizens of Wapello county, asking for the passage of an act providing for the construction of chutes in dams, on the Des Moines river, allowing free passage of fish, which was referred to the Committee on Des Moines River Improvement.

Leave was granted Mr. Craig to offer a resolution in relation to claim of John F. St. John, which was referred to Committee on Military Affairs.

Mr. Allen presented a remonstrance from the citizens of Des Moines county, remonstrating against any appropriation for the building of a new State House, which was referred to the Committee on Public Building.

Mr. Werner presented a petition from legal voters of Lee county, asking for the repeal of the prohibitory liquor law and the enactment of a judicious license law instead, which was referred to the Committee on the Suppression of Intemperance.

#### MESSAGE FROM THE SENATE.

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. 45, A bill for an act to amend section 1102 of the Revision of 1860, in relation to cities and towns.

Senate File No. 57, A bill for an act relating to settlement with county treasurers.

Senate File No. 74, A bill for an act to amend section 2721 of chapter 115 of the Revision of 1860, in relation to jurors.

Substitute for Senate File No. 89, A bill for an act to provide for the election of a president of the board of trustees of the Iowa Agricultural College and Farm.

J. A. T. HULL, Assistant Secretary.

Mr. Hunter presented a memorial asking for mail facilities in Hamilton, Wright and Hancock counties, which was referred to the Committee on Federal Relations.

Mr. Knapp presented a memorial of citizens of the Des Moines valley, praying for the settlement of Des Moines River Land Grant, which was referred to the Committee on Public Lands.

Mr. Orr presented a petition of citizens of the Des Moines valley, asking a resumption of the Des Moines Valley Railroad lands by the State, which was referred to the Committee on Railroads.

Also, a memorial of the board of supervisors of Boone county, asking a settlement of the titles of the Des Moines River Lands, and for other relief, which was referred to the Committee on Judiciary.

Mr. Tritz presented a petition from citizens of Jackson and Clinton counties, praying for the transfer of the 40,000 acre land grant to build the Lyons and Clinton Railroad, to be applied to the road running from Maquoketa to De Witt, which was referred to the Committee on Railroads.

Mr. Brown of Howard, presented a petition from Wm. Lowry and others, asking for pay for work done on the capitol building, which was referred to the Committee on Claims.

Mr. Brown of Fayette, presented a memorial from board of supervisors of Fayette county, in relation to railroad matters, which was referred to the Committee on Railroads.

Mr. Leffingwell presented a petition from the citizens of Clinton county, asking for the appointment of township collectors, which was referred to the Committee on County and Township Organization.

Mr. Atkins presented a petition from citizens of Winneshiek county, in relation to the White Manual Labor Institute, which was referred to the Committee on State Reform School.

Mr. Brown of Howard, presented a petition from Alvah Yarrington, which was referred to the Committee on Ways and Means.

Mr. Allen presented a remonstrance from citizens of Des Moines

county, remonstrating against any appropriation for building a new State House, which was referred to the Committee on Public Buildings.

REPORTS OF COMMITTEES.

Mr. Dudley from the Committee on Claims, submitted the following report:

The Committee on Claims, to whom was referred the claim of J. H. Shields, have had the same under consideration and instructed me to return the same, and recommend that it be indefinitely postponed.

C. DUDLEY, Chairman.

Mr. Grantham from the Committee on County and Township Organization, submitted the following report:

The Committee on Township and County Organization have had before them a communication of a very ponderous character, bearing the signature of Elihu Mallekan of New Jefferson, Iowa.

The contents of the aforesaid document may be stated in substance thusly:

1st. For a law to prohibit the payment of all just debts, especially everything in the shape of taxes.

2d. For a law to refund all taxes heretofore paid.

3d. To abolish the American and Merchants Express Companies.

4th. To restore the Democratic party to power in Iowa.

5th. To put down puritanical customs.

6th. To squelch abolitioners.

7th. To snuff out the Black Republican party.

Your committee recognize the right of petition in its broadest sense, and are pleased rather than offended at the boldness of *Sister Mallekan*. She is a genuine disciple of Miss Anna, and is most certainly sound on the goose and otherwise. But her views being so far in advance of other benighted mortals, it is feared she will be in a state of *ompleasantness* so long as she lives under Iowa laws, which are not likely to be changed for her benefit.

They would therefore recommend that *Sister Mallekan* have a free pass, and that she *scoot* without delay to the dominions of Brigham Young, who will no doubt relieve her from her troubles, and administer to her *wants generally*.

JOHN P. GRANTHAM, Chairman.

Mr. Wilcox from the Committee on Ways and Means submit the following report:

The Committee on Ways and Means to whom was referred the petition of William Allen and others, asking the Legislature "to so amend the revenue law as to make it the duty of each county collector to bring forward the delinquent tax, to the tax books of each current year on all property, and to make a tax receipt for any year good against all taxes of former years," have instructed

me to report that they find in section 750, Revision of 1860, the prayer of the petitioners fully provided for, except the last clause of the petition, which they recommend be not granted.

P. C. WILCOX, Chairman.

The Committee on Ways and Means to whom was referred House File No. 154, have instructed me to report the same back to this House with the recommendation that it do not pass, as in their opinion the passage of such a law would seriously interfere with the collection of the revenue.

P. C. WILCOX, Chairman.

The Committee on Ways and Means, to whom was referred a resolution of the House "that the Committee on Ways and Means are hereby instructed to inquire into the expediency of changing the statute law so that the State tax may bear as equally upon the various counties of the State as may be, and report by bill or otherwise," have instructed me to report that in their opinion no further legislation on the subject would be practical.

WILCOX, Chairman.

Mr. Murray from the Committee on Judicial Districts submitted the following report:

The Committee on Judicial Districts, to whom was referred House File No. 227, A bill for an act to change the time of holding courts in the Eleventh Judicial District have had the same under consideration, and have instructed me to report it back to the House with recommendation that it do pass.

B. F. MURRAY, Chairman.

Mr. Knapp from the Committee on Public Lands submitted the following report:

The Committee on Public Lands, to whom was referred House File No. 21, A bill for an act authorizing the resuming of lands in certain cases, and prescribing rules, duties and powers of county surveyors, have had the same under consideration, and have instructed me to report the same back, with the accompanying substitute, and recommend that the substitute do pass.

Also, joint resolution and memorial in relation to public lands. Recommend that it be indefinitely postponed.

Also, House File No. 192, A bill for an act to amend section 4155, of the Revision of 1860, as amended by section 1, chapter 109, of the acts of the Eleventh General Assembly, regulating the fees of county surveyors, recommend that it do not pass.

Also, memorial from the board of supervisors of Webster County, asking this General Assembly to authorize by law the sale of the Des Moines River school-lands and other purposes. The committee recommend that this memorial be returned to the House, and ask that it be considered, together with a bill authorizing the same, now before this House, having been returned by our committee, and recommend that it do pass.

THOMAS B. KNAPP, Chairman.



Mr. Parker, from the Committee on Schools, submitted the following report :

Your Committee on Schools, to whom was referred House File No. 210, providing for changing the time for the election of school district officers, &c., from March to April, recommend that it be not passed.

PARKER, Chairman.

Your Committee on Schools, to whom was referred a resolution disapproving of the practice in some parts of this State, of paying to male teachers in our public schools higher prices than are allowed female teachers for the same amount of labor, would report that, however desirable a change in this respect may be, they know of no direct legislation which can correct the evil. The ladies are too sagacious, and their friends too gallant to allow any relic of barbarism detrimental to their interests to survive very long. They will manage this question more wisely and more successfully than your committee, or, as we believe, even yourselves.

PARKER, Chairman.

Your Committee on Schools, to whom was referred House File No. 208, for the legalization of the election and acts of the officers of the independent district of Montezuma, recommend its passage.

PARKER, Chairman.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report :

The Committee on Agriculture, to whom was referred Senate File No. 82, A bill for an act for the encouragement of agriculture, and to provide for the distribution of the Reports of the State Agricultural Society, have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

Your committee, to whom was referred House File No. 118, A bill for an act to amend section 1544, of the Revision of 1860, which act contemplates the reduction of a lawful fence, from four feet six inches, to four feet ; have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

Mr. Bowen, from the Committee on Incorporations, submitted the following report :

Your Committee on Incorporations, to whom was referred House File No. 159, A bill for an act entitled an act for the incorporation of cities and towns, passed 23d of March, 1858, chapter 51, Revision of 1860, have had the same under consideration, and have instructed me to report it back with the following substitute, and that the substitute do pass.

B. G. BOWEN, Chairman.



Your Committee on Incorporations to whom was referred House File No. 150, An act to authorize all cities and towns, including those acting under special charters, to impose a tax upon venders of native wines and malt liquors, have instructed me to refer it back with the recommendation that it do not pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations to whom was referred House File No. 179, A bill for an act conferring certain powers upon municipal corporations acting under special charters, have instructed me to report it back with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Mr. Williams, from the Committee on Railroads, submitted the following report:

Your committee to whom was referred a resolution instructing the Judiciary Committee to inquire into the expediency of the enactment of a law prohibiting the consolidation of parallel lines of railroad in this State, which resolution was referred to the Judiciary Committee, and which said committee reported back to the House and asked a reference to the Committee on Railroads, have had the same under consideration, and have instructed me to report the same back to the House with the statement that they consider no legislation necessary at the present time.

WILLIAMS, Chairman.

Mr. Wheeler, from the special committee on Des Moines River Improvements, submitted the following report:

The committee to whom was referred the memorial and bill for the appointment of commissioners to assess damages in consequence of damages done to farms and crops by the overflow and gorge of ice in the Des Moines river, have had the same under consideration, and have directed me to report that it do pass, with the addition of the tenth section herewith reported.

WHEELER, for Committee.

Mr. Kasson, from the Committee on Federal Relations, submitted the following report:

The Committee on Federal Relations, considering the joint resolution referred to them, respecting the removal of the Capital of the United States, respectfully report:

That they do not find sufficient evidence showing any intention in Congress to move the location of the U. S. Capital, but on the contrary, that they are annually expending very large sums in completing and extending the public buildings at Washington. That without expressing any opinion against the propriety of a future removal of the Capital to the valley of the Mississippi, they are unwilling, by premature action, to commit this State to a proposition which, if the capital should be moved, without any certainty of securing it for Iowa, would involve a large increase of

the national debt. They therefore recommend that said resolution be indefinitely postponed.

JOHN A. KASSON, Chairman.

The Committee on Federal Relations, considering the memorial referred to them, respecting the present rate of tariff on the importation of wines, believing that the proposed legislation would not accomplish the object sought, report the same back to the House, with the recommendation that it do not pass.

JOHN A. KASSON, Chairman.

The Committee on Federal Relations, to whom was referred various resolutions touching the recent wrongs to, and the protection of American citizens in foreign countries, report back the accompanying joint resolution as a substitute for all referred to them on that subject, and unanimously recommend that the same do pass.

JOHN A. KASSON, Chairman.

*Be it Resolved by the General Assembly of the State of Iowa,* That the recent insults and injuries to American citizens, both native and naturalized, while travelling through, or temporarily sojourning in, foreign countries, demand the earnest attention and most emphatic interposition of the government of the United States:

2. That the European doctrine, which renders perpetual the allegiance of the person to the government within whose jurisdiction he was born, can, under no circumstances, be allowed by the governments of the New World, which so largely owe their prosperity to the influences of emigration; and they owe it to themselves and to their people to make common cause in resisting all enforcement of this doctrine upon their citizens:

3. That the principle and practice of voluntary expatriation are essential to American prosperity, and to the general happiness of the human family; and are so vital to the interests of the United States as to admit of no compromise of them with any foreign power whatever:

4. That in extending its protection to our citizens abroad, the government of the United States can not discriminate between the native-born and the foreign-born who have been in good faith naturalized in this country, the latter being fully entitled to protection in return for their faithful allegiance:

5. That the recent attempts in Great Britain to hold American citizens in confinement, and to put them on their trial, for words spoken or acts done without her jurisdiction, is a gross outrage upon our national rights, and must be resisted as an insult to our national independence and power:

6. And, finally, that if all peaceful means fail to secure the recognition from foreign governments of the right of our citizens to protection against the reclamation of their allegiance by the governments of their birth, after the same has been in good faith

and lawfully transferred to the government of this union, it will be the duty of the United States to maintain their rights by an appeal to the final arbitrament of war.

The Secretary of State shall transmit a copy of this joint resolution to our Senators and Representatives in Congress.

On motion of Mr. Kasson, the resolution was unanimously adopted.

Leave was granted Mr. Browne of Lee, to take up Senate File No. 70, A bill for an act to authorize the sale of real estate in certain cases, for less than the full amount of taxes, interest and costs due thereon.

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

The hour having arrived for the consideration of special order, House File No. 152, A bill for an act to provide for the erection of a State House, on motion of Mr. Murray the special order was taken up and considered.

Mr. Dudley offered a substitute to the bill, and moved its adoption.

Mr. Ballinger moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

House resumed consideration of the special order, and substitute therefor.

Mr. Ordway moved to amend the substitute by providing that that the whole cost of the State House shall not exceed \$1,000,000, and directing the Census Board to procure plans, designs and estimates, and report the same to Thirteenth General Assembly; and also, to appropriate \$5,000 for the purpose of obtaining plans and estimates.

Mr. Trusdell moved that the House do now adjourn, which motion did not prevail.

Upon the adoption of the amendment to the amendment, the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Brown of Van Buren, Donovan, Dudley, Ellis, Garrett, Gaylord, Goodspeed, Grantham, Guthrie, Hart, Johnson of Marshall, Leffingwell, Miller, Morrison, Orr, Ordway, Parker, Ramsay, Rippey, Sanborn, Stanley, Tritz, Wheeler, Wilcox, Wilson of Davis, and Wilson of Tama  
—29.

The nays were Messrs. Babbitt, Bailey, Ballinger, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne

of Lee, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Dashiell, Davis, Fulton, Glasgow, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Murray, Newberry, Peck, Perry, Phillips, Rector, Rees, Röhlf, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Werner, Williams, Wilson of Dubuque, and Wright—65.

Absent and not voting, Messrs. Adams, Bander, Cotton, Criss, and Mr. Speaker—5.

So the amendment was lost.

Upon the adoption of the amendment offered by Mr. Dudley, the yeas and nays were demanded, which were as follows :

The yeas were Messrs. Allen, Atkins, Atwood, Brown of Van Buren, Donovan, Dudley, Ellis, Garrett, Gaylord, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hawthorn, Johnson of Marshall, Leffingwell, Miller, Morrison, Newberry, Orr, Ordway, Parker, Ramsay, Sanborn, Stanley, Tenney, Tillson, Traer, Wheeler, Wilcox, Wilson of Davis, and Wilson of Tamá—33.

The nays were Messrs. Babbitt, Bailey, Ballinger, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Dashiell, Davis, Fulton, Glasgow, Hamilton, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Miles, Murray, Peck, Perry, Phillips, Rector, Rees, Rippey, Röhlf, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tritz, Trusdell, Tucker, Walling, Werner, Williams, Wilson of Dubuque, and Wright—60.

Absent and not excused, Messrs. Adams, Bander, Cotton, Criss, Mechem, and Mr. Speaker—6.

So the amendment was lost.

Mr. Wilson of Dubuque moved that the bill (House File No. 152) be made a special order for 10 o'clock to-morrow morning.

The motion prevailed.

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

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 4, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 82, A bill for an act in relation to independent school districts.

JAMES M. WEART, Secretary.

## PETITIONS AND REMONSTRANCES.

Mr. Orr presented a petition from fifty-four citizens of Boone county, asking that Jacob Reichard be allowed additional pay for building the agricultural college, etc., which was referred to the Committee on Claims.

Mr. Rees presented a petition from Oliver Nichols and other citizens of Webster county, praying for the resumption of the Dubuque and Sioux City Railroad lands, and re-grant of said lands to the Iowa Falls and Sioux City Railroad Company, which was referred to the Committee on Railroads.

Mr. Werner presented a petition from citizens of Pleasant Ridge Township, Lee county, asking for the establishment and extension of a state road in said township, which was referred to the Committee on Roads and Highways, with instructions to report a bill.

Mr. Rohlts presented a petition from eighty-eight citizens of Marengo, Iowa county, praying for the repeal of the prohibitory liquor law, and the enactment of a license law, which was referred to the Committee on the Suppression of Intemperance.

Leave was granted Mr. Browne of Lee, to offer the following resolution which was adopted:

*Resolved, by the House of Representatives, the Senate concurring,* That the committee already appointed to visit the State Penitentiary be instructed to inquire into the expediency and necessity of at once accepting the generous offer of H. W. Sample to donate to the State, for the purposes of a reform school, or house of refuge, the tract of land and improvements thereon, in Lee county, Iowa, known as Solferino, or the Floyd farm; and to report thereon to the General Assembly; and also the necessity of an appropriation to secure said donation.

Mr. Criss presented a petition which was referred to the Committee on Railroads.

Mr. Orr presented two petitions of two hundred citizens of Boone county, asking legislation to perfect the titles of settlers on the Des Moines River Lands, which was referred to the Committee on Judiciary.

Mr. Wilson of Tama presented a petition, which was referred to the Committee on Elections.

Mr. Trusdell presented a petition which was referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a petition, which was referred to the Committee on the Suppression of Intemperance.

Mr. Leffingwell presented a petition of two hundred citizens of Clinton county, praying for the repeal of the present prohibitory liquor law, and the enactment of a license law, which was referred to the Committee on the Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Mr. Trusdell from the Visiting Committee on Deaf and Dumb Asylum, submitted a report which was read and passed on file.

Mr. Dudley from the Committee on Claims, submitted the following report :

The Committee on Claims to whom was referred the claim of Dominique Dombum, for rock furnished the Insane Asylum, have had the same under consideration, and instructed me to return the same to the House with the recommendation that it be not allowed.

C. DUDLEY, Chairman.

Mr. Garrett from the Committee on Compensation of Public Officers submitted the following report :

The Committee on Compensation of Public Officers, to whom was referred the petition of L. S. Veil, and memorial of the board of supervisors, of Scott county, praying for increased compensation to county treasurers, have had the same under consideration, and have instructed me to report that in the opinion of the committee, the change asked for would, at this time be inexpedient, and the committee therefore recommend that the prayer of the petitioners be not granted.

GARRETT Chairman.

#### INTRODUCTION OF BILLS.

Mr. Hamilton introduced House File No. 238, A bill for an act making a grant of land to the Forty-Third Parallel Railroad Company, and to execute the trust conferred by an act of Congress, entitled an act for a grant of land to the State of Iowa, on alternate sections, to aid in the construction for a railroad in said State

Read first and second time, and referred to the Committee on Railroads, and ordered printed.

Mr. Bailey introduced House File No. 239, A bill for an act legalizing certain official acts of William Tiede, a notary public of Clayton county.

Read first and second time, and referred to the Committee on Notaries Public.

Also, House File No. 240, A bill for an act to legalize the defective acknowledgements of certain instruments recorded in the Recorder's Office of the county of Clayton.

Read first and second time, and referred to the Committee on Judiciary.

Also, House File No. 241, A bill for an act to legalize certain official acts of Jonathan Oglesbee, Recorder of Clayton county.

Read first and second time, and referred to the Committee on the Judiciary.

Mr. Ramsay introduced House File No. 242, A bill for act to prevent the importation of Texas or Southern cattle into the State of Iowa.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Atwood introduced House File No. 243, A bill for an act for restraining domestic animals from running at large in certain cases.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Rippey introduced House File No. 244, A bill for an act in relation to insurance companies, organized under the laws of Iowa.

Read first and second time, and referred to the Committee on Insurance.

Mr. Lockwood introduced House File No. 245, A bill for act to amend section 246 of the Revision of 1860.

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

Mr. Traer introduced House File No. 246, A bill for an act to fill vacancies in the board of trustees, furnish the building, and provide for the support of the Institution for the Education of the Blind.

Read first and second time, and referred to the Committee on the Blind Asylum.

Mr. Gaylord introduced House File No. 247, A bill for an act to protect crops against the invasion of stock.

Read first and second time, and referred to the Committee on Agriculture and ordered to be printed.

Mr. Hayden introduced House File No. 248, A bill for an act to vacate a grave yard in Jefferson county, Iowa.

Read first and second time, and referred to the Committee on Incorporations.

Mr. Davis introduced House File No. 249, A bill for an act to enable municipal corporations to levy certain taxes.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. Trusdell introduced House File No. 250, A bill for an act to regulate insurance companies.



Read first and second time, and referred to the Committee on Insurance.

Mr. Tucker introduced House File No. 251, A bill for an act for the election of and designating the duties of bridge commissioners.

Read first and second time, and referred to the Committee on County and Township Organization.

Leave was granted Mr. Burnett to present a memorial from the members of the city council of the city of Muscatine, Iowa, which was referred to the Committee on Incorporations.

#### SPECIAL ORDER.

The hour having arrived for the consideration of the special order, House File No. 152, A bill for an act to provide for the erection of a State House, on motion of Mr. Wilson of Dubuque, the bill was taken up and considered.

Mr. Phillips moved to amend, by striking out the words "and one-half," in the eighth line of section 2, making the amount \$1,000,000.

Mr. Wilson of Dubuque, moved to amend the amendment, by striking out \$1,000,000 and inserting \$600,000.

Upon the adoption of the amendment to the amendment, the yeas and nays were demanded, which were as follows:

The yeas were, Messrs. Atkins, Brown of Howard, Donavan, Garrett, Goodspeed, Grantham, Hart, Leffingwell, McKean, Miller, Orr, Rippey, Stuart, Traer, Tucker, Wilson of Tama, and Mr. Speaker—17.

The nays were, Messrs. Allen, Atwood, Babbitt, Bailey, Ballinger, Bent, Blackwell, Bolton, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Davis, Dudley, Ellis, Fulton, Gaylord, Glasgow, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longneville, McCoun, McNutt, Miles, Morrison, Murray, Newberry, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Tenney, Tillson, Tritz, Trusdell, Walling, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, and Wright—73.

Absent and not voting, Messrs. Adams, Bauder, Bowen, Burnett, Cotton, Dashiell, Mechem, Ordway, and Stone—9.

So the amendment to the amendment did not prevail.

Upon the motion to amend, the yeas and nays were demanded, which were as follows:

The yeas were Messrs. Atkins, Atwood, Babbitt, Ballinger, Bent, Blackwell, Bolton, Brown of Howard, Caldwell, Craig, Cramer, Criss, Davis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hatch, Hayden, Hunter, Irish,

Johnson of Cherokee, Kasson, Kelley, Kilburn, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Miles, Miller, Murray, Parker, Peck, Perry, Phillips, Rector, Rees, Rohlf, Rowell, Smith of Harrison, Sheldon, Stanley, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—62.

The nays were Messrs. Allen, Bailey, Brown of Fayette, Browne of Lee, Brown of Van Buren, Chase, Donovan, Dudley, Hart, Hartsock, Johnson of Marshall, Knapp, Leffingwell, Morrison, Newberry, Orr, Ordway, Ramsay, Rippey, Sanborn, Smith of Dickinson, Stuart, Traer, Werner, Wilcox, and Wilson of Davis—26.

Absent and not voting, Messrs. Adams, Bander, Bowen, Burnett, Burrows, Cotton, Dashiell, Ellis, Hawthorn, Mechem, and Stone—11.

So the motion to amend prevailed.

Mr. Kasson moved to amend section two, by striking out "appointed by the Governor, or elected by either House," which motion to amend prevailed.

Mr. Babbitt moved that the House proceed to consider the bill by sections, commencing with the first section, which motion prevailed.

Mr. Dudley moved to amend section 1, by adding to the eleventh line, "Said commissioners shall each give bonds in the sum of \$10,000, to be approved by the Auditor of State, that the State House shall not cost exceeding the sum of \$500,000 more than the estimate."

Mr. Babbitt moved to amend the amendment by striking out all after the word "State," and insert, "for the faithful performance of their duty."

The amendment to the amendment prevailed.

The amendment as amended was adopted. ;

Mr. Wilcox moved to amend by striking out "five" in the fourteenth line, and insert in lieu thereof "three."

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has concurred in the following bill :

House File No. 136, A bill for an act resuming certain rights conferred upon the Dubuque and Pacific (now Dubuque and Sioux City) Railroad.

The Senate has passed the following joint resolution, in which the concurrence of the House is asked :

*Resolved by the General Assembly of the State of Iowa,* That the census board of this State be and are hereby authorized to put up proper shelving in the vault of the Treasurer's office, and make

such other repairs as they may deem proper, at a cost not exceeding two thousand dollars.

*Resolved*, That said board is hereby further authorized and required to employ an additional night-watch, whose duty it shall be to remain in and guard the Treasurer's office.

J. A. T. HULL, Assistant Secretary.

Upon the adoption of the amendment offered by Mr. Wilcox, the yeas and nays were demanded, and were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Brown of Van Buren, Dudley, Goodspeed, Grantham, Hamilton, Hart, Kilburn, Lambert, Stanley, Traer, Tucker, Werner, Wilcox, Wilson of Tama, and Wright—18.

The nays were Messrs. Babbitt, Bailey, Ballinger, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Davis, Donovan, Ellis, Fulton, Gaylord, Glasgow, Guthrie, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stuart, Tenney, Tillson, Tritz, Trusdell, Walling, Wheeler, Williams, Wilson of Davis, and Wilson of Dubuque—72.

Absent and not voting, Messrs. Adams, Bauder, Bowen, Cotton, Dashiell, Garrett, Murray, Stone, and Mr. Speaker—9.

So the amendment was not adopted.

Leave was granted Mr. Knapp to take up House File No. 227, A bill for an act changing the time of holding court in Hardin County.

The report of the committee was concurred in.

Mr. Knapp 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Knapp, Lambert, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner,

Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—80.

The nays were none.

Absent and not voting, Messrs. Adams, Bander, Blackwell, Bowen, Brown of Van Buren, Cotton, Dashiell, Garrett, Goodspeed, Hamilton, Johnson of Marshall, Kilburn, Lockwood, Murray, Perry, Rowell, Sheldon, Stone, and Traer—19.

So the bill passed, and the title was agreed to.

Mr. Murray moved that the House do now adjourn, until tomorrow morning at nine o'clock.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 5, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. De Forest.

Journal of yesterday read and approved.

Leave was granted Mr. Brown of Fayette, to take up House File No. 78, A bill for an act to provide for the adjustment of claims of members of the First Iowa Cavalry.

The amendment recommended by the committee to strike out the second section, was adopted.

The amendment adding a publication clause, was concurred in.

Mr. Brown of Fayette, moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Bailey, Ballinger, Bander, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Chase, Cramer, Criss, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tucker, Walling, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—70.

The nays were, Messrs. Babbitt, Blackwell, Browne of Lee, Donavan, Tritz.—5.

Absent and not voting, Messrs. Adams, Allen, Burnett, Caldwell, Cotton, Craig, Dashiell, Gaylord, Hartsock, Hatch, Irish, Johnson of Cherokee, Lambert, Lockwood, Murray, Ordway, Rec- tor, Rees, Smith of Dickinson, Stone, Trusdell, Williams, Wilson of Dubuque and Wright.

Mr. Babbitt moved to amend the title as follows: A bill for an act to assume the debts due by the United States to the First Iowa Cavalry, and to pay the same out of the State Treasury.

The motion to amend did not prevail.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Kasson to introduce House File No. 252, A bill for an act to authorize counties to fund certain accumulated indebtedness.

Read a first and second time, and referred to the Committee on Ways and Means and ordered to be printed.

Mr. Kilburn moved that the rule be suspended and Senate mes- sages be taken up, which motion did not prevail.

#### PETITIONS.

Mr. Knapp presented a petition from two hundred and seventy- one citizens of Hardin county, in relation to the re-grant of lands of the Dubuque and Sioux City Railroad, which was referred to the Committee on Railroads.

Mr. Guthrie presented a petition, which was referred to the Com- mittee on Railroads.

Mr. Rippey presented a remonstrance of the citizens of Guthrie county, against the repeal of the law authorizing the publication of the laws in county newspapers, which was referred to the Com- mittee on Printing.

Mr. Kelley presented a petition which was referred to the Com- mittee on Compensation of Public Officers.

Mr. Rohlf presented two petitions which were referred to the Committee on the Suppression of Intemperance.

Mr. Rees presented a petition which was referred to the Com- mittee on Railroads.

Mr. Cramer presented a petition which was referred to the Com- mittee on Railroads.

Mr. Wilcox presented a petition which was referred to the Com- mittee on Roads and Highways.

Mr. Werner presented a petition from the legal voters of Keokuk, Lee county, asking for the repeal of the prohibitory liquor law, and the enactment of a judicious license law instead, which was referred to the Committee on the Suppression of Intemperance.

Also a petition of legal republican voters of Keokuk, praying for the repeal of the prohibitory liquor law, and the enactment of of a judicious license law instead, which was referred to the Com- mittee on the Suppression of Intemperance.

Mr. Rees presented a petition which was referred to the Committee on Public Lands.

By leave, Mr. Werner offered the following joint resolution, which was referred to the Committee on Federal Relations:

*Be it Resolved by the Senate and House of Representatives of the State of Iowa, That the Senators in Congress from this State, be instructed, and the Representatives requested to use their utmost exertions in procuring the passage of a law, making every post-master within the United States, the special agent for the distribution of revenue stamps.*

*Resolved, That the Secretary of State be directed to forward to each of the Senators and Representatives in Congress, a copy of these resolutions.*

#### MESSAGE FROM THE SENATE.

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 bill:

House File No. 173, A bill for an act to appropriate money for the use of the State University, with amendments as follows:

By striking out in the fifth line of section 1 the word "five," also by striking out in the eighth and ninth lines of the same section the words "and to affect an adequate insurance upon them," in which the concurrence of the House is asked.

Also, the House Resolution relating to the Sample donation, with the following amendment, by adding the words, "also to visit White's Manual Labor Institute, and report upon the proposition from the trustees thereof relative to the use of the same for like purposes.

J. A. T. HULL, Assistant Secretary.

#### REPORTS OF COMMITTEES.

Mr. Ordway, from the Committee on the Suppression of Intemperance, submitted the following report:

Your Committee on the Suppression of Intemperance, to whom was referred House File No. 177, "A bill for an act to repeal all acts and parts of acts on the suppression of intemperance, and the enactment of a judicious license law instead," have instructed me to report the same back to the House, with the recommendation that it do not pass.

GEORGE ORDWAY, Chairman.

Your Committee on the Suppression of Intemperance, to whom was referred House File No. 178, A bill for an act to prevent the keeping of any intoxicating liquors, ale, porter, lager beer, cider and wine to sell or retail by the glass, to be drank in, around, or

about the premises, have instructed me to report the accompanying substitute, and recommend that it do pass.

GEORGE ORDWAY, Chairman.

Mr. Bent, from the Committee on Police Regulations, submitted the following report :

Your committee to whom was referred House File 167, A bill for the observance of the Sabbath, would respectfully 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 ; and your committee are of the opinion that further legislation on the subject is not necessary.

C. R. BENT, Chairman.

Mr. Wilcox, from the Committee on Ways and Means, submitted the following report, which was concurred in :

The Committee on Ways and Means, to whom was referred the claim of Alvah Yarrington, would respectfully report the same back to this House, with the request that it be referred to the Committee on Claims.

WILCOX, Chairman.

Mr. McKean, from the Committee on Judiciary, submitted the following report :

The Committee on the Judiciary, to whom was referred House File No. 237, A bill for an act to require the reporter of the Supreme Court to attend the argument terms at Dubuque, have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

JOHN McKEAN, Acting Chairman.

Mr. Parker from the Committee on Schools submitted the following report :

Your Committee on Schools to whom was referred House File No. 196 recommend its passage.

PARKER, Chairman.

Your committee to whom was referred a question as to the expediency of so changing the school law that the district secretary shall make his report to the county superintendent at the close of his official year, would report that such a change would correct some evils but probably create greater.

PARKER, Chairman.

Mr. Parker from the Committee on Schools reported House File No. 253, A bill for an act authorizing the boards of directors to change sub-district boundaries between March and September.

Read first and second time, and passed on file.

Also, House File No. 284, A bill for an act to provide for the greater security of the permanent school fund and to increase its productiveness.

Read first and second time, and passed on file.



Mr. McNutt from the Committee on Commerce, submitted the following report:

Your committee to whom was referred House File No. 91, entitled A bill for an act limiting charges and defining duties of railroad companies, have had the same under consideration, and in view of House File No. 90, being now before the House, the passage of which would render this bill unnecessary, and in view of other facts connected with the question, the majority of said committee have instructed me to report the bill back to this House and recommend that it do not pass.

SAMUEL McNUTT, Chairman.

Mr. Hamilton from the Committee on Commerce, submitted the following minority report:

The undersigned a minority of your Committee on Commerce, have had House File No. 91 under consideration and become satisfied that discriminations are made in the charges for the transportation of freights over the roads of railroad companies operating within this State, causing exorbitant charges to many localities, thereby imposing heavy and onerous burdens upon the business and people thereof, and that such discriminations constitute abuses which should be corrected by legislative action.

The provisions of said bill seem well calculated in our opinion to correct such abuses by fixing rates above which railroads shall not charge, therefore we would respectfully recommend that said bill do pass.

HORACE HAMILTON,  
BANNER G. BOWEN,  
J. Y. BLACKWELL.

Mr. Craig moved that House File No. 91, A bill for an act limiting charges and defining duties of railroad companies, and the reports from the Committee on Commerce, be made the special order for March 11, at 10 o'clock, A. M., which motion prevailed.

Mr. Ramsay moved that House File No. 242, be taken up, and ordered printed.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 137, A bill for an act to provide for the publication and distribution of the laws of the Twelfth General Assembly of the State of Iowa.

JAMES M. WEART, Secretary.

Mr. Grantham moved that the Senate message instructing the visiting committee to the penitentiary, to visit the White Manual

Labor Institute, and, also, to report upon the expediency of immediately accepting the donation offered by H. W. Sample, for the purpose of establishing a State Reform School, be taken up.

The motion prevailed, and the resolution was taken up and concurred in.

Leave was granted Mr. Orr, to introduce House File No. 255, A bill for an act to authorize school districts to borrow money to build, repair, or furnish school houses, and to issue bonds and orders therefor.

Read first and second time, and referred to the Committee on Schools.

Also, House File No. 256, A bill for an act to legalize the action of the officers of the corporate town of Montana, Iowa, in organizing a city of the second class.

Read first and second time, and referred to the Committee on Incorporations.

Leave was granted Mr. Hunter to introduce House File No. 257, A bill for an act to release an escheat in Hamilton county.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Dudley moved that Mr. Bailey, door-keeper of the House, be granted leave of absence for to-day, on account of sickness, which was granted.

The hour having arrived for the consideration of the special order, House File No. 152, A bill for an act to provide for the erection of a State House, on motion of Mr. McNutt the special order was taken up and considered.

Mr. Phillips moved to amend the fifteenth line of section 1, by striking out "\$5.00" and insert "\$4.00."

The motion did not prevail.

Mr. Wilson of Dubuque moved to amend section 2 by inserting after the word "House," in the fifth line, the following: "and make no contract, or do any other act by which the cost of said building shall exceed the limit fixed in the preceding section."

Mr. Ordway moved to amend by adding after the word "oath" in the second line, "before entering upon his duties, each commissioner shall make and sign an oath and execute a bond in the penal sum of ten thousand dollars that he will well and truly discharge the duties of such commissioner, and that he will not during his term of office as such commissioner be interested, either directly or indirectly, in any contract or purchase, or sale of any property connected with the erection of said State House, and that they will adopt no plan nor enter into any contract, contemplating or requiring, for the completion of the building, an expenditure greater than the limit of this section.

The motion to amend prevailed.

Mr. Wilcox moved to amend by adding to section 2: "Provided,

That no State bonds shall ever be issued to aid in the construction of this State House."

The motion to amend did not prevail.

Mr. Wilson of Dubuque moved to amend by striking out in section 3, second line, all before the word "to" and insert "the sum of \$135,000, being the amount received from the United States in part payment of the debt due to this State from the United States for war expenses."

Mr. Trusdell moved to amend the amendment by striking out "\$135,000" and inserting "\$100,000."

The motion to amend did not prevail.

The amendment offered by Mr. Wilson of Dubuque was adopted.

Mr. Dudley moved to amend by adding to section 3, "or any regular or notified meeting."

The motion to amend prevailed.

Mr. Wilson of Dubuque moved to amend by adding after the word "meeting," at the end of section 3, "and in no case shall the amount hereby appropriated, or any part thereof, be made by taxation."

The motion to amend prevailed.

Mr. Wheeler moved to amend section 4, fourth line, by striking out five hundred dollars, and insert two hundred dollars.

The motion to amend prevailed.

Mr. Wheeler moved to amend, by striking out in seventeenth line, "The Governor shall also notify the members of the Committee on Public Buildings, of the Senate and of the House of Representatives, of the day of meeting of said commissioners to examine the plans," which motion to amend, did not prevail.

Mr. Trusdell moved to amend, by striking out "they" in second line, and insert "the board," which motion prevailed.

Mr. Wilcox moved to amend eighth line, by striking out "three months," and insert "five months."

The motion prevailed.

Mr. Wheeler moved to amend, by adding to section 4, the words "and the commissioners shall not change the plan in any material manner after the same has been determined upon by them, and the building committee, so as to increase the cost of the building."

The motion to amend prevailed.

Mr. Wilcox moved to amend section 5, by adding to the end of first sentence, "*provided*, that neither the superintendent or any of the architects, shall be members of the State House Commission or of the committees on public buildings, in either House of this General Assembly," which motion to amend prevailed.

Mr. Trusdell moved to amend, by inserting in the fourth line of section 5, after the word "Assembly," "and, *provided further*, that no contract shall be made for stone or lime, nor for the transportation of the same, nor for the erection of stone work, nor for

other material, except for the foundation, until after railroad transportation can be had within the State reasonably direct between Des Moines and the Chicago and Northwestern Railway."

The motion to amend prevailed.

Mr. Wilson of Dubuque, moved to amend by inserting after the word "authority," in the fourth line of section 5, the following: "to remove any of said commissioners for mal-conduct or failure to perform the duties of his office, and to."

The motion to amend prevailed.

Mr. McNutt moved to amend after the word "only," at the end of section 1, the words, "and that the meetings of the board—except of a sub-committee—shall not be oftener than once in three months, unless called by the Governor," which motion prevailed.

Mr. Rippey offered the following substitute to the first section of the bill, which motion to substitute did not prevail:

SECTION 1. *Be it enacted by the General Assembly,* That a board of commissioners to superintend the erection of a permanent State House, consisting of the Census Board and Attorney-General of the State [The remainder of this sentence is wanting in the manuscript—STATE PRINTER.] The Governor of the State, for the time being, shall be *ex officio* president of the board.

They shall elect a special superintendent of the work, who shall receive for his services such compensation as the board of commissioners shall determine. No member of the board shall receive any compensation for his services, except the Governor and Attorney-General, who shall be entitled to the mileage allowed for travel from their residence to the capital, at the same rate allowed to the members of the legislature.

Mr. Hatch moved that the bill be ordered to be engrossed, and read a third time to morrow.

The motion prevailed.

Mr. Wilson of Dubuque moved that the House do now adjourn. The motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Leave was granted Mr. Trusdell to take up the report of the visiting committee to the Deaf and Dumb Asylum which was referred to the Committee on the Deaf and Dumb Asylum, and ordered printed.

Mr. Wheeler moved to take up the resolution instructing the Committee on County and Township Organization to report a bill establishing a County Commissioners' Court to be composed of

three county commissioners, and to abolish the present system of supervisors.

Mr. Brown of Howard moved to reconsider the vote by which the resolution relating to a joint convention for the election of trustees of the Agricultural College and State University was adopted.

The motion prevailed, and the vote was reconsidered.

Mr. McNutt moved that the Clerk be requested to inform the Senate of the reconsideration of the vote on the resolution for a joint convention.

The motion prevailed.

Mr. Parker moved that the report of the visiting committee to the Deaf and Dumb Asylum be ordered printed.

The motion prevailed, and it was so ordered.

Mr. McNutt moved that the further consideration of the special order be postponed until Tuesday, March 17, at 10 o'clock A. M.

The motion prevailed.

Leave of absence was granted Mr. Werner until Wednesday next.

Leave of absence was granted the visiting committee to visit the Penitentiary.

Leave of absence was granted Mr. Trusdell until Monday next.

#### INTRODUCTION OF BILLS.

Mr. McCoun introduced House File No. 258, A bill for an act to amend section 84, chapter 172, of the acts of the Ninth General Assembly.

Read first and second time, and referred to the Committee on Schools.

Mr. Tenney introduced House File No. 259, A bill for an act to legalize the incorporation of the First Congregational Society of Mason City, Cerro Gordo county, Iowa, which was read first and second; and, on motion of Mr. Tenney, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart,

Tenney, Tillson, Traer, Tritz, Tucker, Walling, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Adams, Bent, Brown of Howard, Cotton, Criss, Dashiell, Hart, Hatch, Kasson, Longueville, Murray, Rees, Rippey, Stone, Trusdell, and Williams—16.

So the bill passed, and the title was agreed to.

Mr. Parker introduced House File No. 260, A bill for an act to legalize the notarial acts of Josephus Eastman, which was read first and second time, and referred to the Committee on Notaries Public.

#### RESOLUTIONS.

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

WHEREAS, It is alleged that district-attorneys, in some of the Districts of this State, have formed law-partnerships with attorneys in the different towns in their districts, and that it frequently happens that the district-attorney prosecutes, while his law-partner defends the same criminal ; therefore

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of prohibiting a practice so reprehensible, under suitable penalties, and that they report by bill or otherwise.

Mr. Rector offered the following resolution, which was referred to the Committee on Judiciary :

*Resolved*, That the Committee on Township and County Organization be, and they are hereby instructed to report a bill abolishing the office of township assessor, and substituting in lieu thereof the office of county assessor, adapting the laws of this State thereto.

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

*Resolved*, That after the 13th day of the present month, no bills shall be presented to this House, except through a committee.

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

*Resolved*, That the Committee on Amendments to the Constitution, be instructed to report to the House for its action, the necessary measure relative to a submission of the constitution to the people for amendment in the clause, denying manhood suffrage to American citizens of African descent.

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

*Resolved by the House of Representatives*, That the Secretary of State be instructed to furnish a set of Adjutant-General's Reports to each officer of the House who served in Iowa organizations during the late war, and were honorably discharged.

Mr. Miles offered the following resolution, which was referred to the Committee on Federal Relations:

*Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed, and our Representatives be requested to use their influence, to have established at as early a day as possible, a tri-weekly mail from Ainsworth, in Washington county, through Crawfordsville and Wayne, to Mt. Pleasant, in Henry county.

That a copy of these resolutions be forwarded by the Secretary of State to each of our members of Congress.

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

*Resolved,* That the Committee on Horticulture be directed to inquire what additional legislation, if any, is necessary to the more perfect protection of orchards and gardens from the depredations of thieves.

Mr. Rohlf offered the following resolution:

*Resolved,* That no member shall occupy more than fifteen minutes in speaking on one and the same subject without the unanimous consent of the House.

Mr. Wilson of Dubuque, moved that the resolution be laid upon the table, which motion did not prevail.

Mr. Wilson of Dubuque, moved to amend by substituting the following:

*Resolved,* That hereafter no speech upon any political subject shall exceed fifteen minutes, without the unanimous consent of the House.

Mr. Wilson of Tama, moved to amend the amendment by striking out the word "political."

The motion to amend the amendment prevailed.

Mr. Babbitt moved to lay the whole subject on the table.

The motion prevailed.

Mr. Burnett offered the following resolution, which was referred to the Committee on Federal Relations.

*Resolved by the House of Representatives, the Senate concurring,* That our Senators in Congress be instructed, and our Representatives be requested to use their influence to secure a daily mail on the Mississippi River, during navigation.

Mr. Wilson of Dubuque, offered the following resolution, which was lost:

*Resolved,* That the Committee on the Compensation of Public Officers be instructed to inquire into the expediency of increasing the salaries of county treasurers in the larger counties of the State, and to report by bill or otherwise.

Mr. Rippey offered the following resolution, which was lost:

*Resolved,* That the Committee of the Physicians of this House be requested to enquire into the expediency of passing a law prohibiting any person from practicing medicine in this State without



a diploma from some medical college, and to report a bill, (if found practicable), to that effect.

Mr. Morrison offered the following resolution :

*Resolved by the House, the Senate concurring,* That our Senators be instructed, and our Representatives requested to procure the passage of a bill by Congress, giving to every soldier serving one year in the late war, one quarter section of the unappropriated public lands.

Mr. Babbitt moved to refer the resolution to the Committee on Military Affairs.

Mr. Johnson of Marshall moved to amend by inserting after the word "every" the following "private and non-commissioned officers."

The motion to amend prevailed.

Mr. Rippey moved to amend by striking out "one year" and "one quarter section," and insert as follows: "less than one year forty acres;" "more than one year and less than two, eighty acres;" "more than two years and less than three years, one hundred and twenty acres;" three years and over, one hundred and sixty acres.

The motion did not prevail.

Mr. Brown of Van Buren moved to refer the resolution to the Committee on Public Lands, which motion prevailed.

#### BILLS ON SECOND READING.

House File No. 4, A bill for act for the further prosecution of the geological survey of the State, was taken up and considered.

On motion of Mr. Wilcox the bill was made the special order for March 22d at 10 o'clock, A. M.

Senate File No. 56, A bill for an act relative to the claim of Joseph D. Hoag as commissioner to locate a permanent seat of government, was taken up and considered and ordered to be read a third time.

House File No. 119, A bill for an act to amend an act approved April 20, 1866, entitled an act to accept the grant of land to the State of Iowa, made by act of Congress of May 12, 1864, and to carry out the provisions of said act, was taken up and considered, and ordered to a third reading.

House File No. 22, A bill for an act to regulate toll of grist mills, and prescribing certain duties of millers, was taken up and considered.

Mr. Smith of Harrison moved to amend by striking out one-eighth and insert in lieu thereof one-seventh, which motion did not prevail.

Mr. Wheeler moved to amend by adding the following "unless a different rate be agreed upon."

The motion did not prevail.

Mr. Wheeler moved to postpone until the fourth day of July.

The motion to postpone did not prevail.

The substitute reported by the committee was adopted.

Mr. Rowell moved that the rule be suspended, and the bill be considered, engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

Mr. Atkins moved to re-commit to the Committee on Agriculture, with instructions to make a distinction between steam and water mills, which motion prevailed.

Mr. Wilson of Dubuque asked leave to have substitute for House File No. 21 printed, which was granted.

Mr. Smith of Dickinson moved that the claims of Jenkins & Co. be referred back to the Committee on Claims.

Mr. Traer moved that the House do now adjourn until nine o'clock to-morrow, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 6, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Hayden.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 bill and resolution, in which the concurrence of the House is asked.

Senate File No. 85, A bill for an act to establish Circuit and General Term Courts, and to define the powers and jurisdiction thereof.

Joint resolution for an enlargement of the grant of land to aid the building of a railroad from McGregor westerly, on or near the forty-third parallel.

JAMES M. WEART, Secretary.

PETITIONS AND REMONSTRANCES.

Mr. Caldwell presented a petition from the citizens of Wapello county, praying for the passage of an act to provide for the construction of fish chutes in dams on the Des Moines river, which was referred to the Committee on Des Moines River Improvements.

Mr. Rees presented four petitions praying for the resumption of the Dubuque and Sioux City Railroad lands, and a re-grant of the same to the Iowa Falls and Sioux City Railroad Company, which were referred to the Committee on Railroads.

Also, a petition praying for the passage of a law to secure to the settlers upon the odd sections of land lying along and within five miles of the Des Moines river, a right to purchase the lands occupied by them, which was referred to the Committee on Judiciary,

Also, a petition from citizens of the Des Moines Valley, north of the Raccoon Forks, praying for the resumption of all lands heretofore granted to the Des Moines Valley Railroad Company, which was referred to the Committee on Railroads.

Mr. Knapp presented a petition, which was referred to the Committee on Railroads.

#### REPORTS OF COMMITTEES.

Mr. Dudley from the Committee on Claims, submitted the following report:

The Committee on Claims, to whom was referred the claim of G. W. Carver, have had the same under consideration and after investigating it carefully, have not been able to agree so as to make a decided recommendation, there being four in favor of recommending the allowance of \$2,200, and four against recommending any allowance. They have, therefore, instructed me to report the facts to the House, and return the claim for the consideration of the House.

C. DUDLEY, Chairman.

Mr. Miller moved that the memorial of G. W. Carver of Allamakee county, be referred to a special committee of five, which motion prevailed.

Mr. Dudley from the Committee on Claims, submitted the following report:

Your Committee on Claims, to whom was referred the claim of Dennis P. Greeley, for selecting swamp lands in unorganized counties, have had the same under consideration, and instructed me to report it back and recommend that he be allowed the sum of seven hundred and two dollars and fifty cents, and that the Committee on Ways and Means, be instructed to incorporate it in the general appropriation.

C. DUDLEY, Chairman.

The report of the committee was concurred in.

Mr. Goodspeed from the Committee on Horticulture, submitted the following report:

Your Committee on Horticulture, have had under consideration House File Nos. 61, 77, 86, 122, 143, 161, and have directed me

to report the same back to the House, with the accompanying bill as a substitute, and recommend its passage.

M. GOODSPEED, Chairman.

Mr. Dudley from Committee on Claims, submitted the following report:

Your Committee on Claims, to whom was referred the petition of Michael Ham, asking that the taxes on Eagle Point on Ham's Addition to the City of Dubuque be remitted, have had the same under consideration, and have instructed me to return the same with the recommendation that the prayer of the petitioner be not granted.

C. DUDLEY, Chairman.

On motion of Mr. McNutt, the report of the committee was concurred in.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, report that they have carefully examined House File No. 78, A bill for an act to provide for the adjustment of claims of members of the First Iowa Cavalry, and find the same correctly engrossed.

A. R. FULTON, Chairman.

Mr. Dudley, from the Committee on Claims, submitted the following report, which was adopted:

Your Committee on Claims, to whom was referred the claim of G. Cowie, State agent, have had the same under consideration, and have instructed me to report in favor of allowing said Cowie the sum of seventy-five dollars a month from April 1st, 1867, to April 1st, 1868, and that the Committee of Ways and Means be instructed to incorporate it in the general appropriation bill.

C. DUDLEY, Chairman.

Mr. Traer, from the Committee on Banks and Banking, submitted the following report:

Your Committee on Banks and Banking, to whom was referred House File No. 166, A bill for an act to repeal chapter 65 of the Revision of 1860, An act authorizing general banking in the State of Iowa; also to repeal chapter 66 of the Revision of 1860, An act to incorporate the State Bank of Iowa, have had the same under consideration, and have instructed me to report the accompanying substitutes, and recommend their passage.

J. W. TRAER, Chairman.

Mr. Brown of Fayette, from the Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to whom was referred House File No. 206, A bill for an act repealing section 7, of chapter 129, of the laws of the 9th General Assembly, and to provide for the recovery and payment of certain claims against the United States, have had the same under consideration, and directed me to report it back without amendment, and recommend its passage.

The same committee have had under consideration House File No. 217, A bill for an act to amend chapter 84, of the laws of the 10th General Assembly, and directed me to report the same back without amendment, and recommend its passage.

AARON BROWN, Chairman.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report :

The Committee on Agriculture, to whom was referred substitute for House File No. 22, entitled "A bill for an act to define the duties of millers, mill-renters, and owners," have had the same under consideration, and have instructed me to report it back to the House with the following recommendation, to-wit :

That section 2 of said bill be so amended as to make a discrimination between grist-mills driven by water and steam-power, and shall read as follows :

SEC. 2. The owners, renters or occupiers of all such mills shall be entitled to take the tolls herein prescribed and no more, to-wit : For all wheat brought in good order, and ground and bolted at mills driven by water-power, one-eighth part, and for all other kinds of grain, one-sixth part ; and for all wheat brought in good order, and ground and bolted at grist-mills driven by steam, one-seventh part, and for all other kinds of grain, one-fifth part ; and that the bill so amended do pass.

W. P. GAYLORD, Chairman.

Mr. Brown of Van Buren, from the Committee on Roads and Highways, submitted the following report :

The Committee on Roads and Highways to whom was referred House File No. 191, A bill for an act to amend chapter 46 of the Revision of 1860, and chapter 163 of the acts of the Ninth General Assembly, have had the same under consideration, and directed me to report the following amendments :

In the second line of section 2, strike out the word "three" and insert "two."

In section 6, fill the blank in the first line with "two," and in the second line of the same section, fill the blank with "four."

In the seventh section, strike out the seventh and eighth lines, and insert as noted on the accompanying bill.

In the ninth section, strike out the words "first, second, and third," in the second, third and fifth lines thereof.

And as amended, they recommend that the bill do pass.

BROWN of Van Buren, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report :

Your Committee on Schools deem it important to amend the school law as provided for in the accompanying bill.

PARKER, Chairman.

House File No. 261, A bill for an act to amend section 13, chapter 172, of the acts of the Ninth General Assembly, entitled

"An act to amend and consolidate an act passed by the Board of Education December 24, 1859," was read first and second time, and passed on file.

#### INTRODUCTION OF BILLS.

Mr. Rippey introduced House File No. 262, A bill for an act to amend section 430 of the Revision of 1860, which was read first and second time.

Mr. Rippey moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Killburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Tucker, Walling, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Adams, Atkins, Bent, Blackwell, Brown of Fayette, Cotton, Dashiell, Fulton, Hatch, Kasson, Rector, Rees, Stuart, Trusdell, Werner, and Wilcox—16.

So the bill passed, and the title was agreed to.

Mr. Browne of Lee, introduced House File No. 263, A bill for an act to legalize the official acts of James Hagerman notary public of Lee county, Iowa.

Read first and second time, and referred to the Committee on Notaries Public.

Mr. Ballinger introduced House File No. 264, A bill for an act to amend section one of the acts of the Ninth General Assembly of the State of Iowa, for taking up estrays.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Leach introduced House File No. 265, A bill for an act to amend chapter 54 of the Revision of 1860, in relation to tolls and bridges.

Read first and second time, and referred to the Committee on Roads and Highways.

Mr. Leffingwell introduced House File No. 266, A bill for an act concerning acknowledgments of deeds and other instruments in writing.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Brown of Howard, introduced House File No. 267, A bill for an act to legalize the acts of Thomas M. Atherton, a notary public.

Read first and second time, and referred to the Committee on Notaries Public.

Mr. Hunter introduced House File No. 268, A bill for an act to authorize the correction of errors in the plat of the village of Webster City, Hamilton county.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Hawthorn introduced House File No. 269, A bill for an act to vacate parts of certain streets in Nevada, Story county, Iowa.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. McNutt introduced House File No. 270, A bill for an act regulating the compensation of township assessors, which was referred to Committee on County and Township Organization.

#### COMMUNICATIONS ON SPEAKER'S TABLE.

The communication from the Governor of Illinois, in relation to Lincoln monument, was taken up and read.

Mr. Dudley moved that the communication be referred to the Committee on Federal Relations.

The motion prevailed.

#### MESSAGES FROM THE SENATE.

Senate File No. 43, A bill for an act to release to Heber Reynolds any, and all right of the State of Iowa, by way of escheat to certain lands in Buchanan county, was taken up and read first and second time, and referred to the Committee on Public Lands.

Senate File No. 24, A bill for an act for the more efficient collection of certain delinquent taxes, was taken up and read first and second time, and referred to the Committee on Ways and Means.

Senate File No. 70, A bill for an act for the relief of the widow and children of Steiner Larson, was taken up, read first and second time, and referred to the Committee on Judiciary.

Senate File No. 12, A bill for an act to amend the Revision of 1860, in relation to land sold on execution, was taken up, and read first and second time, and referred to the Committee on Judiciary.



Senate resolution relative to president Johnson, was taken up and read.

Mr. McNutt offered the following substitute :

WHEREAS, Andrew Johnson, acting President of the United States has proven to the citizens of this Republic his determination to defeat the expressed will of the people, to destroy the beneficent results of the late war for the Union, to give over the government into the hands of men stained with the blood of the nation, into the hands of unrepentant rebels and traitors; and

WHEREAS, His dangerous and evil course culminating in his late open and flagrant violation of the law of the country, demand a speedy and effective check; therefore,

*Resolved by the General Assembly of the State of Iowa,* That Andrew Johnson, acting President of the United States, should be impeached for high crimes and misdemeanors, and if found guilty, immediately and promptly removed from office.

*Resolved,* That the supreme legislative power of the nation is in the representatives of the people in Congress assembled.

*Resolved,* That to the maintenance of this fundamental principle of our government and to the action of Congress in accordance therewith, we pledge the support and sympathy of the people of Iowa.

*Resolved,* That a copy of these resolutions be immediately forwarded to our Senators and Representatives in Congress.

Upon the adoption of the substitute, Mr. Wilson of Dubuque demanded the yeas and nays which were as follows :

The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hayden, Hunter, Johnson of Cherokee, Kasson, Kilburn, Knapp, Lambert, Leach, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Parker, Perry, Phillips, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tncker, Walling, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—65.

The nays were Messrs. Babbitt, Bauder, Blackwell, Browne of Lee, Davis, Donovan, Hawthorn, Johnson of Marshall, Kelley, Leffingwell, Lockwood, Longueville, Miller, Peck, Rees, Stuart, Tritz, Wilson of Dubuque, Wright—20.

Absent and not voting Messrs. Adams, Bent, Cotton, Dashiell, Hartsock, Hatch, Orr, Ordway, Ramsay, Rector, Rippey, Trusdell, Werner and Wilcox—14.

So the substitute was adopted.

Senate resolution asking for additional mail facilities was taken up, and referred to the Committee on Federal Relations.

Senate File No. 7, A bill for an act to amend section 3980,

Revision of 1860, and repeal section 3982, of Revision of 1860, in relation to evidence, was taken up.

Read first and second time and referred to the Judiciary Committee.

Senate File No. 65, A bill for an act to protect the hop-growing interests of the State of Iowa, and to indicate the size of boxes used in picking hops, was taken up.

Read first and second time, and referred to the Committee on Agriculture.

Senate File No. 96, A bill for an act to amend section 3975, chapter 158, of the Revision of 1860, in relation to fees of sheriffs in certain cases, was taken up.

Read first and second time, and referred to the Committee on Compensation of Public Officers.

Substitute for Senate File No. 28, A bill for an act to prevent members of the boards of supervisors and county officers becoming surety on the official bond of county officers, was taken up.

Read first and second time, and referred to the Committee on Judiciary.

Senate File No. 35, A bill for an act making it the duty of the clerk of the board of supervisors, to make returns to the Governor of the location of the graves of deceased Iowa soldiers, and other purposes, was taken up.

Read first and second time, and referred to the Committee on Military Affairs.

Substitute for Senate File No. 83, A bill for an act to recover damages for crops destroyed during the night, was taken up.

Read first and second time, and referred to the Committee on Agriculture.

Senate File No 92, A bill for an act to legalize the establishment of county roads, was taken up.

Read first and second time, and referred to the Committee on Roads and Highways.

Senate File No. 89, A bill for an act to provide for the election of a president of the board of trustees of the Iowa Agricultural College and Farm, was taken up.

Read first and second time, and referred to the Committee on Agricultural College and Farm.

Senate File No. 45, A bill for an act to amend section 1102, of the Revision of 1860, in relation to cities and towns, was taken up.

Read first and second time, and referred to the Committee on County and Township Organization.

Senate File No. 74, A bill for an act to amend section 2721, of chapter 115, of the Revision of 1860, in relation to jurors, was taken up.

Read first and second time, and referred to the Judiciary Committee.

Senate File No. 57, A bill for an act relating to the settlement with county treasurers, was taken up.

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

Senate File No. 137, A bill for an act to provide for the publication and distribution of the Laws of the Twelfth General Assembly of the State of Iowa, was taken up.

Read first and second time, and referred to the Committee on Judiciary.

Senate File No. 82, A bill for an act in relation to independent school districts, was taken up and read first and second time.

Mr. Rees moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, McCoun, McKean, Mechem, Miller, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker. — 81.

The nays were, Mr. Miles. — 1.

Absent and not voting, Messrs. Allen, Bent, Bolton, Cotton, Dashiell, Donavan, Hamilton, Hatch, Hawthorn, Irish, Leach, Longueville, McNutt, Murray, Tritz, Trusdell, and Werner. — 17.

So the bill passed, and the title was agreed to.

Concurrent resolution asking for additional mail facilities, was taken up and read, and referred to the Committee on Federal Relations.

Senate File No. 85, A bill for an act to establish Circuit Courts, was taken up, read first and second time, and referred to the Judiciary Committee, and ordered printed.

Joint resolution asking for a grant of land to aid in the construction of McGregor Western Railroad, was taken up.

Mr. Craig moved that the resolution be referred to the Committee on Public Lands.

The motion did not prevail.

The House concurred in the Senate resolution.

Leave of absence was granted Mr. Grantham until Tuesday next.

Mr. Ordway moved that the rule be suspended, in order to offer a resolution for expediting the business of the House.

The motion did not prevail.

House File No. 173, A bill for an act to develop the law and normal departments of the State University, appropriating money therefor, and providing for the levy of taxes for University purposes, was taken up.

Mr. Burnett moved that the House concur in the Senate amendment.

Upon the concurrence in the Senate amendment, the yeas and nays were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Craig, Cramer, Oriss, Davis, Donovan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Rector, Rees, Rippey, Rohlfis, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—86.

The nays were, Messrs. McKean and Ramsay—2.

Absent and not voting, Messrs. Bent, Browne of Lee, Caldwell, Cotton, Dashiell, Garrett, Hatch, Hunter, Longueville, Trusdell, and Werner—11.

So the Senate amendment was concurred in.

#### BILLS ON SECOND READING.

Substitute for House File No. 42 and 43, A bill for an act amending section 53, chapter 45, of the Revision of 1860, in reference to sale of lands for taxes, was taken up and considered; and, on motion of Mr. Wilcox, House File No. 42 and 43, and substitute, was re-committed to the Committee on Ways and Means.

House File No. 1, A bill for an act for the amendment of tax laws, was taken up; and, on motion of Mr. McNutt, the bill was laid on the table.

House File No. 96, with substitute, A bill for an act to amend section 711 of the Revision of 1860, was taken up, and substitute was adopted.

Mr. Parker moved to recommit to the Committee on Ways and

Means, with instruction to enquire into the expediency of limiting the lands exempt from taxation.

The motion to recommit prevailed.

House File No. 112, A bill for an act to amend chapter 172 of the laws of the 9th General Assembly, was taken up, and ordered to be read a third time.

On motion of Mr. Dudley, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cramer, Criss, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartssock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—84.

The nays were none.

Absent and not voting Messrs. Bent, Cotton, Craig, Dashiell, Davis, Donovan, Ellis, Fulton, Hatch, Johnson of Marshall, Tilton, Traer, Trusdell, Werner, and Wilson of Dubuque—15.

So the bill passed, and the title was agreed to.

House File No. 125, A bill for an act to amend the school law, so as to provide for the distribution of the teachers' fund among all schools taught in a district.

Mr. Babbitt moved to amend by striking out in the fourth line the word "organized," and insert "independent."

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

Substitute to House File No. 83, A bill for an act to amend chapter 172, of the acts of the 9th General Assembly, was taken up and adopted.

Mr. Parker moved to amend by adding a repealing clause, which motion to amend prevailed.

Mr. Wilson of Davis, moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion did not prevail.

The bill was ordered to be engrossed and read the third time.

Mr. Wheeler moved that the House do now adjourn, which motion prevailed, and the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 7, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Ingalls.

Journal of yesterday read and approved.

Mr. Rippey moved to reconsider the vote by which House File No. 262, A bill for an act to amend section 430 of the Revision of 1860 was passed.

The motion to reconsider prevailed.

On motion of Mr. Rippey, the bill was amended by striking out the word "fourth," and inserting the word "fifth" in the first section of the bill.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Cramer, Criss, Davis, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson, of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—84.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Burrows, Cotton, Dashiell, Donavan, Ellis, Grantham, Guthrie, Hamilton, Irish, Parker, Walling, Werner, and Williams.—15.

So the bill passed, and the title was agreed to.

## SPECIAL ORDER.

The Chair announced that the hour for the consideration of the special order had arrived.

Mr. Dudley moved to postpone the special order and take up the order of business where it was left off yesterday.

## BILLS ON SECOND READING.

Mr. Fulton from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills report that they have

carefully examined House File No. 152, A bill for an act to provide for the erection of a State House, and find the same correctly engrossed.

A. R. FULTON, Chairman.

Mr. Stuart moved that the special order be indefinitely postponed.

The motion did not prevail.

Mr. Stuart moved that the special order be postponed until March 16, at 10 o'clock, A. M., which motion prevailed.

Leave was granted Mr. Wilson of Dubuque, to introduce House File No. 271, A bill for an act to legalize, confirm, and carry out a contract between the Dubuque and Sioux City Railroad Company, and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said Railroad from Dubuque to Sioux City, and for other purposes.

Read first and second time, and referred to the Committee on Railroads, and ordered printed.

Mr. Wilson of Tama, moved that the rule be suspended in order that the Committee on Notaries Public have leave to submit a report.

The motion prevailed.

Mr. Stone from the Committee on Notaries Public submitted the following report:

The Committee on Notaries Public to whom was referred House File No. 199, A bill for an act to legalize the official acts of Wm. H. Stivers, a notary public, for Tama county, Iowa, report that they have considered the same, and that they have instructed me to report the accompanying substitute and recommend its adoption.

STONE, Chairman.

The Committee on Notaries Public to whom was referred House File No. 3, A bill for an act to legalize the official acts of Willis Throckmorton, a justice of the peace of Clarke county, beg leave to report that they have had the same under consideration, and that they have instructed me to report favorably upon its passage.

The committee has also had under consideration House File No. 46, A bill for an act to legalize the official acts of Samuel R. Coons, a notary public in Clayton county, and have instructed me to recommend its passage, with the amendment that the publication thereof be without expense to the State.

STONE, Chairman.

Mr. Wilson of Tama moved that the rule be suspended, and that House File No. 199, A bill for an act to legalize the official acts of William H. Stivers, a notary public for Tama county, Iowa, be taken up.

The motion prevailed.

The substitute reported by the committee was adopted.

On motion of Mr. Wilson of Tama, the rule was suspended, and the bill read a third time.



Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Craig, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longneville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf's, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—85.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Burnett, Cotton, Dashiell, Grantham, Hatch, Johnson of Cherokee, McNutt, Ordway, Rippey, Werner, and Wilson of Dubuque—14.

So the substitute passed, and the title was agreed to.

Mr. Hatch moved that the regular order of business be suspended, and that House File No. 152, A bill for an act to provide for the erection of a State House, be taken up.

The motion prevailed, and the bill was taken up and read a third time.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File No. 90, A bill for an act to relinquish an escheat to William Geddes, of certain lands in Scott county.

Also, to return House File No. 227, A bill for an act to change the time of holding courts in Hardin county, in the Eleventh Judicial District, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Atwood, Babbitt, Bailey, Ballinger, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Burnet, Burrows, Caldwell, Chase, Craig, Criss, Davis, Fulton, Gaylord, Glasgow, Hamilton, Hatch, Hayden, Hawthorn, Hunter, Irish, Kasson, Kilburn, Lambert, Leach, Lockwood, Longneville, McCoun, McNutt, Mechem, Murray, Parker, Peck, Perry, Phillips, Rector,

Rees, Rohlfs, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Trusdell, Tucker, Williams, Wilson of Dubuque. Wright—55.

The nays were Messrs. Adams, Allen, Atkins, Bauder, Browne of Lee, Brown of Van Buren, Donovan, Dudley, Ellis, Garrett, Goodspeed, Guthrie, Hart, Hartsock, Johnson of Cherokee, Johnson of Marshall, Kelley, Knapp, Leffingwell, Miles, Miller, Morrison, Newberry, Orr, Ordway, Ramsay, Sanborn, Stanley, Traer, Tritz, Walling, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Mr. Speaker—36.

Absent and not voting, Messrs. Bent, Cotton, Cramer, Dashiell, Grantham, McKean, Rippey and Werner—8.

Mr Dudley moved to amend the title of the bill as follows, "A bill for an act to deplete the State Treasury."

The motion to amend did not prevail.

The title of the bill was agreed to.

Mr. Kasson moved to re-consider the vote by which the bill passed.

Mr. Kasson moved to lay the motion to-reconsider on the table, which motion prevailed.

#### PETITIONS AND REMONSTRANCES.

Mr. Rees presented a remonstrance from the citizens of Webster and Boone counties, remonstrating against the repeal of the present law for publishing the general laws in newspapers, which was ordered on file with House File No. 36, A bill for an act repealing section 118, laws of the Eleventh General Assembly.

Mr. Dudley moved that the regular order of business be suspended, and bills on second reading be taken up, which motion did not prevail.

Mr. Adams presented a petition from Clark K. Wever and others, voters of Lee county, praying for the enactment of a license liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Rippey presented a petition from fifty-one citizens of Greene county, asking for "such enactments as will diminish the use of intoxicating liquors in this State," which was referred to the Committee on the Suppression of Intemperance.

Mr. Glasgow presented a petition from the mayor, trustees and others of the town of Corydon, Wayne county, Iowa, in relation to levying taxes, which was referred to the Committee on Incorporations.

Mr. Burrows presented a petition, which was referred to the Committee on the Suppression of Intemperance.

Mr. Brown of Fayette, presented a petition from J. B. Kingsley, and others, asking for additional mail facilities, which was referred to the Committee on Federal Relations.

## REPORTS OF COMMITTEES.

Mr. Williams, from the Committee on Railroads, submitted the following report:

Your committee to whom was referred House File No. 187, A bill for an act supplemental to an act entitled an act providing for, and requiring the early construction of the Chicago, Rock Island and Pacific Railroad from Davenport to Council Bluffs, Iowa, approved 1868, 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.

WILLIAMS, Chairman.

Your committee to whom was referred House File No. 186, A bill for an act to enable counties, townships and incorporated towns and cities to aid in the construction of railroads, have had the same under consideration, and have instructed me to report the same back to the House, with the following amendments:

Add after the word "Iowa," in the fourth line of section 2, the words "or any township," and in the fifteenth line of section 2, strike out the word "amount," and insert the word "rate;" also, to strike out in the sixteenth line of section 3, the words "is needed," and insert "amount has been expended;" also, in the seventeenth line of section 3, after the word "work," insert "with such county;" also, in the twentieth line of section 3, strike out the word "through," and insert the word "within;" also, to strike out section 4, with the recommendation that it do pass.

WILLIAMS, Chairman.

Your committee to whom was referred House File No. 141, A bill for an act to authorize counties and incorporated cities to issue bonds, to aid in the construction of railroads, have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it lay on the table.

WILLIAMS, Chairman.

Your committee to whom was referred House File No. 116, A bill for an act to resume all rights conferred upon the Burlington and Missouri River Railroad Company, by an act approved July 14, 1856, and to repeal certain laws in relation thereto, 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.

WILLIAMS, Chairman.

Your committee to whom was referred House File No. 151, A bill for an act requiring railroads to fence their right of way, 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.

WILLIAMS, Chairman.

Your committee to whom was referred House File No. 180, A

bill for an act to enable counties to subscribe stock in railroad companies, have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it lay upon the table.

WILLIAMS, Chairman.

Mr. Kilburn from the Committee on Library, submitted the following report:

Your Committee on Library, to whom was referred House File No. 85, A bill for an act for increasing the State Library, and to levy and collect taxes for that purpose, have had the same under consideration, and direct me to report the same back with the recommendation that it do not pass.

KILBURN, Chairman.

Mr. Knapp from the Committee on Public Lands, submitted the following report:

The Committee on Public Lands, to whom was referred House File No. 195, A bill for an act to quiet the title in and to certain lands in Webster county, Iowa, have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it do pass.

KNAPP, Chairman.

The Committee on Public Lands, to whom was referred Senate File No. 43, A bill for an act to release to Alfred Heber Reynolds, any and all right of the State of Iowa, by way of escheat, to certain lands in Buchanan county, Iowa, have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that it do pass.

THOS. B. KNAPP, Chairman.

Mr. Kilburn from the Committee on Library, submitted the following report:

Your Committee on Library, to whom was referred House File No. 193, A bill for an act regulating the election and duties of State Librarian, have had the same under consideration, and have instructed me to recommend the following amendments, viz.:

In section one, strike out after the word "shall" in the third line of said section, the following: "be elected by a joint vote of the Senate and House of Representatives," and insert in the place thereof, "be chosen by the Governor and Supreme Judges."

Amend section twelve, of said act, by inserting after the word "Board" in the fourth line of said section the following: "and the Judges of the Supreme Court," and in the fifth line of said section strike out "five hundred dollars," and insert "fifteen hundred dollars per year."

With the above amendments, your committee would recommend that the bill do pass.

G. F. KILBURN, Chairman.

Mr. McKean from the Committee on Judiciary, submitted the following report:

Your Committee on Judiciary, to whom was referred House File No. 241, A bill for an act to legalize certain official acts of Jonathan Oglesbee, Recorder of Clayton county, have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, to whom was referred House File No. 240, A bill for an act legalize the defective acknowledgments of certain instruments recorded in the recorder's office of the county of Clayton, 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, for the reason that your committee have already recommended the passage of a bill for an act of a general nature on the same subject, and covering substantially the same grounds, which is now pending before the House, and which, if passed, will, in the opinion of your committee, cure all defective acknowledgments taken, both within and without this State, as far as the same can be judiciously done at the present time, by the enactment of a law.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, to whom was referred House File No. 257, A bill for an act to release an escheat in Hamilton county, and the petition of sundry citizens, asking that the same may be passed, have had the same under consideration, and have instructed me to report the said bill back to the House, with the recommendation that the same do pass.

JOHN McKEAN, Acting Chairman.

Mr. Bowen from the Committee on Incorporations, submitted the following report:

Your Committee on Incorporations to whom was referred House File No. 256, A bill for an act to legalize the action of the officers of the corporate town of Montana, Iowa, in organizing a city of the second class, have had the same under consideration, and have instructed me to report it back with the recommendation that the bill do pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations to whom was referred House File No. 234, A bill for an act regarding the assessment of farming lands lying within the limits of incorporated towns and cities, have had the same under consideration, and have instructed me to report it back, with the recommendation that the Bill do pass.

B. G. BOWEN, Chairman.

Mr. Lambert from the Committee on Blind Asylum, submitted the following report:

Your Committee on Blind Asylum to whom was referred House File No. 203, have had the same under consideration, and directed me to report the same back to the House with the following amendments, to-wit: Strike out all of the preamble, and all of section

4. In section 1, ninth line, after the word state, insert the following: "In accordance with such regulations as the Governor of the State may establish," and being thus amended, recommend that the bill do pass.

LAMBERT, Chairman.

Mr. McKean moved to take up House File No. 186, A bill for an act to enable counties, townships, and incorporated towns and cities, to aid in the construction of railroads, and that it be made a special order for Monday March 9, at 10 o'clock, A. M.

Mr. Dudley moved to amend by inserting March 13.

The motion to amend did not prevail.

Motion to make a special order for March 9, at 10 o'clock, prevailed.

Mr. Rippey moved that House File No. 193, be made a special order for March 10, at 10 o'clock, A. M.

Motion did not prevail.

Mr. Traer from the Committee on Banks and Banking, submitted the following bill:

House File No. 272, A bill for an act to provide for the taxation of shares of national banks, and to repeal chapter 108 of the acts of the Eleventh General Assembly.

Read first and second time, and on motion of Mr. Traer made a special order for March 18, at 10 o'clock, A. M.

Mr. Babbitt introduced House File No. 273, A bill for an act to suppress intemperance and regulate, and license the sale of spirituous, vinous, malt, and other intoxicating liquors, which was read first and second time.

Mr. Burnett moved to refer the bill to the Committee on Suppression of Intemperance.

Mr. Irish moved to lay the bill on the table, and that it be printed, which motion prevailed.

Mr. Adams introduced House File No. 274, A bill for an act enabling associations of persons to raise funds, and loan the same for the building of homesteads.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Stuart introduced House File No. 275, A bill for an act to prevent the sale of inflammable oils.

Read first and second time, and referred to the Committee on Police Regulations, and ordered to be printed.

Mr. Wright introduced House File No. 27, A bill for an act to amend chapter 92 of the acts of the Eleventh General Assembly.

Read first and second time, and referred to the Committee on Soldiers' Orphans Homes, and ordered printed.

Mr. Irish moved that House File No. 272 be ordered printed, which motion prevailed.

Leave was granted Mr. Wilson of Dubuque, to offer the following resolution:

*Resolved*, That the bills and reports from the Committee on the Suppression of Intemperance, and the bills for acts to provide for licensing and regulating the sale of spiritous liquors, be made the special order for Thursday, March 12th, at 10 o'clock, A. M.

Mr. Burnett moved to take up Senate messages, which motion prevailed.

Joint resolution relating to the shelving of the vault of the office of the Treasurer of State and for other repairs, was taken up and on motion of Mr. Kilburn, referred to a special committee on that subject.

Senate File No. 90, A bill for an act to relinquish an escheat to William Geddes, of certain lands in Scott county.

Read first and second time, and referred to the Committee on the Judiciary.

Leave was granted Mr. Rippey to introduce House File No. 277, A bill for an act to authorize county recorders to procure and use seals.

Read first and second time, and referred to the Committee on Compensation of Public Officers.

Chair announced special committee on claim of G. W. Carver: Messrs. Miller, Leach, Newberry, Sheldon and Adams.

Leave of absence was granted Mr. Bolton for two days.

Leave of absence was granted Mr. Irish for one day.

Leave of absence was granted Mr. Fulton for one day.

Mr. Johnson of Cherokee moved the House adjourn.

The motion did not prevail.

Mr. Goodspeed moved that the House adjourn until Monday morning nine o'clock, A. M., which motion did not prevail.

Mr. McNutt moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Speaker in the Chair.

Mr. Irish moved a call of the House, which was ordered.

Mr. Mechem moved that further proceedings under the call be dispensed with, which motion did not prevail.

Mr. Burnett moved that Mr. Hatch be excused, which motion was granted.

Mr. Smith of Harrison moved that Mr. Smith of Dickinson be excused, which was granted.

Mr. Mechem moved that Mr. Phillips be excused, which was granted.

Mr. Wilcox moved that Mr. Walling be excused, which was granted.



Mr. Morrison moved that Mr. Bent be excused, which was granted.

Mr. Bowen moved that Mr. Dashiell be excused, which was granted.

Mr. Brown of Howard moved that further proceedings under the call be dispensed with, which motion did not prevail.

Mr. Kilburn moved that the House do now adjourn, which motion did not prevail.

Mr. Wilson of Dubuque moved that further proceedings under the call be dispensed with, which motion prevailed.

#### RESOLUTIONS.

Mr. McNutt offered the following resolution which was adopted:  
*Be it Resolved by the General Assembly of the State of Iowa,* That the census board, together with the adjutant-general, shall be authorized to inquire into the expediency and the cost of procuring a suitably-engraved testimonial of honor, to be by the adjutant-general presented to each honorably-discharged soldier who enlisted in any regiment in this State in the late war for the suppression of the rebellion; said testimonial to express the grateful appreciation by the State of the patriotism, valor, and gallantry so often displayed upon many battle-fields, and finally crowned with victory. The said census board and adjutant-general shall report to the General Assembly the result of their inquiry, with the probable cost of said testimonials, and no contract for the engraving and delivery of the same shall be made without the previous consent and approval of the General Assembly.

Mr. Ordway offered the following resolution which was laid over under Rule 50:

1. *Resolved,* That order first of business of the day be hereby suspended, and that petitions and remonstrances be hereafter presented to the Speaker, with written indorsement stating the committee to which it is desired that they be referred, and that they be referred by order of the Speaker to the proper committee, and entered upon the journal as if presented to the House.

2. That order fifth be suspended except on Tuesdays and Thursdays.

3. That bills on their passage be made the special order every day at 3 o'clock.

On motion of Mr. Kilburn, the Committee on Insurance was granted leave to sit during the afternoon session of the House.

Mr. Bowen offered the following resolution which was adopted:

WHEREAS, The majority of the Holland population of the State reside in Marion county; therefore,

*Resolved,* That the publisher of the Messages and Inaugural in that language be instructed to forward to the Secretary of State for the use of this General Assembly one hundred copies of each, the balance to be distributed from the office of publication.

Mr. Wilcox offered the following resolution which was adopted :

*Resolved*, That the Committee on Notaries Public be instructed to inquire into the necessity and expediency of enacting some law to prevent any person from acting as notary public, without a commission, or after his commission has expired.

Mr. Rector offered the following resolution, which was referred to the Committee on Federal Relations:

*Resolved by the House of Representatives, the Senate concurring*, That our Senators and Representatives in Congress be requested and instructed to use their influence in procuring the establishment of a daily mail route from Bartlett, in Fremont county, Iowa, by way of Plum Hollow and Sidney to Hamburg, in said county.

#### BILLS ON SECOND READING.

House File No. 33, A bill for an act to amend section 317 of the Revision of 1860, in relation to compensation of members of the board of supervisors.

The substitute recommended by the committee was adopted.

Mr. Wheeler moved to amend section 1, by striking out the words "two dollars" in the eighth line, and inserting the words "two dollars and fifty cents" in lieu thereof.

The motion to amend prevailed.

Mr. Wilson of Dubuque, moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Caldwell, Chase, Cramer, Davis, Donovan, Ellis, Fulton, Glasgow, Goodspeed, Guthrie, Hart, Hayden, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Knapp, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Orr, Ordway, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Stuart, Tenney, Traer, Tritz, Tucker, Wheeler, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker. — 59.

The nays were, Messrs. Adams, Bailey, Bolton, Brown of Van Buren, Dudley, Garrett, Gaylord, Hartsock, Hawthorn, Johnson of Marshall, Lambert, Leach, Leffingwell, Newberry, Parker, Perry, Smith of Harrison, Sheldon, Stanley, Tillson, Wilcox.—21.

Absent and not voting, Messrs. Bauder, Bent, Blackwell, Cotton, Craig, Dashiell, Grantham, Hamilton, Hatch, Kilburn, Peck, Phillips, Ramsay, Rohlf, Stone, Trusdell, Walling, Werner, and Wilson of Davis. — 19.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Kasson, from the Committee on Agricultural College and Farm, to submit the following report :

The Committee on the Agricultural College and Farm report :

That they have considered the various subjects referred to them, and report the following bills :

1. A bill for an act to prohibit the laying out or opening of roads across certain reserved lands of the State, and to vacate public roads on the same.

2. A bill for an act to provide certain police regulations for the protection of the Agricultural College and Farm, and of the students therein.

3. A joint resolution refusing to approve a proposed exchange of lands of the Agricultural College Farm.

And recommend that the same do pass.

They further report back the memorial from citizens of Low Moor, asking that girls as well as boys be admitted to the Agricultural College, with the recommendation that it lie upon the table, inasmuch as under the present law there is no obstacle to their admission.

Also, to introduce House File No. 278, A bill for an act to prohibit the laying out or opening of roads across certain reserved lands of the State, and to vacate public roads on the same.

KASSON, Chairman.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER : The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 227, A bill for an act to change the time of holding courts in Hardin county, in the Eleventh Judicial District.

House File No. 173, A bill for an act to appropriate money for the use of the State University.

House File No. 220, A bill for an act fixing the time of holding district courts in the Third Judicial District.

H. C. RIPPEY, Chairman.

On motion of Mr. Kasson, the bill was ordered to be engrossed, and read a third time.

Also to introduce House File No. 279, A bill for an act to provide certain police regulations, for the protection of the Agricultural College and Farm, and the students therein.

Read a first and second time.

On motion of Mr. Kasson, the bill was ordered to be engrossed and read a third time.

Mr. Dudley moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Knapp, Lambert, Leach, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—70.

The nays were Messrs. Adams, Donavan, Irish, Kelley, Lockwood, Longueville, Miller, Rector, and Wilson of Dubuque—9.

Absent and not voting, Messrs. Allen, Bauder, Bent, Blackwell, Bowen, Browne of Lee, Cotton, Criss, Dashiell, Grantham, Hatch, Kilburn, Leffingwell, Peck, Phillips, Ramsay, Rohlf, Walling, Werner, and Wright—20.

So the bill passed, and the title was agreed to.

The following resolution reported by the Committee on Agricultural College and Farm, was taken up and adopted:

A joint resolution, refusing to approve a proposed exchange of lands of the Agricultural College Farm:

*Be it Resolved by the General Assembly of the State of Iowa, That this State refuses its consent to any exchange of a part of the College Farm, heretofore proposed by the board of trustees of the State Agricultural College and Farm.*

Leave was granted Mr. Smith of Dickinson, to offer the following resolution, which was adopted:

WHEREAS, The swamp-land selections made by the agents of the State of Iowa in 1859, 1860 and 1861, in the counties of Emmett, Buena Vista and ten townships in Dickinson, were made in due time and duly forwarded to the office of the Surveyor-General of Iowa, but were not promptly filed in the department at Washington by the Surveyor-General, and

WHEREAS, By the present ruling of the department, said returns can not now be made without a special act of Congress, authorizing their reception by the department; therefore,

*Resolved, by the House of Representatives, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested, to use their best efforts to procure the passage of an act, directing the department to receive and pass upon said returns in the same manner as if they had been filed in due time.*

*Resolved, That the Secretary of State be directed to forward a copy of this resolution to each of our Senators and Representatives.*

Mr. McNutt moved that the rule be suspended, and that House File No. 278, A bill for an act to prohibit the laying out or opening

of roads across certain reserved lands of the State, and to vacate public roads on the same, be taken up and read a third time.

The motion prevailed and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Cramer, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Lambert, Lockwood, Longneville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Orr, Ordway, Parker, Perry, Rector, Rees, Rippey, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—74.

The nays were Brown of Fayette, Hawthorne, Leach—3.

Absent and not voting Messrs. Allen, Bent, Blackwell, Cotton, Criss, Dashiell, Ellis, Fulton, Grantham, Hatch, Kilburn, Knapp, Leffingwell, Newberry, Peck, Phillips, Ramsey, Rholfs, Rowell, Stanley, Walling and Werner—22.

So the bill passed, and the title was agreed to.

House File No. 113, A bill for an act to amend chapter 172 of the laws of the Ninth General Assembly relating to schools, was taken up and ordered to be engrossed, and read a third time.

House File No. 137, A bill for an act relating to independent school districts, with substitute, was taken up, and on motion of Mr. Parker, was laid on the table.

House File No. 156, A bill for an act to amend article 2, chapter 64 of the Revision of 1860, relating to the sale of intoxicating liquors, was taken up and considered.

Mr. Wilson of Dubuque moved that the further consideration of the bill be dispensed with, and the bill be made the special order for Thursday, March 12, at 10 o'clock, A. M.

The motion did not prevail.

Mr. Babbitt moved to amend by substituting as follows :

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all incorporated towns and cities within this State having a population exceeding four thousand inhabitants, are hereby authorized and empowered to grant licenses for the sale and disposal of spiritous and other liquors, within their corporate limits, under such rules and restrictions as their boards of trustees or aldermen may ordain: *Provided*, That no license shall be granted to any person for the sale of spiritous or other liquors to be drank upon the premises until the applicant shall have produced to the board of trustees or board of aldermen a certificate,

signed by a majority of all the voters in the ward in which he proposes to sell liquors as aforesaid, certifying that he is a man of good moral character, and a suitable person to be licensed to sell liquors as aforesaid: *and provided further*, that before a license shall be issued for the sale of spiritous liquors to be drank upon the premises under the provisions of this act, the applicant shall be required to pay into the treasury of such incorporated town or city, a sum which shall be fixed by the board of trustees or board of aldermen, which shall not be less than one hundred dollars.

SEC. 2. This act shall not be construed to interfere with existing laws, or work the repeal of such as are in conflict with its provisions, except in towns and cities having a population of over four thousand inhabitants, and which exercise the authority and powers conferred upon them by the provisions of this act.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the State Register and Iowa Statesman, newspapers published in Des Moines, in this State.

Mr. Wheeler moved to lay the substitute on the table, which motion did not prevail.

Mr. Johnson of Cherokee moved to amend the first section of the substitute by adding,

*Further*, That the applicant shall be responsible for damages either direct or remote, to all persons by accident or otherwise, resulting from the sales of all liquors or intoxicating beverages, and that any injury resulting to father, husband, brother or any other person on whom any citizen of the State of Iowa claims to, or receives support, whether by premature death occurring from accident or otherwise, or from imbecility of mind, weakness of body or lavish of expenditure caused by intoxication, or the use of intoxicating liquors, or beverages, said applicant with sureties shall be liable to all persons so injured.

Upon the adoption of the amendment, Mr. Babbitt demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Cramer, Dudley, Ellis, Fulton, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Lambert, McCann, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—58.

The nays were, Messrs. Adams, Babbitt, Bauder, Brown of Howard, Browne of Lee, Criss, Davis, Donovan, Garrett, Hartsock, Hawthorn, Kelley, Lockwood, Miller, Rector, Stuart, Tritz, Wilson of Dubuque, and Wright.—19.



Absent and not voting, Messrs. Bent, Blackwell, Burrows, Cotton, Dashiell, Gaylord, Grantham, Hatch, Irish, Kasson, Kilburn, Knapp, Leach, Leffingwell, Longueville, Peck, Phillips, Ramsay, Rohlfs, Traer, Walden and Warner.—22.

So the amendment to the amendment was adopted.

Mr. Brown of Fayette, moved to amend the 1st section of the substitute, by adding "and that liquors sold as a beverage shall not contain more than five per cent of prussic acid, and ten per cent of corrosive sublimate."

The motion to amend the amendment prevailed.

Mr. Dudley moved to amend the 1st section of the substitute, by adding "that any applicant for license shall accompany his application with the petition of a majority of women over eighteen years of age, in said city."

The motion to amend the amendment prevailed.

The motion to adopt the substitute did not prevail.

Mr. Trusdell moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atwood, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Craig, Cramer, Criss, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hart, Hayden, Johnson of Cherokee, Johnson of Marshall, Lambert, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Tenney, Tillson, Traer, Trusdell, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—54.

The nays were Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Bauder, Browne of Lee, Caldwell, Davis, Donovan, Hartsock, Hawthorn, Hunter, Irish, Kelley, Leach, Lockwood, Miller, Orr, Rector, Stone, Stuart, Tritz, Wilson of Dubuque, and Wright—25.

Absent and not voting, Messrs. Bent, Blackwell, Cotton, Dashiell, Gaylord, Grantham, Hamilton, Hatch, Kasson, Kilburn, Knapp, Leffingwell, Longueville, Murray, Peck, Phillips, Ramsay, Rohlfs, Tucker, and Werner—20.

So the bill passed, and the title was agreed to.

Leave of absence was granted Mr. Ramsay on account of sickness.

Leave of absence was granted Mr. Bowen until Tuesday noon.

Mr. Trusdell moved to reconsider the vote by which House File No. 156, A bill for an act to amend article 2, chapter 64, of the Revision of 1860, relating to the sale of intoxicating liquors, was passed.



Mr. Brown of Van Buren, moved to lay the motion to reconsider on the table, which motion prevailed.

Leave was granted Mr. Trusdell to present petitions which were referred to the Committee on the Suppression of Intemperance.

House File No. 39, A bill for an act to provide for the incorporation of towns and cities, was taken up, and the substitute recommended by the Judiciary Committee was adopted.

Mr. Ordway moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Chase, Cramer, Criss, Davis, Donovan, Dudley, Ellis, Goodspeed, Guthrie, Hart, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kelley, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Perry, Rector, Rees, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Speaker—64.

The nays were none.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Bowen, Brown of Fayette, Burnett, Caldwell, Cotton, Craig, Dashiell, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hartsock, Hatch, Irish, Johnson of Cherokee, Kasson, Kilburn, Knapp, Leffingwell, Murray, Parker, Peck, Phillips, Ramsay, Rippey, Rohlf, Sanborn, Stuart, Trusdell, and Werner.

So the bill passed, and the title was agreed to.

Leave of absence was granted Mr. Dudley for Monday next.

Mr. Goodspeed moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 9, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of Saturday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to return to your Honorable Body the following bills, which have passed the Senate without amendment :

House File No. 55, A bill for an act to provide for an additional argument term of the Supreme Court.

House File No. 134, A bill for an act to attach certain territory in Union township to Burlington township, for school purposes, in Des Moines county.

JAMES M. WEART, Secretary.

## SPECIAL ORDER.

The chair announced that the hour had arrived for the consideration of the special order, House File No. 186, A bill for an act to enable counties, townships, incorporated towns, and cities to aid in the construction of railroads.

Mr. Burnett moved that the consideration of the special order be postponed for ten minutes, which motion prevailed.

Mr. Burnett presented a petition from the stockholders of the C. R. I. and P. Railroad Company, which was read, and referred to the Committee on Railroads, and ordered printed.

By leave, Mr. Burnett introduced House File No. 280, A bill for an act supplemental to an act entitled, "An act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad from Davenport to Council Bluffs, Iowa, upon certain conditions therein named," which was read first and second time, and referred to the Committee on Railroads, and ordered printed.

Leave was granted Mr. Wilson of Dubuque, to introduce House File No. 281, A bill for an act to regulate the operation and define the duties of railroads in the State of Iowa, which was read first and second time, and referred to the Committee on Railroads, and ordered printed.

Also, House File No. 282, A bill for an act to facilitate the construction of water-works in the State of Iowa, which was read first and second time, and referred to the Committee on Incorporations.

Also, House File No. 283, A bill for an act authorizing the construction of street railways, which was read first and second time, and referred to the Committee on Incorporations.

Chair announced that the hour had arrived for the consideration of the special order.

Leave was granted Mr. Leach to introduce House File No. 284, A bill for an act for the protection of property on railroads.

Read first and second time, and referred to the Committee on Railroads.

Leave was granted Mr. Wilson of Tama, to introduce House File No. 285, A bill for an act to amend chapter 173 of the acts of the Ninth General Assembly.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. Kasson moved that House File No. 280 be ordered printed. The motion prevailed.

Leave was granted Mr. Wheeler to introduce House File No. 286, A bill for an act defining the duties of county treasurers in relation to the collection of taxes.

Read first and second time, and referred to the Committee on County and Township Organization.

Leave was granted Mr. Williams to offer the following resolution:

*Resolved*, That this House will hold no afternoon sessions on Monday, Wednesday and Saturday of this week.

Mr. Rippey moved to amend by striking out Monday and Wednesday and insert Tuesday and Thursday.

The amendment did not prevail.

The resolution was adopted.

Leave was granted Mr. Gaylord to submit a report from the visiting committee to the Cedar Falls branch of the Iowa Soldier's Orphans Home, which on motion of Mr. Rippey, was laid on the table and ordered printed.

#### PETITIONS.

Mr. Adams presented a petition from James Gallaher and about one hundred and fifty other male citizens of Henry county, asking for a good license liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. McKean moved that the special order, House File No. 186, A bill for an act to enable counties, townships, incorporated towns and cities to aid in the construction of railroads, be taken up and considered.

The motion prevailed.

On motion of Mr. Lambert the bill was considered by sections.

Mr. Smith of Harrison moved to amend the first section by striking out the word "county" in the second line, which motion to amend prevailed.

Mr. Goodspeed moved to amend the first section by striking out the word "lawful" in the first line and inserting in lieu thereof the word "unlawful."

The motion to amend did not prevail.

The amendment to the second section recommended by the committee was adopted.

## MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 102, A bill for an act to repeal section 3, of chapter 173, of the laws of the Ninth General Assembly and fixing the compensation of township assessors.

J. A. T. HULL, Assistant Secretary.

Mr. Hartsock moved to strike out the word "five" in the twelfth line section 2, and insert in lieu thereof the word "two," which motion to amend did not prevail.

Mr. Burnett moved to amend the second section by striking out the words "board of supervisors of any county or" in the first line, the word "county" in the third line, the words "such board of supervisors" in the fourth line, the words "board of supervisors" in the eighth line, and the word "county" in the eleventh line.

The motion to amend prevailed.

Mr. McKean moved to amend the second section, by striking out the words "legal voters" in the second line and inserting in lieu thereof the words "resident tax-payers."

Mr. Goodspeed moved to amend the amendment by striking out of the second line the words "one-fourth" and inserting the word "majority" in lieu thereof.

The amendment to the amendment did not prevail.

The amendment prevailed.

Mr. Chase moved to amend the second section, by adding as follows: *Provided, also*, that no township, city or town, shall be taxed for the above purpose oftener than once in five years.

Mr. Wheeler moved to amend the amendment by adding "one-half of said tax shall be collected the year the same is voted, and the residue the next succeeding year."

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Lambert moved to amend by adding to the end of sixth line of section 3: And the line and route on which said road is located.

Motion to amend did not prevail.

The amendment, recommended by the committee, to the third section of the bill, was adopted.

Mr. Burnett moved to amend by striking out "county" in eighth line, and "county or" in ninth line of section 3, which motion to amend prevailed.

Mr. Ordway moved to reconsider the vote by which the amendment recommended by the committee to the third section of the bill, was adopted.

The motion to reconsider prevailed.

Mr. Kasson moved to amend by striking out the words "within such county," which motion prevailed.

Mr. Kasson moved to amend by inserting the words "and equal amount" in lieu of "the same" in seventh line of section 3.

The motion to amend prevailed, and the amendment recommended by the committee, was adopted.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives, and the President of the Senate, and obtained their signatures thereto, and presented the same to His Excellency, the Governor, for his signature:

House File No. 173, A bill for an act to appropriate money for the use of the State University.

House File No. 220, A bill for an act fixing the time of holding district courts in Pottawattamie county, in the Third Judicial District.

House File No. 227, A bill for an act to amend an act entitled an act fixing the time of holding courts in the Eleventh Judicial District, approved March 23, 1866.

H. C. RIPPEY, Chairman.

Mr. McKean moved to amend third line of section 3—strike out the words "at once."

Mr. Wheeler moved to amend the amendment—strike out the words after "at once to proceed by himself or deputy."

The amendment to the amendment did not prevail, and the amendment offered by Mr. McKean prevailed.

Mr. Kasson moved to amend by adding to the end of section 3, *Provided*, that any tax-payers producing to the county treasurer, prior to the collection of the tax, a voucher of the proper officer of the railroad company, showing that his tax has been paid to the satisfaction of the company, shall, on filing the same with the county treasurer, be discharged from the tax.

The motion to amend prevailed.

Mr. Hayden moved to amend second line, by adding after the word "manner," the words "same time."

The motion to amend did not prevail.

The amendment recommended by the committee, to the fourth section of the bill, was adopted.

Mr. Burnett moved to amend section 2, tenth line, by inserting after the word "prepare," the words "and certified by the clerk of the board of supervisors," which motion to amend prevailed.

Mr. Burnett asked leave to add a proviso to House File No. 280, A bill for an act supplemental to an act entitled "an act providing for and requiring the early construction of the Chicago, Rock

Island and Pacific Railroad from Davenport to Council Bluffs, Iowa, upon certain conditions therein named," was granted.

Mr. Blackwell moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 10, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Dinsmore.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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. 75, A bill for an act to amend section 840, of chapter 46, of the Revision of 1860, in relation to roads and high-ways.

Senate File No. 168. A bill for an act to reduce the number of trustees of the Iowa State Agricultural College and Farm.

Senate File No. 103, A bill for an act to amend an act entitled the General School Act, passed April 8, 1862.

I am also directed to return herewith the following bill and resolutions, which have passed the Senate without amendment:

House File No. 259. A bill for an act legalizing the incorporation of First Congregational Society of Mason City, Cerro Gordo County, Iowa.

Joint resolution ratifying the amendment to the Constitution of the United States, in regard to representation, reconstruction and the national debt.

Resolution of instruction to census board and adjutant-general, to inquire as to the cost of engraved testimonial to honorably-discharged Iowa soldiers.

JAMES M. WEART, Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to return to your Honorable Body the following bill, which has passed the Senate without amendment:

House File No. 32, A bill for an act to legalize certain acts of the board of supervisors of Howard county, Iowa.

Also, to inform you that the Senate has ordered printed the report of the select committee to visit the Iowa Soldiers' Orphans Home, at Cedar Falls.

JAMES M. WEART, Secretary.

Leave was granted Mr. Wilson of Dubuque, to take up Senate File No. 103, A bill for an act to amend an act entitled the General School Act passed April 8, 1862, requiring county treasurers to pay over moneys to independent school districts monthly, which was referred to the Committee on Schools.

Mr. Stanley presented a petition praying for a more stringent game law, which was referred to the Committee on Game Law.

Mr. Mechem presented a remonstrance, remonstrating against the repeal of the prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Goodspeed presented three petitions which were referred to the Committee on the Suppression of Intemperance.

Mr. Caldwell presented a remonstrance from citizens against the repeal of the prohibitory liquor law, which was referred to the Committee on Suppression of Intemperance.

Mr. Brown of Fayette, presented a claim for work from Dan Ellyson, which was referred to the Committee on Claims.

Mr. Kohns presented a petition, which was referred to the Committee on the Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Mr. Hatch from the Committee on Public Buildings, submitted the following report:

Your Committee on Public Buildings, to whom was referred that portion of the Adjutant-General's report, asking for an appropriation to grade the grounds, build, fence, &c. &c., around the arsenal, and adjutant-general's office, has had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage.

J. H. HATCH, Chairman.

Mr. Dashiell, from the Committee on Insane Asylum, submitted the following report:

Your committee to whom was referred House File No. 131, have had the same under consideration and have instructed me to report the following amendment to section 1. Provided, that where the insane person happens to be in a county other than that of his or her residence, then in that case, the certificate of a physician appointed by the county judge of such county, shall be sufficient, and recommend that it do pass.

M. A. DASHIELL, Chairman.



Mr. Wilcox from the Committee on Ways and Means submitted the following report:

The Committee on Ways and Means, to whom was referred House File No. 165, A bill for an act to remit State and county taxes in certain cases," have instructed me to report the same back with the recommendation that it be indefinitely postponed for the reason that Senate File No. 78 provides for the object sought to be attained in this bill.

WILCOX, Chairman.

The Committee on Ways and Means to whom was referred House File 42 and 43, together with a substitute for the same, have instructed me to report the same back with the recommendation that the House File 42 and 43, and the substitute for the same be indefinitely postponed for the reason that the objects sought to be attained in these bills are provided for in Senate File 78, which they have recommended do pass.

WILCOX, Chairman.

The Committee on Ways and Means to whom was referred Senate File 78, would report the same back with the following amendments:

1st. Strike out of the first section in the tenth and eleventh lines the words "five or more years" and insert in the eleventh line after the word "and" the word "which."

2d. Strike out of section two, all after the word "sale" in the ninth line, up to and including the word "sale" in the thirteenth line, and insert the words stricken out after the word "that" in the first line; and as amended recommend that it do pass.

They would also report that they offer this bill, Senate File 78, as a substitute for House File 165, and for House File 42 and 43, and their substitute, as they find the requirements of these bills provided for in Senate File 78.

WILCOX, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report:

Your Committee on Schools deeming it of immediate importance that the State should repair all losses which have occurred in the management of the Permanent School and University Funds, present a bill providing for auditing such losses.

PARKER, Chairman.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred Senate File No. 65, A bill for an act to protect the hop-growing interests of the State of Iowa, and to indicate the size of boxes to be used in picking hops in this State, have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

Mr. Hamilton, from the Committee on Internal Improvements, submitted the following report:

The Committee on Internal Improvements to whom was referred House File No. 98, A bill entitled "An act to encourage immigration to the State of Iowa," having had the same under consideration, have made some amendments thereto, and instructed me to report it back to the House, and recommend its passage as amended.

HORACE HAMILTON, Chairman.

The following resolution, laid over under the rule, was taken up, read and adopted:

1. *Resolved*, That order first of business of the day be hereby suspended, and that petitions and remonstrances be hereafter presented to the Speaker, with written indorsement stating the committee to which it is desired that they be referred, and that they be referred by order of the Speaker to the proper committee, and entered upon the journal as if presented to the House.

2. That order fifth be suspended, except on Tuesdays and Thursdays.

3. That bills on their passage be made the special order every day at 3 o'clock.

#### INTRODUCTION OF BILLS.

Mr. Rowell introduced House File No. 289, A bill for an act to authorize the Secretary of State to exchange copies of the Supreme Court reports for other books of law and equity, which was read first and second time, and passed on file.

Mr. Wilcox introduced House File No. 290, A bill for an act in relation to revenue and taxing the property of express and telegraph companies, which was read a first and second time, and referred to the Committee on Ways and Means, and ordered printed.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 134, A bill for an act for the annexation of the east half of section number one, and the north-east quarter of section number twelve, in township number sixty-nine, north of range number three, west, in Des Moines county, State of Iowa, to sub-district number three in Burlington township, in said county and State.

House File No. 136, A bill for an act resuming certain rights conferred upon the Dubuque and Pacific (now Dubuque and Sioux City) Railroad Company, by an act approved July 14, 1856, and acts amendatory thereof, and to repeal certain laws in relation thereto.

H. C. RIPPEY, Chairman.

Mr. Wilcox introduced House File No. 291, A bill for an act fixing the salary of the Treasurer of State, which was read first and second time, and referred to the Committee on the Compensation of Public Officers.

Also, House File No. 292, A bill for an act to limit the amount of tax for State purposes, which was read first and second time, and referred to the Committee on Ways and Means.

Mr. Leach introduced House File No. 293, A bill for an act to prevent frauds in the manufacture of cheese, which was read first and second time, and referred to the Committee on Agriculture.

Mr. Burrows introduced House File No. 294, A bill for an act fixing the compensation of county recorders in certain cases, which was read first and second time, and referred to the Committee on Compensation of Public Officers.

Mr. Irish introduced House File No. 295, A bill for an act relative to notaries public, which was read first and second time, and referred to the Committee on Notaries Public.

Mr. Orr introduced House File No. 296, A bill for an act relating to taking depositions by commission, which was read first and second time, and referred to the Committee on Judiciary.

Mr. Morrison introduced House File No. 297, A bill for an act for the relief of William Binnaman, which was read first and second time.

On motion of Mr. Morrison, the rule was suspended, and the bill ordered to be read a third time.

The bill was read a third time.

Mr. Kasson moved that the vote by which the bill was ordered to be read a third time be reconsidered.

The motion to reconsider prevailed.

Mr. Kasson moved to amend section 1, by inserting after the word "perfect" in the sixth line of said section the words, "as against every claim by the State of Iowa."

The motion to amend prevailed.

On motion of Mr. Morrison, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone,

Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—85.

The nays were none.

Absent and not voting, Messrs. Bailey, Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, Hawthorn, Hunter, Leffingwell, McNutt, Stuart, Werner, Wilcox, and Williams—14.

The bill passed, and the title was agreed to.

Mr. Hamilton introduced House File No. 298, A bill for an act to authorize boards of county supervisors to appropriate monies to county agricultural societies, where the same become indebted for permanent improvements.

Read first and second time, and referred to the Committee on Agriculture.

Leave was granted Mr. Rees, to present two memorials from the citizens of Webster and other counties, asking for a resumption of the Dubuque and Sioux City Railroad lands, and a re-grant of said lands to the Iowa Falls and Sioux City Railroad Company, which were referred to the Committee on Railroads.

#### RESOLUTIONS.

Mr. Goodspeed offered a resolution in relation to the abolishment of capital punishment, which was read and referred to the Committee on Judiciary.

Mr. Traer offered a resolution for changing the hour-rules, in relation to the hour of meeting in the forenoon, which was laid over under Rule 50.

Mr. Rowell moved that the rules be suspended, and House File No. 186, A bill for an act to enable counties, townships and incorporated towns and cities, to aid in the construction of railroads be taken up.

The motion prevailed, and the bill was taken up and ordered to be engrossed and read a third time.

Mr. Murray 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.

Mr. Newberry moved to re-commit the bill to the Committee on Railroads.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills have presented the following bills to the Speaker of the House and the President of the Senate, and obtained their signatures thereto, and have presented the same to His Excellency, the Governor, for his signature:

House File No. 134, A bill for an act for the annexation of the east half of section No. 1. and the northeast quarter of section No. 12, in townships No. 69, north of range No. 3 west, in Des Moines

County, State of Iowa, to sub-district No. 3, Burlington township, in said county and state.

House File No. 136, A bill for an act renewing certain rights conferred upon the Dubuque and Pacific (now Dubuque and Sioux City Railroad Company), by act approved July 14, 1856, and acts amendatory thereof, and to repeal certain laws in relation thereto.

H. C. RIPPEY, Chairman.

The motion to re-commit did not prevail.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Ballinger, Bowen, Brown of Fayette, Burnett, Burrows, Chase, Cramer, Criss, Dashiell, Fulton, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Kasson, Kilburn, Knapp, Leach, McCoun, McKean, Mechem, Miller, Morrison, Murray, Orr, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Stuart, Tenney, Tillson, Traer, Truedell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Tama, Wright, and Mr. Speaker—57.

The nays were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Bauder, Blackwell, Bolton, Caldwell, Cotton, Craig, Davis, Donovan, Dudley, Garret, Goodspeed, Grantham, Hart, Hartsock, Irish, Johnson of Marshall, Kelley, Lambert, Leffingwell, Lockwood, Longueville, Miles, Newberry, Perry, Sanborn, Sheldon, Stone, Tritz, Wilson of Davis, and Wilson of Dubuque—35.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, McNutt, and Werner—7.

Mr. Orr moved to amend the title of the bill by striking out the word "counties."

The motion to amend prevailed and the title as amended was agreed to.

#### COMMUNICATIONS ON SPEAKER'S TABLE.

The communication from the Census Board relative to the memorial for soldiers who enlisted from the State of Iowa, was taken up and on motion of Mr. Tillson, was referred to the Committee on Military Affairs.

Leave was granted Mr. Wilson of Dubuque, to take up House File No. 237, A bill for an act requiring the reporter of the Supreme Court to attend the argument term at Dubuque, and on motion of Mr. Wilson of Dubuque, the rule was suspended, and the bill was considered engrossed and read a third time.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Dashiell, Davis,

Donavan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Rector, Rees, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker.—78.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Criss, Ellis, Gaylord, Grantham Hamilton, Hunter, Kasson, Knapp, Leffingwell, McNutt, Ramsay, Rippey, Rohlf, Werner and Wright—21.

So the bill passed, and the title was agreed to.

On motion of Mr. Burnett, the order of business was suspended, and House File No. 135 was taken up and considered.

Mr. Burnett moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Burnett, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Marshall, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, McCoun, McKean, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Tenney, Traer, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—65.

The nays were Messrs. Babbitt, Bander, Donavan, Hawthorn, Irish, Johnson of Cherokee, Longueville, Miller, Rees, Smith of Harrison, Stanley, Stuart, Tillson, and Tritz—14.

Absent and not voting, Messrs. Allen, Atkins, Bent, Blackwell, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Dudley, Ellis, Kasson, Knapp, Leach, McNutt, Murray, Rector, Rippey, Walling, Werner, and Wright—20.

So the bill passed, and the title was agreed to.

On motion of Mr. Orr, House File No. 256, A bill for an act to legalize the action of the officers of the corporate town of Montana, Iowa, in organizing a city of the second class, was taken up and considered.

Mr. Orr moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.



Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, McKean, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—77.

The nays were Messrs. Babbitt and Tillson—2.

Absent and not voting, Messrs. Atkins, Bent, Blackwell, Brown of Fayette, Brown of Howard, Brown of Lee, Brown of Van Buren, Ellis, Gaylord, Kasson, Knapp, Leach, Longueville, McCoun, McNutt, Murray, Rector, Werner, Wilson of Dubuque, and Wright—20.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present the same for your signature:

House File No. 55, A bill for an act to provide for an additional argument term of the Supreme Court.

H. C. RIPPEY, Chairman.

Mr. Johnson of Marshall moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bill to the Speaker of the House, and the President of the Senate, and obtained their signatures thereto, and have presented the same to His Excellency the Governor, for his signature:

House File No. 55, An act to provide for an additional argument term of the Supreme Court.

H. C. RIPPEY, Chairman.



## SENATE MESSAGES.

Senate File No. 75, A bill for an act to amend section 840 of chapter 46, of the Revision of 1860, in relation to roads and highways, was taken up and read first and second time, and referred to the Committee on Roads and Highways.

Senate File No. 168, A bill for an act to reduce the number of trustees of the Iowa State Agricultural College and Farm, was taken up, read first and second time, and referred to the Committee on Agricultural College and Farm.

Senate File No. 102, A bill for an act to repeal section 3, of chapter 173, of the laws of the Ninth General Assembly, being an act to increase the compensation of township assessors, was taken up, read first and second time, and referred to the Committee on Compensation of Public Officers.

## BILLS ON SECOND READING.

Senate File No. 14, A bill for an act to authorize the boards of supervisors to levy taxes to pay county indebtedness, was taken up, and ordered to be engrossed, and read a third time.

House File No. 142, A bill for an act to amend section 754 of the Revision of 1860, was taken up and considered.

Mr. Ordway moved to amend section 1 by striking out the words "warrants by the township trustees," and insert in lieu thereof the words "road certificates issued according to law," and also strike out the words "drawn upon the township clerk." Also, strike out the word "warrants," wherever it occurs in the first section, and insert in lieu thereof the word "certificates."

The motion to amend prevailed.

Mr. Kilburn moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler,

Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—80.

The nays were none.

Absent and not voting, Messrs. Adams, Bent, Bolton, Brown of Howard, Browne of Lee, Brown of Van Buren, Cramer, Fulton, Garrett, Johnson of Cherokee, Kasson, Kelley, Lockwood, Longueville, McNutt, Traer, Werner, Wilcox and Williams.—19.

So the bill passed, and the title was agreed to.

House File No. 14, A bill for an act to legalize the levy of certain taxes for the payment of soldiers' bounties, was taken up and considered.

The substitute recommended by the committee was adopted.

Mr. Hawthorn moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—82.

The nays were, Messrs. Babbitt, Rees, Stuart.—3.

Absent and not voting, Messrs. Adams, Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Dudley, Ellis, Fulton, Johnson of Cherokee, Kasson, McNutt, Traer, Werner, and Wilcox.—14.

So the bill passed, and the title was agreed to.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature :

Senate File No. 82, A bill for an act in relation to independent school districts.

Joint resolution asking the extension or enlargement of the grant of land to build a railroad from McGregor west on the forty-third parallel.

Joint resolution for the relief of Buchanan county.

H. C. RIPPEY, Chairman.

House File No. 124, A bill for an act to perfect the title of Peter Oleson and Magnus Rangoin in and to certain lands, was taken up and considered.

On motion of Mr. Williams the rule was suspended, and the bill read a third time.

Upon the question shall the bill pass the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Kelley, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longneville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, Fulton, Hartsock, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, McNutt, Traer, Werner, and Wilcox—16.

So the bill passed, and the title was agreed to.

Senate File No. 1, A bill for an act to amend an act for the further relief of the widow and indigent children of Joseph Ketterer, was taken up, considered, ordered engrossed, and read a third time.

House File No. 57, A bill for an act fixing the time of holding courts in the Second Judicial District, was taken up and considered.

The substitute reported and recommended by the committee was adopted.

Mr. Wheeler moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Brown of Fayette, Burnett, Burrows, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longneville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay,

Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—85.

The nays were none.

Absent and not voting, Messrs. Bent, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Ellis, Fulton, Hayden, Kasson, Kelley, McNutt, Rippey, and Werner—14.

On motion of Mr. Wheeler, the following was agreed to as the title of the bill "A bill for an act fixing the time of holding courts in the Second Judicial District of Iowa."

House File No. 16, A bill for an act to ascertain the citizens entitled to the right of suffrage, and to prevent fraudulent voting, was taken up and considered.

Mr. Irish moved that consideration of the bill be postponed, and the bill be made the special order for March 19th, at 10 o'clock A. M.

#### BILLS ON THIRD READING.

House File No. 89, A bill for an act to amend chapter 135 of the acts of the Eleventh General Assembly, in relation to threshing machines, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Cramer, Dashiell, Davis, Donovan, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—83.

The nays were, Messrs. Hart and Morrison.—2.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Craig, Criss, Dudley, Ellis, Fulton, Gaylord, Johnson of Cherokee, McNutt, Rippey and Werner.—14.

So the bill passed, and the title was agreed to.

House File No. 40, A bill for an act authorizing the boards of supervisors to compromise certain judgments, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Craig, Ellis, Fulton, Gaylord, Johnson of Cherokee, Kasson, Kilburn, McCoun, McNutt, Ramsay, Rees, and Werner—16.

So the bill passed, and the title was agreed to.

House File No. 28, A bill for an act legalizing the acts of E. Kinley, a notary public in Lee county, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—82.

The nays were Messrs. Babbitt, Blackwell, Rippey, Rohlf and Tillson—5.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, Fulton, Gaylord, Johnson of Cherokee, McNutt, Rees, Sanborn and Werner—12.

So the bill passed, and the title was agreed to.

House File No. 30, A bill for an act to amend chapter 46, of the Revision of 1860, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—84.

The nays were, Messrs. Adams, Allen, and Grantham—3.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, Fulton, Hamilton, Johnson of Cherokee, McNutt, Sanborn, Walling, and Werner—12.

So the bill passed, and the title was agreed to.

House File No. 60, A bill for an act providing for the payment of witness fees in certain cases by the State.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Donovan, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—82.

The nays were, Messrs. Adams and Dudley.—2.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Davis, Ellis, Fulton, Garrett, Hawthorn, Johnson of Cherokee, McNutt, Rector, Rees, Werner and Williams.—15.

So the bill passed, and the title was agreed to.

House File No. 49, A bill for an act entitled an act to prevent the driving away of cattle and other stock, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :



The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Chase, Cotton, Cramer, Criss, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright.—79.

The nays were, Mr. Adams.—1.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Craig, Dashiell, Davis, Donavan, Ellis, Fulton, Hamilton, Johnson of Cherokee, Kilburn, McNutt, Rector, Stuart, Werner, Williams, and Mr. Speaker.—19.

So the bill passed, and the title was agreed to.

House File No. 52, A bill for an act to provide for taxing indemnity swamp land, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atwood, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright—80.

The nays were Babbitt, Bailey, Chase, Sheldon—4.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, Fulton, Hamilton, Johnson of Cherokee, McNutt, Rector, Stanley, Stuart, Werner, Williams and Mr. Speaker.—15.

So the bill passed, and the title was agreed to.

Senate File No. 56, A bill for an act relating to the claim of Joseph D. Hoag, as commissioner to locate a permanent seat of government, was taken up and read a third time.

Mr. Babbitt moved to re-commit to the Committee on Claims, with instructions.

The motion to re commit did not prevail.



Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Chase, Cotton, Craig, Cramer, Criss, Dashiell, Davis, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Phillips, Ramsay, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Traer, Trusdell, Walling, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Wright—60.

The nays were, Messrs. Babbitt, Bauder, Blackwell, Caldwell, Donovan, Hawthorn, Kelley, Leach, Leffingwell, Lockwood, Longneville, Ordway, Peck, Rector, Rees, Rippey, Rohlf, Smith of Harrison, Stone, Stuart, Tenney, Tillson, Tritz, Tucker, Wilcox, and Wilson of Dubuque—26.

Absent and not voting, Messrs. Adams, Bent, Brown of Howard, Browne of Lee, Brown of Van Buren, Ellis, Fulton, Hamilton, Hunter, McNutt, Perry, Werner, and Mr. Speaker—18.

So the bill passed, and the title was agreed to.

#### MESSAGES FROM THE SENATE.

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. 11, A bill for an act to legalize the acts of John S. Gilmor, a justice of the peace of Lee county, Iowa.

Substitute for Senate File No. 44, A bill for an act to amend sections 1068, 1069 and 1070, of the Revision of 1860, and to provide additional means for the collection of charges, assessments and taxes on lots of land within municipal corporations.

J. A. T. HULL, Assistant Secretary.

Leave of absence was granted the Railroad Committee the remainder of the afternoon.

Leave of absence was granted Mr. Cramer.

Leave of absence was granted Mr. Leffingwell, for one day.

Leave of absence was granted Mr. Stuart, for one day.

Mr. Kilburn moved that the House do now adjourn, which motion prevailed and the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 11, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Hayhurst.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Burnett presented a remonstrance from the members of the Bar of Muscatine county, remonstrating against the passage of the Circuit Court bill, which was referred to the Committee on the Judiciary.

Mr. Adams presented a petition from E. S. Hull and two hundred and fifty-two other voters of Henry county, praying for the passage of an equitable license liquor law, which was referred to the Committee on the Suppression of Intemperance.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 91, A bill for an act to legalize the official acts of Henry Temple, a notary public of Caes county, Iowa.

Also that the Senate has ordered printed the report of special committee to visit Iowa Agricultural College and Farm.

Also, the report of special committee to visit Branch of Iowa Soldiers' Orphans Home at Glenwood.

Also, that the Senate has indefinitely postponed House resolution relating to passage of an act relative to settlement of swamp land claims.

JAMES M. WEART, Secretary.

The Chair announced that the hour had arrived for the consideration of the special order, House File No. 91, A bill for an act limiting the charges and defining duties of railroad companies.

Mr. Irish moved to reconsider the vote by which House File No. 52, A bill for an act to provide for taxing indemnity swamp land, was passed.

Mr. Wheeler moved to lay the motion to reconsider on the table, which motion did not prevail.

The motion to reconsider prevailed.

Mr. Craig moved that the special order be postponed, and made the special order for Friday, March 13th, at 10 o'clock A. M.

The motion prevailed.

## REPORTS OF COMMITTEES.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

Your Committee on Agriculture, to whom was referred petitions from citizens of Black Hawk, Buchanan, Henry, and Mahaska counties, also various petitions, memorials, and resolutions from sources unknown, asking for the restraining of stock and protection of crops, have had the same under consideration, together with House File No. 243, entitled "A bill for an act for the restraining domestic animals from running at large in certain cases," and House File No. 247, entitled "A bill for an act to protect crops against the invasion of stock," considering the earnestness of your petitioners, as manifested by their repeated appeals, together with the voluminous character of the papers now in our hands, all of which are designed to accomplish the same object, your committee is of the unanimous opinion that there is occasion for some enactment which, whilst it may not accomplish all that the most extreme may ask, would in a great degree bring security and relief to those whose property is now imperiled for want of another and a better law.

Therefore, your committee have instructed me to report the said petitions, memorial, and resolutions back to the House, together with House File Nos. 243 and 247, with the recommendation that House File 247, entitled, A bill for an act to protect crops against the invasion of stock, do pass, with an additional section as amendatory thereto, which shall be numbered section ten in said bill, and shall read as follows, to-wit:

SECTION 10. At their regular session in June in each year, a majority of the board of supervisors in each organized county in this State, shall determine whether the adoption of the provisions of this act shall be submitted to the legal voters of the county at the ensuing general election, and if the supervisors so declare, there may be written or printed on each ballot cast, either of the sentences following, to-wit: "For the stock act," "Against the stock act;" and if a majority of all the votes cast at such election in said county, be for the stock act, then and not otherwise shall the provisions of this act be in full force in such county for one year, and so long thereafter as the legal voters shall so determine.

Your committee further recommend that section 10 in printed bill, House File No. 247, be stricken out.

W. P. GAYLORD, Chairman.

Mr. Craig from the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills have examined House File No. 186, A bill for an act to authorize townships, cities, and towns, to vote a tax to aid in construction of railroads, and find the same correctly engrossed.

S. H. CRAIG, for Committee.

Mr. Miller from the special committee on the memorial of Geo. W. Carver, submitted the following report:

Your special committee to whom was referred the memorial of Geo. W. Carver, have had the same under consideration, and find that in their opinion, Mr. Carver has been wronged and lost his property by the mis-representations of a state official; that justice demands he should be paid the sum of twenty-two hundred dollars, and have directed me to report the accompanying bill, with the recommendation that it do pass.

GEO. R. MILLER, Chairman.

Mr. Kilburn from the special committee on House File No. 216, submitted the following report:

MR. SPEAKER:—The special committee to whom was referred House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving and other repairs upon the vault in his office, with instructions to examine said vault, and report to this House, beg leave to report that they have attended to that duty, and find the said vault in a very unsafe condition, and entirely unsuitable for the safe keeping and preservation of the records, papers and other property under the control of the State Treasurer.

Your committee consulted with the State Treasurer, Governor, and other state officers, as to the best plan for making the repairs upon said vault, and the State Treasurer, at the request of your committee, obtained estimates of the cost of repairs and improvements required, which according to said estimate amount to about three thousand dollars, this amount your committee recommend should be appropriated at once. The particulars of the improvements demanded, your committee have not embodied in this report, for reasons which will appear obvious to all.

Your committee would therefore report back the bill above described, with the recommendation that the following amendments be made, to-wit: Strike out "one" in the fourth and fifteenth lines of section two of said act, and insert "three," in lieu thereof. Also, strike out the publication clause.

With the above amendments your committee recommend the passage of the bill.

G. F. KILBURN, Chairman.

Mr. Kilburn from the special committee on Senate resolution, submitted the following report:

The special committee to whom was referred the joint resolution adopted by the Senate, in relation to repairs in the State Treasurer's office, and to provide for the employment of an additional night watch, have had the same under consideration, and are of the opinion that the end sought for, to-wit: the safe preservation of the records and other property in said Treasurer's office, will be obtained by the passage of House File No. 216, with the amendments recommended by your committee; they therefore instruct

me to report the same back with the recommendation that it do not pass.

G. F. KILBURN, Chairman.

Mr. McKean from the Committee on Judiciary, submitted the following report:

Your Committee on Judiciary, to whom was referred House File No. 274, A bill for an act enabling associations of persons to raise funds and loan the same for the building of homesteads, have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the Committee on Incorporations.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, to whom was referred Senate File No. 70, A bill for an act for the relief of the widow and children of Steiner Larson, have given the same consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, to whom was referred substitute for Senate File No. 28, A bill for an act to prevent members of the board of supervisors and county officers from becoming surety on the official bond of any county officer, have had the same under consideration, and have instructed me to report the same back to the House and recommend that the same be amended by inserting after the word "supervisors" in the fourth line of the first section the words "or attorney at law," and that the bill thus amended, do pass.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, to whom was referred Senate File No. 12, A bill for an act to amend the Revision of 1860, in relation to land sold on execution, have had the same under consideration, and a majority of those present have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN McKEAN, Acting Chairman.

The Judiciary Committee, to whom was referred Senate File No. 74, A bill for an act to amend section 2721 of chapter 115 of the Revision of 1860, in relation to jurors, 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, for the reason that the present law is sufficient and works well.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, have considered House File No. 268, A bill for an act to authorize the correction of errors in the plat of the village of Webster City, Hamilton county, and authorized me to report the same back to the House with the recommendation that it do pass.

JOHN McKEAN, Acting Chairman.

The Judiciary Committee, to whom was referred House File No. 266, A bill for an act concerning acknowledgments of deeds and other instruments in writing, 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, for the reason that the present law is well understood, and changes in the mode of transferring property should not be made except for urgent reasons.

JOHN McKEAN, Acting Chairman.

Your Committee on Judiciary, to whom was referred Senate File No. 90, A bill for an act to relinquish an escheat to William Geddes, of certain lands in Scott county, have taken the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN McKEAN, Acting Chairman.

On motion of Mr. McKean, the rule was suspended and the bill was taken up and read a third time.

On motion of Mr. Mechem, the memorial accompanying the bill was taken up and read.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambort, Leach, Lockwood, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rholfs, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—84.

The nays were none.

Absent and not voting, Messrs. Adams, Bent, Brown of Howard, Craig, Cramer, Donavan, Ellis, Fulton, Hatch, Leffingwell, Longueville, McNutt, Stuart, Walling, and Werner.—15.

So the bill passed, and the title was agreed to.

Mr. Dudley, from the Committee on Claims, submitted the following report:



Your Committee on Claims to whom was referred the claim of John Bryan, having had the same under consideration, have given notice to the parties presenting, and to others supposed to be interested or having some knowledge of the facts, and not having heard any evidence to satisfy us that the claim should be allowed, we therefore recommend that it be indefinitely postponed.

C. DUDLEY, Chairman.

The Committee on Claims to whom was referred the claim of Dan Ellyson, have had the same under consideration, and have instructed me to report the same back, and recommend that it be allowed, and that the Committee on Ways and Means be instructed to provide for it in the general appropriation bill.

C. DUDLEY, Chairman.

The report was concurred in.

Mr. Wilcox, from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means to whom was referred House File No. 252, A bill for an act to authorize counties to fund certain indebtedness, have instructed me to report the same with sundry amendments, as indicated in the printed copy of the bill reported herewith, and recommend that the bill as amended do pass.

WILCOX, Chairman.

Your Committee on Ways and Means to whom was referred the petition of W. F. Coan and Robert Spear, praying for a law to provide for the valuation of real estate to be inserted in tax-receipts, have instructed me to report the accompanying bill in answer to the prayer of the petitioners, and recommend that it do pass.

WILCOX, Chairman.

House File No. 300, A bill for an act defining the duties of county treasurers, was read first and second time.

On motion of Mr. Wilcox, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Dashiell, Davis, Donavan, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Lockwood, McCoun, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Stanley, Tenney, Tillson, Tritz, Truedell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were Messrs. Grantham, Hunter, Knapp, McKean,



Orr, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, and Wilson of Dubuque—11.

Absent and not voting, Messrs. Bent, Brown of Howard, Craig, Cramer, Criss, Dudley, Ellie, Fulton, Leffingwell, Longueville, McNutt, Murray, Rippey, Stone, Stuart, Traer, and Werner—17.

So the bill passed, and the title was agreed to.

Mr. McKean, from the Committee on the Judiciary submitted the following report :

Your Committee on the Judiciary, to whom was referred Senate File, No. 137. A bill for act to provide for the publication and distribution of the laws of the Twelfth General Assembly of the State of Iowa, 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 pass.

JOHN McKEAN, Acting Chairman.

Mr. Trusdell moved that the rules be suspended and the bill be now taken up.

The motion prevailed, and the bill was taken up and considered.

On motion of Mr. Trusdell the rule was suspended and the bill was read a third time.

Upon the question " Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, McCann, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—86.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Cramer, Donovan, Ellis, Fulton, Leffingwell, Longueville, McNutt, Rippey, Stuart, Traer and Werner.

So the bill passed, and the title was agreed to.

Mr. Parker, from the Committee on Schools, submitted the following report :

Your Committee on Schools, to whom was referred Senate File No. 103, recommend its passage.

PARKER, Chairman.

Mr. Tucker moved that the rules be suspended, and Senate File No. 103, A bill for an act to amend an act entitled the General

School Act, passed April 8th, 1862, requiring county treasurers to pay over moneys to independent school-districts monthly, be taken up and considered.

The motion prevailed, and the bill was taken up, considered and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Davis, Donovan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leach, Lockwood, Longueville, McConn, McKean, Miles, Miller, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Craig, Cramer, Criss, Dashiell, Ellis, Fulton, Kilburn, Leffingwell, McNutt, Mechem, Morrison, Stuart, Traer, and Werner—16.

So the bill passed, and the title was agreed to.

Mr. Ordway, from the Committee on the Suppression of Intemperance, submitted the following report:

Your Committee on the Suppression of Intemperance, have instructed me to report that they have carefully examined the petitions referred to them, and find that petitions asking for the enactment of a more stringent prohibitory liquor-law have been presented, signed by 40,343 persons—men, women and children—of whom 13,723 are represented as legal voters.

A few of these remonstrate against the enactment of a license-law, praying that no change in the present law be made, or, if any, that it be made more stringent, so as to include beer, wine and cider in its provisions.

Memorials from the yearly meeting of the Society of Friends, and from the State Christian Convention, lately convened at Des Moines, have been presented, asking the enactment of a more stringent law.

Your committee also find, that petitions asking the repeal of the present prohibitory law, and the enactment of a license-law instead, signed by 7,815 persons represented as legal voters, have been presented.

They have instructed me to report further, that a majority of the committee recommend the passage of the substitute for House File

No. 178, heretofore presented by the committee, and that they have consented that the minority of said committee, present a bill to embody their views in relation to a license-law, and that the minority so acting, have presented House File No. 278.

GEORGE ORDWAY, Chairman.

Mr. Kilburn moved that the regular order of business be suspended, and that House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving and other repairs upon the vault in his office, be taken up.

The motion prevailed, and the bill was taken up and considered.

The amendment recommended by the committee was concurred in.

Mr. Kilburn moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question shall the bill pass the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Tucker, Walling, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—82.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Craig, Cramer, Criss, Dashiell, Ellis, Fulton, Hart, Leffingwell, McNutt, Mechem, Stuart, Traer, Trusdell, Werner and Williams—17.

So the bill passed, and the title was agreed to.

Mr. Brown from the Committee on Military Affairs, submitted the following report :

Your Committee on Military Affairs, to whom was referred report of census board in relation to testimonial for soldiers, have had the same under consideration, and directed me to report by resolution as follows :

*Be it Resolved, by the General Assembly of the State of Iowa,* That the census board of this State be authorized and directed to procure a suitable testimonial of honor upon the terms and of the character indicated in their report to the House of Representatives to be presented to each honorably-discharged soldier who has served in any of the Iowa regiments during the late war for the

suppression of the rebellion, and expressing the grateful acknowledgements of their valor and patriotism by the State of Iowa. This testimonial to be signed by the Governor and Secretary of State and countersigned and delivered by the Adjutant-General of the State to each officer, non-commissioned officer and private.

A. BROWN, Chairman.

On motion of Mr. Brown of Fayette, the resolution was adopted.

Mr. Garrett from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on Compensation of Public Officers to whom was referred House File No. 291, A bill for an act fixing the compensation of the State Treasurer, have had the same under consideration and have instructed me to report the bill with the following amendments, viz: Strike out all after the word "appropriated" in the ninth line, first section, and insert the following: "and this shall be his only compensation," and with this amendment the committee recommend that the bill do pass.

GARRETT, Chairman.

The Committee on Compensation of Public Officers, to whom was referred Senate File No. 96, have had the same under consideration, and have instructed me to report the bill back to the House with the recommendation that it do pass.

GARRETT, Chairman.

Mr. Parker from the committee to visit the Soldiers' Orphans Home at Glenwood, submitted a report, which was ordered to be printed.

Also, to visit the site of the Deaf and Dumb Asylum at Council Bluffs, submitted a report, which was ordered to be printed.

Leave was granted Mr. Ramsay to introduce House File No. 301, A bill for an act to amend section 18, chapter 102, of the acts of the Ninth General Assembly, in relation to paying for estrays, and regulating fees in the above cases.

Read first and second time, and referred to the Committee on Judiciary.

Leave was granted Mr. Grantham to introduce House File No. 302, A bill for an act to authorize mortgagees or their assignees to pay taxes on the mortgaged premises, and to make the amounts so paid a lien thereon.

Read first and second time, and referred to the Committee on Judiciary.

Leave was granted Mr. Wilson of Dubuque, to introduce House File No. 303, A bill for an act to legalize and confirm an ordinance of Dubuque, granting right of way to Dubuque and Dunlieth Bridge Company.

Read first and second time, and referred to the Committee on Incorporations.

Also, to introduce House File No. 304, A bill for an act entitled

an act relating to prosecutions for violation of municipal authorities.

Read first and second time, and referred to the Committee on Judiciary.

On motion of Mr. Cotton, the regular order of business was suspended, and House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens as to the acquisition, enjoyment and transfer of property, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Cotton moved to amend by adding to the second section, "or against a purchaser under execution against the decedent."

The motion to amend prevailed.

Mr. Cotton moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tilleon, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker.—85.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Cramer, Ellis, Fulton, Gaylord, Leffingwell, Lockwood, Longueville, McNutt, Rippey, Stuart, Werner, and Wright.—14.

So the bill passed, and the title was agreed to.

#### RESOLUTION LAID OVER UNDER RULE FIFTY.

The resolution laid over under rule fifty, in relation to changing the rules of the House relating to the hour of meeting in the morning, was taken up and adopted.

Mr. Rowell moved that the House do now adjourn, which motion prevailed, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 12, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. De Forest.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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. 151, A bill for an act to repeal section 6, chapter 52, laws of the Tenth General Assembly.

Senate File No. 178, A bill for an act to legalize the acts of the city council and officers of the city of Cedar Falls, and the incorporation of said city.

Also, to return herewith the following bill and resolutions which have passed the Senate without amendment:

House File No. 256, A bill for an act to legalize the action of the officers of the corporate town of Montana, in Boone county, in organizing a city of the second class.

Also, a joint resolution relating to the refusal of the State to exchange a part of the Agricultural Farm.

Also, a concurrent resolution relating to the swamp lands in Emmett and other counties.

JAMES M. WEART, Secretary.

PETITIONS AND REMONSTRANCES.

Mr. Rees presented a remonstrance from the citizens on the unfinished line of the Dubuque and Sioux City Railroad, remonstrating against the passage of any law regulating railroad tariffs on unfinished roads, which was referred to the Committee on Railroads.

Mr. Ordway presented a petition from citizens of Waterloo, Black Hawk county, praying for a law to regulate the practice of dentistry, which was referred to the Committee on Police Regulations.

Mr. Allen presented a remonstrance from the citizens of Burlington township, Des Moines county, Iowa, remonstrating against the extension of the city limits of Burlington, in said township and county, which was referred to the Committee on Incorporations.



## REPORTS OF COMMITTEES.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report:

The Committee on County and Township Organization have duly considered House File No. 270, A bill for an act increasing the compensation of township assessors, and it appearing to them that Senate File No. 102, covering the same ground, is now before the Committee on Compensation of Public Officers, and have directed me to report the bill back to the House with a recommendation that it be referred to the last-named committee.

JOHN P. GRANTHAM, Chairman.

The Committee on County and Township Organization have considered Senate File No. 45, A bill for an act to amend section 1102 of the Revision of 1860, in relation to cities and towns, and it appearing that the Committee on Incorporations have (or have had) before them a bill, House File No. —, on the same subject, I am directed to report the bill back with a recommendation that it be referred to said Committee on Incorporations, to be considered in connection with House File No. —.

JOHN P. GRANTHAM, Chairman.

The Committee on County and Township Organization, have carefully considered House File No. 102, an act to amend chapter 61, of the acts of the Eleventh General Assembly, and have instructed me to report a substitute therefor, with a recommendation that the said substitute do pass.

JOHN P. GRANTHAM, Chairman.

The Committee on County and Township Organization, have duly considered House File No. 286, A bill for an act defining the duties of county treasurers, in relation to the collection of taxes, and have instructed me to report the same back with a recommendation that it do not pass.

JOHN P. GRANTHAM, Chairman.

The Committee on County and Township Organization have carefully considered House File No. 285, A bill for an act to amend chapter 173 of the acts of the Ninth General Assembly, and have instructed me to report the same back to the House with a recommendation that it do not pass.

JOHN P. GRANTHAM, Chairman.

The Committee on County and Township Organization have considered House File No. 251, A bill for the election of, and designating the duties of bridge commissioners, and have instructed me to report the same back with a recommendation that it be indefinitely postponed.

JOHN P. GRANTHAM, Chairman.

The Committee on County and Township Organization have considered House File No. 269, A bill for an act to vacate certain streets in the town of Nevada, in Story county.



Also, House File No. 249, A bill for an act to enable municipal corporations to levy certain taxes, and have directed me to report them back to the House with a recommendation that they be referred to the Committee on Incorporations.

JOHN P. GRANTHAM, Chairman.

Mr. Chase from the Committee on Senatorial and Representative Districts, submitted the following report :

MR. SPEAKER :—Your committee for apportioning the State into senatorial and representative districts have had the matter under consideration, and instruct me to report the accompanying bills, and recommend their passage.

CHASE, Chairman.

House File No. 305, A bill for an act apportioning the State into senatorial districts, was read a first and second time and passed upon file.

House File No. 306, A bill for an act apportioning the State of Iowa into representative districts, was read a first and second time and passed upon file.

Mr. Parker from the Committee on Schools submitted the following report :

Your Committee on Schools, to whom was referred House File No. 258, recommend that it be not passed.

PARKER, Chairman.

Mr. Kilburn from the Committee on Insurance submitted the following report :

MR. SPEAKER :—Your Committee on Insurance to whom was referred House File No. 129, A bill for an act to regulate insurance companies.

Also, the following bills upon the same subject, to-wit: House File Nos. 182, 215, 221, 244 and 250, have had the same under consideration, and instruct me to report a substitute for said bills with the recommendation that it do pass.

G. F. KILBURN, Chairman.

Mr. Cotton, from the Judiciary Committee, submitted the following report :

The Judiciary Committee, to whom was referred House File 218, A bill for an act to amend the tenth section of chapter 22, of the Tenth General Assembly, have instructed me to report the same, with the recommendation that the bill do pass.

COTTON, Chairman.

The Judiciary Committee, having considered House File 236, A bill for an act creating the office of county attorney, and to define his duties and provide his compensation, recommend that the bill do not pass.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File 296, A bill for an act relating to taking depositions by commission, and the committee being of the opinion that the bill

would only re-enact what is now the law, recommend that it do not pass.

COTTON, Chairman.

The Judiciary Committee, upon considering substitute for Senate File No. 7, A bill for an act to amend section 3980, Revision of 1860, and to repeal section 3982 of Revision of 1860, in relation to evidence, have instructed me to report the same, with the recommendation that the bill do not pass.

COTTON, Chairman.

Mr. Cotton, from the Judiciary Committee, reported House File No. 307, A bill for an act authorizing cities of the first class to establish fire limits, which was read first and second time.

On motion of Mr. Cotton, the rule was suspended, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Craig, Cries, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—85.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Brown of Howard, Chase, Cramer, Kasson, McNutt, Murray, Peck, Ramsay, Rector, Tillson, Werner, and Wilson of Dubuque—14.

So the bill passed, and the title was agreed to.

Mr. Brown, of Fayette, from the Committee on Military Affairs, submitted the following report:

Your Committee on Military Affairs, to whom was referred the petition of Nicholas Flenor, Samuel Sullivan, and one hundred and forty-one others (fifty-three of whom are ladies) asking an appropriation for the relief of David C. Wagner, have had the same under consideration, and directed me to report the accompanying resolution, and recommend its adoption:

*Be it Resolved by the General Assembly of the State of Iowa,* That the petition of Nicholas Flenor, Samuel Sullivan, and one hundred and forty-one others (fifty-three of whom are ladies) asking for an appropriation for the relief of David C. Wagner, late

of Company A, 21st Regiment, Iowa Volunteer Infantry, be forwarded together with a copy of this resolution to the Iowa delegation in Congress, by the Secretary of State, and that our Senators be instructed and our Representatives requested to use their influence to have the name of the said David C. Wagner inscribed on the pension list, with a pension allowance from the date of his discharge.

AARON BROWN, Chairman.

On motion of Mr. Brown of Fayette, the resolution was adopted.

Mr. Brown of Fayette, from the Committee on Military Affairs, submitted the following report:

Your Committee on Military Affairs, to whom was referred a joint resolution and memorial for the relief of John F. St. John, late of Company K, Fifteenth Iowa Volunteer Infantry, have had the same under consideration, and directed me to report the resolution back and recommend its adoption.

*Resolved by the General Assembly of the State of Iowa, That the memorial of John F. St. John, late First Lieutenant Seventieth United States Colored Infantry, be by the Secretary of State transmitted with the papers accompanying the same, and with a certified copy of this resolution to the Iowa delegation in Congress, and that our Senators be instructed, and our Representatives requested, to demand the necessary legislation by Congress to restore to the said St. John his right to pay and allowances, as fully as they belong to other honorably-discharged officers and soldiers.*

AARON BROWN, Chairman.

On motion of Mr. Brown of Fayette, the joint resolution was adopted.

Mr. Brown of Fayette, from the Committee on Military Affairs, submitted the following report:

Your Committee on Military Affairs, to whom was referred Senate File No. 35, A bill for an act making it the duty of the clerk of the board of supervisors, to make returns to the Governor of the location of the graves of deceased Iowa soldiers, have had the same under consideration, and directed me to report said bill back and recommend its passage.

A. BROWN, Chairman.

Mr. Williams, from the Committee on Railroads, submitted the following report:

Your committee to whom was referred House File No. 219, A bill for an act empowering foreign railroad corporations, that may operate railroads in this State, to acquire and hold real estate in certain cases, with the right of disposing of the same, have had the same under consideration, and deeming that important legal questions are involved, have instructed me to report the same back to the House, with a recommendation that the same be referred to the Judiciary Committee.

WILLIAMS, Chairman.

The report of the committee was concurred in, and the bill referred to the Committee on Judiciary.

Mr. Williams, from the Committee on Railroads, submitted the following report:

Your committee to whom was referred House File No. 139, A bill for an act to resume all rights conferred upon the Keokuk, Fort Des Moines and Minnesota Railroad Company, now known as the Des Moines Valley Railroad Company, approved March 22, 1858, entitled an act disposing of the grant of land made by an act of Congress, granting land to the territory of Iowa to aid in the improvement of the navigation of the Des Moines river, and to re-grant the same in the manner and upon the conditions herein named, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with a substitute therefor, and recommend the passage of the substitute.

WILLIAMS, Chairman.

Mr. Wilson of Tama, from the Committee on Railroads, submitted the following minority report:

The Committee on Railroads to whom was referred House File No. 139, have had the same under consideration, and we, a minority of said committee, recommend the passage of the substitute reported by the majority of the committee, with the following amendment:

Add to section 3, "The company accepting the provisions of this act shall at all times be subject to such rules, regulations and rates of tariff for transportation of freight and passengers as may be enacted from time to time by the General Assembly of the State of Iowa."

JAMES WILSON.

HORACE HAMILTON.

Mr. Cotton, from the Judiciary Committee, submitted the following report:

The Judiciary Committee to whom was referred the petition of F. Snell asking the enactment of a law to prevent the removal of improvements from mortgaged real estate, have instructed me to report, and to recommend the passage of, the accompanying bill.

COTTON, Chairman.

House File No. 308, A bill for an act to prevent waste on mortgaged premises, was read first and second time, and passed on file.

Mr. Parker, from the Committee on Schools, submitted the following:

Your Committee on Schools, deeming it important that the Superintendent of Public Instruction and the Register of the State Land Office should each have a "deputy" instead of a "clerk," as now authorized by law, recommend the passage of the accompanying bill.

PARKER, Chairman.

House File No. 309, A bill for an act to amend section 642 of the Revision of 1860, was read first and second time, and passed on file.

Mr. Babbitt, from the Committee on the Suppression of Intemperance, submitted the following minority report:

The undersigned, a minority of the Committee on the Suppression of Intemperance, to whom was referred sundry petitions, memorials, resolutions and bills upon the subject of intoxicating liquors and the prohibition or licensing the sale of the same, beg leave to report, that in connection with the majority of said committee they have had the same under consideration, and after a fair, candid, friendly and interesting discussion between the members of the committee upon the matters referred to them, they find it impossible to agree in their report to this House.

While we agree with the majority in relation to the number of petitioners for and against a prohibitory liquor law, we do not arrive at the same conclusions in regard to our duty as legislators upon the important subject under consideration. While we admit as contended by the majority of your committee, that it is the duty of the representative to reflect the views and will of his constituents, when that will is fairly and understandingly expressed, we claim the right, and it is our duty to inquire into the means used to procure what the majority in this case regard as an expression of public opinion.

In the case now under consideration it is contended by the majority of your committee that the petitions signed by about forty thousand men, women and children, asking for a more stringent prohibitory liquor law, against about eight thousand *men*, signers to petitions asking for the repeal of the present prohibitory law and the enactment of a well regulated license law, should be regarded as an expression of public opinion in favor of a more stringent prohibitory law. From this view the minority of your committee dissent, and for reasons of such dissent, show:

1. That out of the forty thousand signers asking for a prohibitory law, not more than fourteen thousand are shown to be men, and comprising less than one twelfth of the legal voters of the State.

2. These names being but a small fraction of the men of the State, have been obtained through a regular and systemized organization all over the State for that purpose, such as Good Templar lodges, churches, sunday schools, christian associations and common schools, all legitimate and proper sources through which to obtain an expression of the public will, and only mentioned here, to show that the friends of prohibition have neglected no source through which to agitate this subject, and to ascertain the will of the people. In view of this well known and thorough organization for the purpose stated, the minority of your committee are astounded at the meagerness of the result and the total

failure of obtaining anything like an expression of opinion by a majority of the people upon this important subject. When we take into consideration the fact, that after a systemized organization for the last eight years of the friends of prohibition, that they have only been able to procure one signer out of twenty five inhabitants — male, female and children, we are utterly astonished at the result, and regard it as an utter failure on the part of the friends of prohibition to procure an expression of public opinion favorable to their ideas upon the subject under consideration, or to instruct the representatives thereon. The minority of your committee having disposed of the question of instruction to their satisfaction, will now proceed to give some reasons why the present prohibitory law should be repealed and a well regulated license law enacted in its stead.

1. It is one of the principles of a republican form of government, that the citizen only surrenders so much of his natural rights as are necessary for the well-being and good government of the nation, or community of which he is a member, and that his right to eat what he pleases, drink what he pleases, and do as he pleases, provided he does not interfere with the rights of his neighbor, is an inherent right which he has not surrendered, and which it is not necessary that he should surrender for the well-being and good government of the people and the nation.

Taking this view of the question, the minority of your committee, have failed to discover by what legal or moral right the legislature can control the appetites of the citizen or prohibit his using as a beverage such drinks as shall be pleasing to his taste, or as some say, and believe, necessary for the promotion of his health and happiness. While the minority of your committee readily admit that great evils exist and much misery has been produced by the use of alcoholic liquors as a beverage, they contend that the evil is not to be found in the proper use of such stimulants, but in the improper use and the abuse in the exercise of the these inherent rights by the citizen, and that the same arguments which are used in favor of the prohibition of the use of spiritous liquors, might be used in favor of the prohibition of every other right and natural desire of mankind, for, we may ask what right, exercised by man has not been abused and mis-applied?

In view of these facts the minority of your committee contend that the legislative power over these subjects only extends so far as to prevent the abuse of the use of natural rights, rather than to the prohibition of them.

The minority of your committee are steadfast in the opinion that the people are the true source of all power, and that any law which the people refuse to enforce, is worse than a nullity and should be stricken from the statute-books. Your committee have been close observers for the last ten years of the workings of the prohibitory liquor-law, and from such observance they have arrived



at the conclusion, that while the law has not been productive of beneficial results, it has been productive of much evil; it has been the means of saddling heavy debts upon the counties—has had a demoralizing effect upon the citizen—has excited a contempt for the enactments of the legislature—has been the promoter of perjury on the part of jurors, and the instigator and excuse for the subornation of witnesses, in cases arising under its provisions; and why? We answer because it is not in harmony with the views of a great majority of the people, and is deemed by them as in contravention of their natural and inalienable rights. The minority of your committee are therefore in favor of the repeal of the present prohibitory liquor law, and the enactment of a well-regulated license law in its stead—a law which, while it protects the citizen in his rights, at the same time prevents abuse in the exercise of them—a law which shall enlist the people in favor of its support, rather as in the case of the prohibitory law reduce them to a mob in opposition to it—a law which shall secure the citizen in the exercise of his natural and inalienable rights, leaving him free to eat what he pleases, drink what he pleases and do what he pleases in the “pursuit of happiness,” and at the same time making him accountable for the abuse or misuse of these rights, and providing adequate fines, penalties and punishment for their misuse and abuse.

Such a law would be made, in the opinion of a minority of your committee, by the passage of the bill introduced in this House by one of the undersigned, House File No. 273, entitled “A bill for an act to suppress intemperance, regulate and license the sale of spiritous, vinous and malt liquors, to prohibit the sale of adulterated liquors, to repeal all former laws contravening this act, and prescribing penalties for the violation thereof,” which is adopted as a portion of this report, and its passage respectfully recommended.

LYSANDER W. BABBITT.  
M. J. ROHLFS.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred House File No. 264, entitled “A bill for an act to amend section 1 of the acts of the Ninth General Assembly of the State of Iowa, for taking up estrays,” have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do not pass, for the reason that it would invest non-resident land-holders with a power dangerous to the interests of the citizens of Iowa.

W. P. GAYLORD, Chairman.

The Committee on Agriculture, to whom was referred a petition signed by citizens of Johnson county asking that the word “eight” be stricken out and the word “six” inserted in the fourth line of



section 288 of the Revision of 1860, have had the same under consideration, and have instructed me to report the accompanying bill back to the House, with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

House File No. 310, A bill for an act entitled an act amending section 114 of chapter 15 of the Code, and also, to regulate the same, was read first and second time, and passed on file.

The chair announced that the hour had arrived for the consideration of the special order, House File No. 273, A bill for an act to suppress intemperance and regulate and license the sale of spiritous, vinous, malt, and other liquors, &c.

Also, House File No. 178, A bill for an act to prevent keeping of any intoxicating liquors, ale, porter, lager beer, cider and wine, to sell or retail by the glass to drink in, around or about the premises.

Mr. Blackwell moved that the regular order of business be suspended, and House File No. 310, A bill for an act entitled an act amending section 114 of chapter 15 of the Code, and also to regulate the same, be taken up and read a third time.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atwood, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Burnett, Burrows, Chase, Cotton, Davis, Dudley, Garrett, Gaylord, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McConn, McKean, Mechem, Miles, Morrison, Murray, Orr, Ordway, Parker, Perry, Rippey, Rohlfis, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—67.

The nays were Messrs. Babbitt, Brown of Van Buren, Craig, Dashiell, Donavan, Ellis, Glasgow, Lambert, Newberry, Phillips, Rector, Stanley, Stuart, Tillson, Traer, Wilcox.—16.

Absent and not voting, Messrs. Atkins, Bailey, Bent, Brown of Howard, Caldwell, Cramer, Criss, Fulton, Kasson, McNutt, Miller, Peck, Ramsay, Rees, Werner and Williams.—16.

So the bill passed, and the title was agreed to.

Mr. Orr moved that substitute for House File No. 139, A bill for an act to resume all rights conferred upon the Keokuk, Fort Des Moines and Minnesota Railroad Company, now known as the Des Moines Railroad Company, reported from the Committee on Railroads, be ordered printed.

The motion prevailed.

Leave was granted Mr. Rees to take up House File No. 108, A

bill for an act to authorize the sale of certain school lands in Webster and Hamilton counties.

On motion of Mr. Rees, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartssock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Newberry, Orr, Parker, Perry, Phillips, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Truedell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—79.

The nays were none.

Absent and not voting, Messrs. Bailey, Bauder, Bent, Brown of Howard, Caldwell, Cramer, Donavan, Hawthorn, Kasson, Leach, Leffingwell, McNutt, Morrison, Murray, Ordway Peck, Ramsay, Rippey, Traer, and Werner.—20.

So the bill passed, and the title was agreed to.

Mr. Irish moved that the special order, House File No. 273, A bill for an act to suppress intemperance and regulate and license the sale of spiritous, vinous, malt, and other liquors, &c.; and House File No. 178, A bill for an act to prevent keeping of any intoxicating liquors, ale, porter, lager beer, cider, and wine, to sell or retail by the glass, to drink in, around or about the premises, be taken up.

The motion prevailed.

Mr. Irish moved that House File No. 178, be first considered.

Mr. Truedell moved to amend by striking out House File No. 178, and inserting House File No. 273.

The motion to amend prevailed, and the bill was taken up.

Mr. Irish moved to reconsider the vote by which House File No. 273 was taken up.

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

Mr. Bowen from the Committee on Incorporations submitted the following report:

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred House File No. 303, A bill for an act to legalize, and confirm an ordinance of the city of Dubuque, granting certain rights of way to the Dunlieth and Dubuque Bridge Company,

have instructed me to report it back with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations to whom was referred House File No. 248, A bill for an act to vacate a graveyard in Jefferson county, Iowa, have instructed me to report it back with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations to whom was referred House File No. 282, A bill for an act to facilitate the construction of water works in the State of Iowa, have instructed me to report it back with the recommendation that it do pass.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations to whom was referred House File No. 283, A bill for an act to authorize the construction of street railroads, have instructed me to report it back with the recommendation that it do pass.

B. G. BOWEN, Chairman.

On motion of Mr. Wilson of Dubuque, the rule was suspended and House File No. 303, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The nays were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Goodspeed, Hamilton, Hart, Hartssock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson, of Marshall, Kasson, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, McKean, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Peck, Perry, Phillips, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—80.

The nays were, Mr. Murray.—1.

Absent and not voting, Messrs. Bent, Bolton, Brown of Howard, Cromer, Davis, Glasgow, Grantham, Guthrie, Kelley, Leach, Longueville, McCoun, McNutt, Orr, Ramsay, Smith of Dickinson, Stone and Werner—18.

So the bill passed, and the title was agreed to.

Mr. Brown of Van Buren from the Committee on Roads and Highways, submitted the following report:

Your Committee on Roads and Highways to whom was referred Senate File No. 92, A bill for an act legalizing the establishment of county roads have had the same under consideration, and directed me to amend by adding to the end of the first section the

following: Provided this act shall not apply to cases now in the District Court to the injury of the litigants, and thus amended they recommend that it do pass.

BROWN of Van Buren Chairman.

Your Committee on Roads and Highways to whom was referred House File No. 15, have had the same under consideration and find that the change sought has already been embodied in a bill reported by them, and they recommend that it lay on the table.

BROWN of Van Buren, Chairman.

Your Committee on Roads and Highways to whom was referred House File No. 66, A bill for an act providing for and designating roads, have had the same under consideration and directed me to report it back with a recommendation that it lay on the table.

BROWN of Van Buren, Chairman.

Your Committee on Roads and Highways to whom was referred House File No. 265, A bill for an act to amend chapter 54 of the Revision of 1860, in relation to toll bridges, have had the same under consideration, and believing the law already provides for the cases sought to be reached by the bill have directed me to report the same back with a recommendation that it lay on the table.

BROWN of Van Buren, Chairman.

Your Committee on Roads and Highways, to whom was referred House File No. 140, A bill for an act changing the day of final hearing on county roads; also Senate File No. 75, the subject matter of which being the same, have had both bills under consideration and directed me to report back Senate File No. 75, with a recommendation that it do pass, and that House File No. 140 lay on the table.

BROWN of Van Buren, Chairman.

Mr. Wilcox from the Committee on Ways and Means submitted the following report:

The Committee on Ways and Means, to whom was referred House File 245, A bill for an act to amend section 746, of the Revision of 1860, have instructed me to report that they find section 750 of the Revision of 1860, to meet the requirements of this bill as far as practicable, and would recommend that this bill be indefinitely postponed.

WILCOX, Chairman.

Mr. Brown of Van Buren moved that the regular order of business be suspended, and Senate File No. 92, A bill for an act to legalize the establishment of county roads be taken up.

The motion prevailed, and the bill was taken up and considered. The amendment recommended by the committee was adopted.

On motion of Mr. Brown of Van Buren the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger,

Baader, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Traer, Tritz, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—84.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Howard, Cramer, Ellis, Gaylord, Irish, Johnson of Cherokee, McNutt, Mechem, Ramsay, Rohlfis, Tenney, Trusdell and Werner—14.

So the bill passed, and the title was agreed to.

Mr. Knapp moved that the regular order of business be suspended, and Senate File No. 14, A bill for an act to authorize boards of supervisors to levy tax to pay county indebtedness, be taken up, which motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Baader, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rector, Rees, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—76.

The nays were, Messrs. Babbitt, Donavan, Hawthorn, Kilburn, Lockwood, Longueville, Tritz, and Wilson of Dubuque—8.

Absent and not voting, Messrs. Bent, Blackwell, Bolton, Brown of Howard, Cramer, Gaylord, Irish, Kasson, McNutt, Peck, Ramsay, Rippey, Rohlfis, Smith of Dickinson, and Werner.—15.

So the bill passed, and the title was agreed to.

Mr. Adams moved to reconsider the vote by which Senate File No. 14, A bill for an act to authorize boards of supervisors to levy tax to pay off county indebtedness was passed.

Mr. Stone moved to lay the motion to reconsider on the table, which motion did not prevail.

The motion to reconsider prevailed.

Mr. Adams moved to recommit the bill to the committee.

Mr. Ordway moved to amend by adding instructions to enquire into the expediency of excepting railroad bonds from the operations of this law, which motion to amend did not prevail.

The motion to recommit prevailed.

Mr. Wheeler moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Leave of absence was granted Mr. Chase until Tuesday.

Leave of absence was granted Mr. Ramsay.

Leave was granted Mr. Adams to introduce House File No. 311, A bill for an act requiring school boards to make financial exhibits, which was read first and second time, and referred to the Committee on Schools.

Mr. Truedell moved that the special order, House File No. 273, A bill for an act to suppress intemperance and regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to prohibit the sale of adulterated liquors, to repeal all former laws controvenging this act and prescribing penalties for the violation thereof, be now taken up.

The motion prevailed, and the bill was taken up, and on motion of Mr. Murray, was considered by sections.

Mr. Rohlfz moved to amend the third section by striking out the word "white" in the first line of said section.

Mr. Murray moved to amend the amendment by striking the word "male" out in the first line of the second section.

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Dudley moved to amend the fifth section by striking out the word "fifty" in the third line, and inserting in lieu thereof the words "two hundred."

The motion to amend did not prevail.

Mr. Truedell moved to amend the fifth section by inserting after the word "county," in the fifth line, "made so by this traffic."

The motion to amend did not prevail.

Mr. Truedell moved to amend the fifth section by inserting after the word "city" in the seventh line "a large increase of which will be needed."

The motion to amend did not prevail.



Mr. Irish moved to amend the eleventh section, by inserting in the third line, after the word "shall," the words "forfeit his license and".

The motion to amend prevailed.

Mr. Irish moved to amend section 13, by inserting after the word "shall," in the third line, "forfeit his license and".

The motion to amend prevailed.

Mr. Kasson moved that the special order be postponed and made the special order of Friday, March 13, at 10 o'clock, A. M.

The motion prevailed.

Mr. Kasson moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 13, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Heacock.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Hatch presented a petition from Hon. James Wright and five hundred and sixty-two others, asking for a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Cotton presented a remonstrance from the citizens of Lyons City, against the diversion of the 40,000 acres of land appropriated for the construction of a railroad from Lyons to Clinton, which was referred to the Committee on Railroads.

Mr. Tenney presented petitions and memorials, asking for additional mail facilities, which were referred to the Committee on Federal Relations.

Mr. Rohlf presented a petition from one hundred and four legal voters of Scott county, praying for the enactment of a license liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Rees presented a memorial from citizens on the line of unfinished land grant railroads, remonstrating against the enactment of tariff restrictions in acts of re-grant, which was referred to the Committee on Railroads.

Mr. Kilburn moved that the regular order of business be suspended, and all bills relating to insurance be taken up.

The motion prevailed.



On motion of Mr. Kilburn, House File No. 250, A bill to regulate insurance companies, and House File No. 244, A bill for an act in relation to insurance companies organized under the laws of Iowa, together with a substitute for the same, entitled a bill for an act to regulate insurance companies, were made the special order for Thursday, March 19, at 10 o'clock, A. M.

## REPORTS OF COMMITTEES.

Mr. Dashiell from the joint committee appointed to visit the Hospital for the Insane at Mount Pleasant, submitted a report, which, on motion of Mr. Murray, was laid on the table and ordered to be printed.

Mr. Fulton from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills report that they have carefully examined the following bills, and find them correctly engrossed:

House File No. 59, A bill for an act abolishing distinctions between foreigners and citizens as to the acquisition, enjoyment, and transfer of property.

House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving, and other repairs upon the vault in his office.

A. R. FULTON, Chairman.

Mr. Garrett from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on Compensation of Public Officers to whom was referred petition of D. C. Prestow and other citizens of Howard county, asking for an increase of sheriffs' fees, have instructed me to report, that in the opinion of the committee any further legislation on the subject at this time is inexpedient.

GARRETT, Chairman.

The Committee on Compensation of Public Officers to whom was referred Senate File No. 102, A bill for an act to increase the compensation of township assessors, have considered the same, and recommend that it do not pass.

GARRETT, Chairman.

Mr. Dudley from the Committee on Claims submitted the following report:

Your Committee on Claims to whom was referred the claim of S. Perkins, for extra compensation for stone work on Adjutant General's office, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage.

C. DUDLEY, Chairman.

House File No. 312, A bill for an act for the relief of Silas Perkins, was read first and second time, and passed upon file.

Mr. Brown of Fayette, moved that the regular order of business be suspended and Senate File No. 35, A bill for an act making it the duty of the clerk of the board of supervisors to make returns to the Governor of the location of the graves of deceased Iowa soldiers, and for other purposes be taken up.

The motion prevailed, and the bill was taken.

Mr. Brown of Fayette moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of VanBuren, Burnett, Burrows, Caldwell, Craig, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama and Mr. Speaker.—78.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Lee, Chase, Cotton, Cramer, Criss, Donavan, Hawthorn, Kasson, Kelley, Lockwood, Longueville, Peck, Ramsay, Rees, Smith of Harrison, Walling, Werner, Williams, Wilson of Dubuque and Wright—21.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILLS.

Mr. McCoun introduced House File No. 313, A bill for an act to legalize the action of the board of supervisors of Taylor county, in loaning the Bedford, Winterset and Des Moines Railroad Company fifty thousand dollars, directing the clerk of said board to issue the bonds of said county to said company for the said sum of fifty thousand dollars, and to carry into effect said law.

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

Mr. Adams introduced House File No. 314, A bill for an act to remunerate Dr. Otto Thieme for labor and expenses incurred by him as commissioner of Iowa to the Paris Exposition of 1867.

Read a first and second time and referred to the Committee on Claims.

Mr. Wilcox introduced House File No. 315, A bill for act to tax personal property used or sold within this State, and owned by persons residing without the State.

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

Also, House File No. 316, a bill for an act to amend section 1763 and 1764 of the Revision of 1860.

Read first and second time, and referred to the Committee on Incorporations.

Mr. Tucker introduced House File No. 317, A bill for an act regulating elections, and the manner of voting in corporations, incorporated under or deriving any authority from the laws of this State.

Read first and second time, and referred to the Committee on the Judiciary.

Mr. Burnett introduced House File No. 318, A bill for an act to authorize the board of directors of the independent school district of the city of Muscatine, to submit to the electors of said district a proposition to vote a tax not exceeding five mills for the erection of school houses in said independent district at a special election to be caused by said board for that purpose.

Read first and second time, and referred to the Committee on Schools.

Mr. Kasson introduced House File No. 319, A bill for an act to provide for the relief certain classes of indigent persons.

Read first and second time, and referred to the Committee on Charitable Institutions, and ordered printed.

Mr. Allen introduced House File No. 320, A bill for an act attaching for school and school purposes a part of Flint river township to Burlington township, Des Moines county, Iowa.

Read first and second time, and referred to the Committee on Schools.

Leave was granted Mr. McKean to offer a joint resolution agreeing to ratifying and confirming amendments to the State constitution, which was read and referred to the Committee on Constitutional Amendments.

Mr. Wilson of Tama introduced House File No. 321, A bill for an act defining the duties of county treasurers in certain cases.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. Bolton introduced House File No. 322, A bill for an act to secure to Iowa soldiers and others a history of Iowa troops in the war of the rebellion.

Read first and second time, and referred to a special committee of five, a majority to be ex-soldiers.

Mr. Stuart introduced House File No. 323, A bill for an act to legalize the acts of the Northwestern Mining Company.

Read first and second time, and referred to the Committee on Incorporations.

Mr. Browne of Lee introduced House File No. 324, A bill for

an act to remunerate Barney McQuillan for services and expenditures to protect the southern border of the State of Iowa.

Read first and second time, and referred to the Committee on Military Affairs.

Mr. Dudley introduced House File No. 325, A bill for an act to change the name of Marysville to Competine, which was read first and second time, and passed on file.

Mr. Wilson of Dubuque moved that the rule adopted by the House for the introduction of bills, be extended until Monday next.

The motion prevailed.

Leave was granted Mr. Wilcox to offer the following resolution which, on motion of Mr. Johnson of Marshall, was laid on the table:

*Resolved*, That a select committee of five be appointed to inquire into the necessary cost of continuing the geological survey of the State for the next two years, and also to examine the vouchers of the late expenditures for the same object, and to report whether the same have been in compliance with the law.

The Chair announced the hour had arrived for the consideration of the special order.

Mr. Burnett moved that the special order be postponed for ten minutes, and that the House take up House File No. 26, A bill for an act to promote the collection of revenue of incorporated cities and towns acting under special charters.

The motion prevailed.

The bill was taken up and considered, and on motion of Mr. Burnett, the rule was suspended, and the bill read a third time.

Mr. Wilson of Dubuque moved to reconsider the vote by which the bill was read a third time.

The motion prevailed.

Mr. Wilson of Dubuque moved to amend by adding to the end of the sixth line of section 2: "But no deeds heretofore given by city authorities, where there was no legal power to sell, should be considered as valid by anything herein contained."

The motion to amend prevailed.

On motion of Mr. Burnett, the rule was suspended, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Cotton, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood,

Burrows, Caldwell, Craig, Dashiell, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Hunter, Johnson of Cherokee, Kasson, Kilburn, Knapp, Lambert, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Walling, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—64.

Absent and not voting, Messrs. Bent, Chase, Cramer, Criss, Ramsay, Smith of Harrison, and Werner.—7.

So the House refused to order the bill engrossed and read third time.

On motion of Mr. Craig, House File No. 91, A bill for an act limiting charges, and defining the duties of railroad companies, was made a special order for Friday, March 20, at 10 o'clock, A. M.

Leave of absence was granted Mr. Rohlf's.

Leave of absence was granted Mr. Hart, for two days.

Mr. Ordway moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 14, 1868.

Speaker in the Chair.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Williams presented a petition from three hundred and eight citizens of northern Iowa, asking that the forty third parallel land grant be conferred upon the McGregor and Sioux City Railway Company, which was referred to the Committee on Railroads.

Mr. Rees presented a memorial from citizens of Webster county, asking protection in their homes on the Des Moines river lands, which was referred to the Judiciary Committee.

Mr. Ballinger presented a petition from citizens of school district No. 8, of Oskaloosa township, Mahaska county, Iowa, asking for the repeal of so much of the school law as recognizes independent school districts, except in incorporated towns and cities, of over five hundred inhabitants, which was referred to the Committee on Schools.

Mr. Hartsock presented a remonstrance from the citizens of Keokuk county, asking for the passage of a bill creating circuit courts, and the abolition of the office of county judge, which was referred to the Committee on Judiciary.

## SPECIAL ORDER.

The Chair announced that the hour had arrived for the consideration of the special order.

House File No. 178, A bill for an act to prevent the keeping of any intoxicating liquors, ale, porter, lager beer, cider, and wine, to sell or retail by the glass, to drink in around, or about the premises.

Mr. Brown of Van Buren moved that the special order be laid on the table.

On this motion the yeas and nays were demanded, and were as follows:

The yeas were, Messrs. Allen, Atkins, Bailey, Bowen, Brown of Fayette, Brown of Van Buren, Burrows, Caldwell, Cotton, Craig, Criss, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hawthorn, Hunter, Johnson of Marshall, Knapp, Leach, Leffingwell, McKean, Miles, Morrison, Murray, Newberry, Orr, Ordway, Phillips, Ramsay, Rowell, Sheldon, Stanley, Tillson, Tucker, Williams, Wilson of Davis, and Mr. Speaker.—39.

The nays were, Messrs. Atwood, Babbitt, Bander, Bolton, Brown of Howard, Browne of Lee, Dashiell, Davis, Donovan, Ellis, Gaylord, Grantham, Hatch, Irish, Johnson of Cherokee, Kelley, Kilburn, Lambert, Longueville, McCoun, Mechem, Miller, Peck, Perry, Rees, Rippey, Sanborn, Stuart, Tenney, Traer, Tritz, Wheeler, Wilson of Tama, and Wright.—34.

Absent and not voting, Messrs. Adams, Ballinger, Bent, Blackwell, Burnett, Chase, Cramer, Dudley, Hamilton, Hunt, Hartsock, Hayden, Kasson, McNutt, Parker, Ramsey, Rector, Rholfs, Smith of Dickinson, Smith of Harrison, Stone, Trusdell, Walling, Werner, Wilcox and Wilson of Dubuque.—26.

So the motion to lay on the table did not prevail.

Mr. Atkins moved that the special order be now taken up.

Mr. Atkins moved that the bill be indefinitely postponed.

Mr. Brown of Van Buren moved a call of the House, which was ordered.

Mr. Dudley moved that Mr. Hamilton be excused.

The motion did not prevail.

Mr. Ordway moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The absentees were, Messrs. Blackwell, Hamilton, Rector and Smith of Dickinson.

Mr. Hamilton being brought before the bar of the House, by the Sergrant-at-Arms, was on motion of Mr. Irish excused.

Mr. Bauder moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Smith of Dickinson, being brought before the bar of the House, by the Sergeant-at-Arms, was on motion of Mr. Tillson excused.

Mr. Wilson of Tama, moved that Mr. Rector be excused, which motion did not prevail.

Mr. Leffingwell moved that further proceedings under the call be dispensed with.

Mr. Atkins moved that the journal of yesterday be corrected so as to show that Mr. Rector was excused.

Mr. Parker moved to lay the motion on the table.

The motion to lay on the table did not prevail.

The motion to correct the journal did not prevail.

Mr. Cotton moved that further proceedings under the call be dispensed with.

Mr. Rector being brought to the bar of the House by the Sergeant-at-Arms, on motion of Mr. Leffingwell, was excused.

The motion to suspend further proceedings under the call prevailed.

Leave was granted Mr. Stone to record his vote "nay" on the question of ordering House File No. 273, A bill for an act to suppress intemperance and regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to prohibit the sale of adulterated liquors, to repeal all former laws contravening this act, and prescribing penalties for the violation thereof, to be engrossed and read a third time.

Mr. Stone moved that Mr. Wilson of Dubuque have leave to record his vote on the same question.

The motion prevailed.

Mr. Wilson of Dubuque voted "aye."

Mr. Murray moved to lay the motion to take up the special order on the table.

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

The yeas were Messrs. Adams, Allen, Bolton, Bowen, Brown of Van Buren, Burrows, Cotton, Craig, Criss, Dudley, Fulton, Garrett, Goodspeed, Hamilton, Hartsock, Hatch, Hunter, Johnson of Marshall, Kasson, Kilburn, Knapp, Leach, Leffingwell, McKean, McNutt, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Phillips, Rowell, Smith of Dickinson, Sheldon, Stanley, Stone, Tucker, Wheeler, Wilcox, Wilson of Davis, and Mr. Speaker—43.

The nays were Messrs. Atkins, Atwood, Babbitt, Bailey, Bauder, Blackwell, Brown of Fayette, Brown of Howard, Browne of Lee, Caldwell, Dashiell, Davis, Donavan, Ellis, Gaylord, Glasgow, Grantham, Guthrie, Hawthorn, Irish, Johnson of Cherokee, Kelley, Lambert, Lockwood, Longueville, McCoun, Mechem



Miller, Peck, Perry, Rector, Rees, Rippey, Sanborn, Stuart, Tenney, Tillson, Traer, Tritz, Williams, Wilson of Dubuque, Wilson of Tama, and Wright—43.

Absent and not voting, Messrs. Ballinger, Bent, Burnett, Chase, Cramer, Hart, Hayden, Ramsay, Rohlf, Smith of Harrison, Trusdell, Walling, and Werner—13.

So the motion to lay on the table did not prevail.

The motion to take up the special order did not prevail.

#### REPORTS OF COMMITTEES.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred a petition from citizens of Jones county asking for the enactment of a law to prevent the spread of Canada thistles, have had the same under consideration, and being fully convinced of the absolute necessity of such a law as will confine this most dangerous plant to its present limits and eventuate in its entire destruction, have instructed me to report the same back to the House with the accompanying bill, and with the recommendation that it do pass.

W. P. GAYLORD, Chairman.

House File No. 326, A bill for an act to destroy Canada thistles, was read first and second time.

On motion of Mr. Gaylord, the rule was suspended, and the bill was read a third time.

Mr. Atkins moved to reconsider the vote by which the bill was ordered to be read a third time.

The motion to reconsider prevailed.

#### MESSAGE FROM THE SENATE.

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 bill and resolution, in which the concurrence of the House is asked:

Substitute for Senate File No. 110, A bill for an act supplemental to chapter 22 of the laws of the Eleventh General Assembly, providing for the settlement of contracts and claims growing out of the Des Moines river improvement.

Concurrent resolution directing the Secretary of State to deliver to the Secretary of the State Agricultural Society copies of transactions of the Society now in the ware-room.

Also, that the Senate has ordered printed the report of the committee to visit the Insane Asylum.

Also, that the Senate has concurred in the House amendment to Senate File No. 92, A bill for an act to legalize the establishment of county roads.

JAMES M. WEART, Secretary.

Mr. Ordway moved to amend by striking out that part of the bill which related to paying one-half the fines to the complainant.

The motion to amend did not prevail.

On motion of Mr. Gaylord, the rule was suspended, and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Rector, Rees, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—74.

The nays were, Messrs. Babbitt, Bauder, Brown of Van Buren, Lambert, Longueville, Morrison, and Tritz—7.

Absent and not voting, Messrs. Ballinger, Bent, Burnett, Chase, Cramer, Davis, Hart, Hayden, Knapp, McCoun, Ramsay, Rippey, Rohlf, Smith of Harrison, Trusdell, Walling, Werner, and Wilcox—18.

So the bill passed, and the title was agreed to.

Mr. Kasson from the Committee on Agricultural College and Farm submitted the following report:

Your Committee on Agricultural College and Farm have instructed me to report a substitute for Senate File No. 89, A bill for an act to provide for the election of a president of the board of trustees of the Iowa Agricultural Farm and Senate File No. 168, A bill for an act to reduce the number of trustees of the Iowa State Agricultural College and Farm, and recommend its passage.

The substitute recommended by the committee was adopted.

On motion of Mr. Kasson the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Babbitt, Bailey, Bauder, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Peck, Perry, Phillips, Rector,

Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—77.

The nays were none.

Absent and not voting, Messrs. Adams, Allen, Ballinger, Bent, Bowen, Burnett, Chase, Cramer, Davis, Gaylord, Hamilton, Hart, Hayden, Knapp, Parker, Ramsay, Rohlf, Smith of Harrison, Traer, Trusdell, Walling, and Werner—22.

So the bill passed, and the title was agreed to.

Mr. Browne of Lee moved that the regular order of business be suspended and substitute for Senate File No. 110, A bill for an act supplemental to chapter 22, laws of the Eleventh General Assembly, be taken up.

The motion prevailed and the bill was taken up and read first and second time.

#### MESSAGE FROM THE SENATE.

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 without amendment, which are returned herewith :

Substitute for House File No. 57, A bill for an act fixing the time of holding courts in the Second Judicial District.

House File No. 89, A bill for an act to amend chapter 135 of the acts of the Eleventh General Assembly entitled an act to require owners of threshing-machines to guard against accidents.

House File No. 124, A bill for an act to perfect the title of Peter Olsen and Magnus Rangoin in and to certain lands.

House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving and other repairs upon the vault in his office.

JAMES M. WEART, Secretary.

Mr. Browne of Lee, moved that the rule be suspended, and the bill be read a third time now.

Mr. Parker moved that the bill be referred to the Committee on Railroads.

Mr. Craig moved to amend by substituting for Railroads—Des Moines River Improvements.

The motion to refer to the Committee on Des Moines River Improvements prevailed.

Mr. Rowell moved that the House do now adjourn.

Leave of absence was granted Mr. Johnson of Marshall, for three days.

The motion to adjourn did not prevail.

The Chair announced special committee on House File No. 322, A bill for an act to secure to Iowa Soldiers a History of Iowa

Troops in the War of the Rebellion: Messrs. Bolton, Stone, Leach, Craig and Hunter.

Mr. Garrett from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on the Compensation of Public Officers, to whom was referred House File No. 172, A bill for an act to increase the compensation of the members of the General Assembly, to define the manner of the election of its officers, &c., have had the same under consideration, and the committee, being unable to agree upon the merits of the bill, have instructed me to report the same back to the House without recommendation.

GARRETT, Chairman.

Mr. Miller from the Committee on Compensation of Public Officers, submitted the following report:

The Committee on Compensation of Public Officers, to whom was referred House File No. 294, have had the same under consideration, and have instructed me to report the accompanying substitute with the recommendation that it do pass.

GEO. R. MILLER, for Committee.

Leave was granted Mr. Brown, of Fayette, to take up Senate File No. 151, A bill for an act to repeal section 6 of chapter 52, laws of the Tenth General Assembly, which was referred to the Committee on Schools.

Mr. Traer introduced House File No. 328, A bill for an act requiring the land grant railroads to record their title to lands.

Read first and second time, and referred to the Committee on Public Lands.

Mr. Adams introduced House File No. 329, A bill for an act to allow cities and towns to license the sale of beer and wine.

Read first and second time, and referred to the Committee on Incorporations.

Mr. Orr introduced House File No. 330, A bill for an act in relation to the collection of taxes on the Des Moines River Land.

Read first and second time, and referred to the Committee on Des Moines River Improvements.

Leave was granted Mr. Tenney to offer the following resolution:

WHEREAS, George Thornton, a messenger of this House, has, on several occasions, failed to return papers entrusted to his care by the members thereof; therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That the said George Thornton be discharged from all further services to this House.

Mr. Babbitt moved that the resolution be referred to a select committee of three.

The motion prevailed.

The chair announced Messrs. Tenney, Babbitt and Orr, as the committee.

Leave was granted Mr. Wilson of Dubuque, to offer the following resolution :

*Resolved*, That the Committee on Agriculture be directed to inquire into the expediency of enacting a law authorizing boards of supervisors to offer a pay and reward for the destruction of gophers, and that said committee report by bill or otherwise.

Mr. Atkins moved to lay the resolution on the table, which motion did not prevail.

Mr. Rowell moved to amend by adding after the word "gopher" the word "grasshopper."

The motion to amend did not prevail, and the resolution was adopted.

Mr. Grantham moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, Iowa, March 16, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Journal of Saturday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Allen presented a petition from citizens of Des Moines county, praying for the passage of a law to authorize independent school districts to establish graded or union schools, which was referred to the Committee on Schools.

Mr. Fulton presented a remonstrance from D. P. Stubbs and others, attorneys of Jefferson county, remonstrating against the passage of the pending bill for the establishment of a Circuit Court, which was referred to the Committee on Judiciary.

Mr. Guthrie presented a petition, praying for the passage of an act to incorporate the society of the Evangelical Church of Grundy county, which was referred to the Committee on Incorporations.

Mr. Tritz presented a petition from forty-five citizens of Jackson county, praying for a more stringent prohibitory liquor-law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Rees presented a memorial of citizens of the Des Moines Valley, asking for legislation to quiet titles to Des Moines river lands, which was referred to the Committee on Judiciary.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to return to your Honorable Body the following bill and resolutions, which have passed the Senate without amendment:

House File No. 120, A bill for an act for the relief of Hardin county, Iowa, for money stolen from the county safe, September 14, 1865.

Joint resolution, memorializing Congress in respect to the claims of Lieut. J. F. St. John.

Joint resolution, memorializing Congress to place the name of David C. Wagner upon the pension-roll of the United States.

JAMES M. WEART, Secretary.

## REPORTS OF COMMITTEES.

Mr. Bowen, from the Committee on Incorporations, submitted the following report:

Your Committee on Incorporations, to whom was referred House File No. 323, A bill for an act to legalize the acts of the Northwestern Mining Company, have instructed me to report it back, with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations, to whom was referred Senate File No. 45, A bill for an act to amend section 1102, of the Revision of 1860, in relation to cities and towns, have instructed me to report it back, with the recommendation that it do not pass, as there is a bill already reported on the same subject.

B. G. BOWEN, Chairman.

Your Committee on Incorporations, to whom was referred House File 269, A bill for an act to vacate parts of certain streets in Nevada, Story county, Iowa, have instructed me to report it back, with the recommendation that it do not pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations, to whom was referred House File 316, A bill for an act to amend sections 1763 and 1764 of the Revision of 1860, have instructed me to report it back, with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations, to whom was referred House File 209, A bill for an act relating to towns incorporated under the provisions of chapter 42 of the Code of 1851, have instructed me to report it back, with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Your Committee on Incorporations, to whom was referred a petition from Lyman Cook and others, asking a law to allow incorporated towns and cities to issue license for the sale of wine

and beer, have instructed me to report it back, and ask that it be referred to the Committee on the Suppression of Intemperance.

B. G. BOWEN, Chairman.

The report of the committee on the petition of Lyman Cook and others, was concurred in, and the petition referred to the Committee on the Suppression of Intemperance.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report:

The Committee on Township and County Organization have carefully considered House File No. 11, A bill for an act creating the office of county auditor, and have instructed me to report a substitute therefor, with a recommendation that the said substitute do pass.

JOHN P. GRANTHAM, Chairman.

The Committee on Township and County Organization have carefully examined House File No. 235, A bill for an act authorizing county boards of supervisors to devote the swamp lands belonging to their counties to certain purposes, and have instructed me to report the same back, with a recommendation that it be laid upon the table.

JOHN P. GRANTHAM, Chairman.

The Committee on Township and County Organization have considered House File No. 321, A bill for an act defining the duties of Treasurers in certain cases, and have amended it as follows:

In section 2, strike out the word "fifty" and insert the word "ten;" also strike out the third section entire.

As thus amended, they recommend its passage.

JOHN P. GRANTHAM, Chairman.

Mr. Cotton, from the Committee on Judiciary, submitted the following report:

The Judiciary Committee, having had under consideration Senate File 85, A bill for an act to establish Circuit Courts; House File 47, A bill for an act extending jurisdiction of County Courts; and House File 212, A bill for an act enlarging the jurisdiction of the County Courts, a majority of the committee have directed me to report these bills to the House, with the recommendation that Senate File 85, the Circuit Court bill, be passed, and that the other bills do not pass.

COTTON, Chairman.

The Judiciary Committee having considered House File No. 188, A bill for an act to secure to the settlers upon the odd sections of land lying along and within five miles of the Des Moines river, a right to purchase the lands occupied by them, have instructed me to report the bill with amendments, and to recommend its passage as thus amended.

The following are the amendments above referred to:



After the words "sixty-two" in fourth line of section 1, insert the word "be."

After the words "who shall" in first line of second section, insert the words "have been on the first day of January A. D. 1868, and who continues to."

After the word "any" second line, section 2, add "part of any."

Section 2, third line, strike out "and within five miles thereof."

After the words "Raccoon Fork" section 2, third line, add the words "any title which the State of Iowa may have in."

Section 3, second line, strike out the word "of" where it occurs after the word "months" and insert the word "after."

Section 3, strike out the words "the passage of this act" when they occur in the third or fourth lines, and insert the words "the first day of January A. D. 1868."

At the end of section 3, add "and had continued such settlement or improvement to the time of the passage of this act."

Section 3, ninth line, after the word "act" add the words "the State of Iowa is not to be in any manner liable in respect to the title of any land that may be sold under the provisions of this act, and any certificate or patent for any of said lands shall contain a clause to that effect. The money received for any of said land shall be paid into the State treasury to the credit of."

Sec 4, strike out the words "hereinafter described" and insert "within the provisions of this act."

Section 4, second line, add the words "if any" after "Iowa."

COTTON, Chairman.

The Judiciary Committee recommend the passage of House File No. 219, A bill for an act empowering foreign railroad corporations, that may operate railroads in this State, to acquire and hold real estate in certain cases, with the right of disposing of the same.

COTTON, Chairman.

The Judiciary Committee recommend the passage of House File No. 123, A bill for an act to regulate the compensation of county judges.

COTTON, Chairman.

The Judiciary Committee, having considered House File No. 302, A bill for an act to authorize mortgagees or their assignees to pay taxes on the mortgaged premises, and to make the amounts so paid a lien thereon, recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee, having considered House File No. 153, A bill for an act to organize fire companies in unincorporated towns and villages, to regulate the same, and to legalize acts of such companies heretofore organized, have directed a report in favor of its passage.

COTTON, Chairman.

The Judiciary Committee recommend the passage of House

File No. 301, A bill for an act to amend section 18, chapter 102, acts of Ninth General Assembly, enabling owners of strays to recover the value of such stray at the time of proving title, and regulating appraisers and clerks fees in the same.

COTTON, Chairman.

The Judiciary Committee have had under consideration House File No. 104, A bill for an act to amend section 4192, Revision of 1860, the effect of the bill being to abolish capital punishment, and a majority of the committee have directed a report recommending that the bill do pass.

COTTON, Chairman.

The Judiciary Committee having considered House File No. 226, A bill for an act to regulate the assessment of personal property in certain cases, and the committee being of opinion that the law in such cases is now as proposed to be enacted in the bill, recommend that it be indefinitely postponed.

COTTON, Chairman.

The Judiciary Committee, upon considering House File No. 228, A bill for an act relating to railroad companies incorporated by other States owning and operating railroads in this State, have instructed me to report the same with recommendation that it do not pass.

COTTON, Chairman.

House File No. 331, A bill for an act to amend chapter 61, of the acts of the Eleventh General Assembly in relation to transfer books, which was read first and second time, and passed on file.

Mr. Blackwell moved that the regular order of business be suspended and Senate File No. 85, A bill for an act to establish Courts of Common Pleas, be taken up and made the special order for March 17th, at 2 o'clock, P. M.

Mr. Dudley moved to amend by including House File Nos. 212 and 47, relating to the jurisdiction of County Courts, and also the propriety of creating a Thirteenth Judicial District.

The motion to amend did not prevail.

Mr. McNutt moved to amend by striking out March 17th and inserting April 1st in lieu thereof.

#### MESSAGE FROM THE SENATE.

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 resolution, in which the concurrence of the House is asked:

That providing for the final adjournment of the General Assembly on the 8th day of April.

JAMES M. WEART, Secretary.

The Chair announced that the hour had arrived for the consideration of the special order, House File No. 93, A bill for an act requiring owners of dams to attach aprons or chutes thereto.

Mr. Goodspeed moved that the special order be now taken up.

Which motion prevailed, and the bill was taken up and considered by sections.

Mr. Wheeler moved to amend the first section by adding "at the expense of the county."

Mr. Stuart moved to amend the amendment as follows: "Provided that where a chute is constructed to any mill-dam in accordance with the provisions of this act and upon the presentation to the board of county supervisors the cost of said chute properly certified and sworn to the board of county supervisors shall, if in their opinion the provisions of this act has been complied with, allow the same and draw their warrant for the payment of the same upon the county treasurer."

The amendment to the amendment did not prevail.

Mr. Tucker moved to amend the amendment as follows:

"Any party owning a dam and maintaining a chute, shall have exempted from all taxes whatever, any mills, machinery or property, connected with any water-power."

The amendment to the amendment did not prevail.

Mr. McKean moved to amend the amendment as follows:

*Provided* that where a chute is constructed to any mill-dam in accordance with the provisions of this act, the mill, and mill property shall be exempt from all taxation for three years, from, and after the building of said chute, to the value of forty thousand dollars; and in case said mill and mill-property exceeds forty thousand dollars in value, then said property shall only be taxed on its excess in value, over that amount.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving and other repairs upon the vault in his office.

H. C. RIPPEY, Chairman.

Mr. Traer moved that the amendments and bill be laid on the table, which motion prevailed.

Mr. Adams from the Committee on Des Moines River Improvement, submitted the following report:

Your Committee on Des Moines River Improvement to whom was referred substitute for Senate File No. 110, have had the same under consideration and have instructed the chairman to report the recommendation that the bill do pass.

A. G. ADAMS, Chairman.

The same committee to whom was referred House File No. 233, have instructed me to report the recommendation that it do not pass.

ADAMS, Chairman.

The same committee to whom was referred two petitions asking the construction of chutes on dams in the Des Moines river, have instructed me to report back to the House, that a bill embodying the same question is now pending before the House, hence it is not necessary to make any recommendation.

ADAMS, Chairman.

Mr. Blackwell moved that the regular order of business be suspended, and Senate File No. 85, A bill for an act to establish Courts of Common Pleas, be taken up and made the special order for March 17, at two o'clock p. m.

Mr. Traer moved that the bill be now taken up and considered, which motion did not prevail.

Upon the motion to make the bill the special order for March 17, at two o'clock p. m., Mr. Rippey demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Atkins, Babbitt, Bauder, Bent, Blackwell, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Chase, Cotton, Craig, Criss, Donovan, Gaylord, Hawthorn, Hunter, Johnson of Cherokee, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, Miller, Murray, Orr, Peck, Perry, Rector, Rees, Rippey, Rowell, Stone, Stuart, Traer, Tritz, Tucker, Werner, Williams, Wilson of Dubuque, Wilson of Tama, and Wright—46.

The nays were, Messrs. Adams, Allen, Bailey, Bolton, Brown of Fayette, Burrows, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hartsock, Kasson, Lefingwell, McNutt, Mechem, Miles, Morrison, Newberry, Parker, Phillips, Sanborn, Sheldon, Stanley, Tillson, Wheeler, Wilcox, Wilson of Davis, and Mr. Speaker—34.

Absent and not voting, Messrs. Atwood, Ballinger, Burnett, Caldwell, Cramer, Hamilton, Hart, Hatch, Hayden, Irish, Johnson of Marshall, Ordway, Ramsay, Rohlf, Smith of Dickinson, Smith of Harrison, Tenney, Trusdell, Walling—19.

So the motion to make a special order did not prevail.

Mr. Parker, from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom was referred a petition of certain citizens of Mahaska county, asking for the limitation of independent districts to cities and towns containing five hundred inhabitants, can not recommend that the prayer be granted.

PARKER, Chairman.

Your Committee on Schools, to whom was referred House File No. 311, would amend it, by giving it effect when published according to law, and recommend its passage as amended.

PARKER, Chairman.

Mr. Bent, from the Committee on Police Regulations, submitted the following report :

Your committee to whom was referred House File No. 275, A bill to prevent the sale of inflammable oils, would respectfully report that they have had the same under consideration, and have instructed me to report the bill back to the House, with a recommendation that it do pass.

C. R. BENT, Chairman.

Mr. Goodspeed, from the Committee on Horticulture, submitted the following report :

The Committee on Horticulture to whom was referred the petition of the State Horticultural Society asking an annual appropriation of two thousand dollars in aid of said society, have had the same under consideration, and directed me to report the same back to the House with the unanimous recommendation that the sum of eight hundred dollars be annually appropriated to the said society, and that the Committee on Ways and Means be instructed to provide for the same in their general appropriation bill.

M. GOODSPEED, Chairman.

The report of the committee was concurred in.

Mr. Williams, from the Committee on Railroads, submitted the following report :

Your Committee on Railroads to whom was referred House File No. 271, A bill for an act to legalize and carry out a contract between the Dubuque and Sioux City Railroad Company and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said railroad from Dubuque to Sioux City, and for other purposes, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments: To insert after the word aforesaid, in the second line, section 4, the words "west of Iowa Falls"; also, to strike out the word "thereof," in the first line of section 4; also, to strike out of fifth line of same section, the words "of Congress"; also, to insert after the word "depot," in the eighth line of same section, the words "buildings shall be erected on the grounds heretofore"; also, strike out the words "shall be in said line"; also, to strike out in the ninth and tenth lines of the same section, the words "touching no point further south than the correction line on the south line of township eighty-nine, and insert the words "which route shall be at all points within the limits of said land grant"; and also, to strike out of the third line of section 7, the word "fifteen" and insert the word "thirty." With these amendments to the bill, the committee recommend its passage.

WILLIAMS, Chairman.

Mr. Wilson of Tama, from the Committee on Railroads, submitted the following minority report:

The Committee on Railroads to whom was referred House File No. 271, A bill for an act to legalize and carry out a contract

between the Dubuque and Sioux City Railroad Company, and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said railroad from Dubuque to Sioux City, and for other purposes, have had the same under consideration and a minority recommend the passage of the bill as amended by the committee, with the following further amendment: Add to section 7, "provided the company accepting the provisions of this act, shall at all times be subject to such rules and regulations and rates of tariff for transportations of freight and passengers as may from time to time be enacted by the General Assembly of the State of Iowa.

JAMES WILSON.

Mr. Knapp from the Committee on Public Lands submitted the following report, which was concurred in:

MR. SPEAKER:—The Committee on Public Lands to whom was referred joint resolution asking Congress to give a certain amount of unappropriated public lands to soldiers having served in the late war, have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that it be referred to the Committee on Federal Relations.

T. B. KNAPP, Chairman.

Mr. Hunter from the Committee on Printing submitted the following report:

The Committee on Printing, to whom was referred House File No. 222, A bill for an act to provide for the early publication of certain laws, have had the same under consideration and instructed me to report back the accompanying substitute with the recommendation that it do pass.

HUNTER, Chairman.

Mr. McKean from the Committee on Constitutional Amendments submitted the following report:

Your committee on constitutional amendments, to whom was referred a joint resolution agreeing to ratifying and confirming amendments to the State constitution, have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be adopted.

JOHN McKEAN, Chairman.

Upon the adoption of the joint resolution, the yeas and nays were demanded, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Bailey, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Cotton, Craig, Criss, Dashiell, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hunter, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney,



Tillson, Traer, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—65.

The nays were, Messrs. Babbitt, Bander, Blackwell, Browne of Lee, Davis, Donavan, Hawthorn, Irish, Lockwood, Longueville, Miller, Peck, Rector, Stuart, Tritz, Werner, Wilson of Dubuque, and Wright—18.

Absent and not voting, Messrs. Atwood, Ballinger, Burnett, Caldwell, Chase, Cramer, Hart, Hatch, Hayden, Johnson of Marshall, Leffingwell, Ramsay, Rohlf, Smith of Harrison, Trusdell, and Walling—16.

So the resolution was adopted.

Mr. Kasson, from the Committee on Federal Relations, submitted the following report:

The Committee on Federal Relations to whom was referred the various papers hereinafter named, have had the same under consideration, and report as follows:

That the memorial and joint resolution asking Congress to make appropriations for the improvement of the channels of the Mississippi and Missouri rivers, and the opening up of a direct and free trade with the West Indies, Central and South America, and Mexico, and a joint resolution instructing and requesting our congressmen to favor the only true policy of resumption, embrace national topics of great importance, and which can not be wisely disposed of in the brief way proposed. They therefore recommend that the said resolutions be indefinitely postponed.

That the joint resolution instructing our Senators and requesting our representatives to procure the passage of a law making post-masters distributing agents of revenue stamps, be adopted and passed with the slight amendments indicated in the resolution reported herewith.

They also report back sundry resolutions, petitions, and memorials for additional mail facilities, with a substitute combining all the requests into one joint resolution, the passage of which is recommended.

JOHN A. KASSON, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Bent introduced House File No. 332, A bill for an act requiring township trustees to take control of cemeteries in certain cases.

Read first and second time, and referred to the Committee on County and Township Organization.

Mr. Werner introduced House File No. 333, A bill for an act to amend an act entitled "An act in relation to the duties of railroad companies," approved April 8, 1862.

Read first and second time, and referred to the Committee on Railroads.



Mr. Bent introduced House File No. 334, A bill for an act to amend section 1, chapter 109, of the laws of the Tenth General Assembly, in relation to agricultural fairs.

Read first and second time, and referred to the Committee on Agriculture.

Mr. Burrows moved that the regular order of business be suspended and House File No. 3, A bill for an act to legalize the official acts of Willis Throckmorton, a justice of the peace, of Clarke county, be taken up.

The motion did not prevail.

Mr. Rippey introduced House File No. 335, A bill for an act authorizing district townships or independent school districts to unite with the sub-districts, in the district townships to establish graded or union schools.

Read first and second time, and referred to the Committee on Schools.

Mr. Bent introduced House File No. 336, A bill for an act for finding and making the true meridian in each county in Iowa.

Read first and second time, and referred to Special Committee of Surveyors and Engineers.

PARKER, Chairman.

Mr. Perry introduced House File No. 337, A bill for an act to amend chapter 169 of the Ninth General Assembly, in relation to railroad companies.

Read first and second time, and referred to the Committee on Railroads.

Mr. Cotton introduced House File No. 338, A bill for an act to amend section 3870 of the Revision of 1860, in relation to discharge of mortgages.

Read first and second time, and referred to the Committee on Judiciary.

Mr. Wilcox asked leave of absence for Mr. Walling for ten days, which was granted.

Leave of absence was granted Mr. Atwood for one day.

On motion of Mr. Rees, the regular order of business was suspended.

Mr. Rees offered the following resolution :

*Resolved*, That this House will hold no session on the afternoons of Monday and Wednesday, of this week.

Mr. Smith of Dickinson, moved to amend, by including Saturday.

Mr. Babbitt moved to lay the resolution on the table.

The motion did not prevail.

The motion to amend prevailed, and the resolution as amended was adopted.

On motion of Mr. Browne of Lee, the regular order of business was suspended, and the House took up Senate File No. 110, A

bill for an act supplemental to the laws of the Eleventh General Assembly.

Mr. Browne of Lee, moved that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Bailey, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Cotton, Craig, Criss, Dudley, Ellis, Fulton, Garrett, Gaylord, Hamilton, Hartsock, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lockwood, Longneville, McKean, McNutt, Mechem, Miller, Murray, Newberry, Orr, Parker, Phillips, Rector, Rees, Rowell, Sanborn, Sheldon, Stanley, Stone, Tenney, Tillson, Tritz, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, and Wright.—59.

The nays were Messrs. Babbitt, Dashiell, Davis, Glasgow, Goodspeed, Grantham, Guthrie, Lambert, Leach, Leffingwell, McCoun, Miles, Morrison, Ordway, Perry, Rippey, Smith of Dickinson, Stuart, Traer, Wilson of Tama, and Mr. Speaker.—21.

Absent and not voting, Messrs. Atwood, Ballinger, Bent, Burnett, Burrows, Caldwell, Chase, Cramer, Donovan, Hart, Hatch, Hayden, Johnson of Marshall, Peck, Ramsay, Rholf, Smith of Harrison, Trusdell, and Walling.—19.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Werner to record his vote yea, on the ordering of House File No. 273, to be engrossed and read a third time.

Leave was granted Mr. Cotton, to call up House File No. 103, A bill for an act to revise section 119, of the Revision of 1860.

Mr. Grantham moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 17, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Ingalls.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

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 and resolution, in which the concurrence of the House is asked:

Substitute for Senate File No. 30, A bill for an act to amend section 3044, of the Revision of 1860, relating to jurors.

Senate File No. 141, A bill for an act providing for the publication of the reports and proceedings of the Iowa State Medical Society.

Memorial and joint resolution, asking Congress to declare the Iowa river unnavigable from the city of Wapello, in Louisa county, north.

I am also directed to return herewith House File No. 186, A bill for an act to enable townships and incorporated towns and cities, to aid in the construction of railroads, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

## PETITIONS AND REMONSTRANCES.

Mr. Tenney presented a petition asking for additional mail facilities, which was referred to the Committee on Federal Relations.

Mr. Orr presented a memorial from citizens of Boone county, in relation to taxation of Des Moines river lands, which was referred to the Committee on Des Moines River Improvements.

Leave was granted those who were absent yesterday, to record their votes on the resolution for amending the State Constitution, in relation to striking out the word "white."

The following named gentlemen voted yea:

Messrs. Hayden, Rohlf, Ballinger, Caldwell, Hart, Ramsay, and Trusdell.

## REPORTS OF COMMITTEES.

Mr. Williams, from the Committee on Railroads, submitted the following report:

Your committee to whom was referred House File No. 333, A bill for an act in relation to the duties of railroad companies, approved April 8, 1862, have had the same under consideration, and have instructed me to report the same back to the House, with the following amendment:

Strike out section 1, and insert the following: "That all the duties and liabilities imposed upon railroad companies, by chapter 169, of the laws of the Ninth General Assembly, shall apply equally to all lessees of any railroad companies operating the same

within this State, as fully as if such lessees were named therein," and recommend that it do pass.

WILLIAMS, Chairman.

Mr. Gaylord, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—The Committee on Agriculture, to whom was referred House File No. 298, A bill for an act to authorize boards of county supervisors to appropriate moneys to county agricultural societies, when the same become indebted for permanent improvements, have had the same under consideration, and believing that the object sought for by the author of this bill, is already anticipated by chapter 128, of the Acts of the Eleventh General Assembly, have instructed me to report it back to the House, with the recommendation that it be indefinitely postponed.

W. P. GAYLORD, Chairman.

MR. SPEAKER: The Committee on Agriculture, to whom was referred House File No. 293, entitled, A bill for an act to prevent frauds in the manufacture of cheese," have had the same under consideration, and have instructed me to report the bill back to the House, with the following amendments, to-wit: To add after the word "manufactory," wherever it occurs in said bill, the words "hotel or boarding-house;" and that the bill, after being so amended, be indefinitely postponed.

W. P. GAYLORD, Chairman.

Mr. Brown of Howard, submitted a report of the committee to visit the White Manual Labor Institute, which was read and ordered printed.

#### RESOLUTIONS.

Mr. Cotton offered a resolution in relation to obtaining the opinion of the Attorney-General, which was read and laid over under the rule.

Mr. Murray offered a resolution asking for additional mail facilities, which was referred to the Committee on Federal Relations.

Mr. Rector offered a resolution asking for additional mail facilities, which was referred to the Committee on Federal Relations.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 91, A bill for an act to legalize the official acts of Henry Temple, a notary public, was taken up, and read first and second time.

Mr. Kilburn moved that the rule be suspended, and the bill be read the third time now.

Mr. McNutt moved that the bill be referred to the Committee on Notaries Public, which motion prevailed.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Committee on Enrolled Bills have presented the following bill to the Speaker of the House of Representatives, and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 216, A bill for an act to authorize the State Treasurer to provide iron shelving and other repairs upon the vault in his office.

H. C. RIPPEY, Chairman.

Substitute for Senate File No. 44, A bill for an act to amend sections 1068, 1069, and 1070 of the Revision of 1860, and to provide additional means for the collection of charges, assessments, and taxes on lots of land in municipal corporations, which was read first and second time, and referred to the Committee on Ways and Means.

Senate Resolution in relation to the Iowa State Agricultural Society, was taken up, and referred to the Committee on Agriculture.

Mr. Blackwell moved that the regular order of business be suspended, and Mr. Wilson of Dubuque be granted leave to offer a resolution, which motion prevailed.

Mr. Wilson of Dubuque, offered the following resolution:

1. *Resolved*, That Senate File No. 85 be made the special order for Friday next at two o'clock.
2. That substitute for House File 139 be made the special order for Saturday next at ten o'clock.
3. That House File No. 271 be made the special order for Tuesday next at 10 o'clock.
4. That Senate File No. 170 be made the special order for Wednesday next at ten o'clock.
5. House File No. 15 be made the order for Wednesday at two o'clock.

Mr. Parker moved to amend by making bills on agriculture the special order for Thursday, March 26th, and that bills relating to educational questions, be made the special order for March 27th, the bills to be called up by the committees on these subjects.

Mr. McNutt moved to amend the amendment, as follows: "and bills on town and city incorporations, be made the special order for March 27."

The motion to amend the amendment prevailed.

The motion to amend prevailed.

The motion to adopt the resolution did not prevail.

Senate File No. 11, A bill for an act to legalize the acts of John S. Gilmore, a justice of the peace of Lee county, Iowa, was taken up.

Read a first and second time, and referred to the Committee on Notaries Public.

Senate File No. 178, A bill for an act to legalize the acts of the council and officers of the city of Cedar Falls.

Read first and second time, and referred to the Committee on Incorporations.

Senate resolution in relation to final adjournment on the 8th day of April, was taken up, read, and adopted.

Mr. McNutt moved that the vote by which the resolution was adopted, be re-considered.

Mr. Atkins moved to lay the motion to re-consider on the table, which motion prevailed.

Joint resolution asking Congress to declare the Iowa River unnavigable from the city of Wapello, Louisa county, north, was taken up and read.

On motion of Mr. Rees, the resolution was referred to the Committee on Federal Relations.

Senate File No. 141, A bill for an act to publish the reports and proceedings of the State Medical Society, was taken up.

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

Senate File No. 30, A bill for an act to amend section 3044 of the Revision of 1860, relating to jurors, was taken up.

Read first and second time, and referred to the Committee on Judiciary.

The Chair announced that the hour had arrived for the consideration of the special order — a resolution in relation to a change of county government.

Mr. Ballinger moved that the special order be now taken up.

The motion prevailed.

House went into Committee of the Whole in consideration of the special order.

House called to order by the Speaker.

Mr. Rowell from the Committee of the Whole, submitted the following report :

Your committee have had under consideration a resolution in relation to a change of the present system of county government, and have instructed me to report progress, and ask that the House defer the resolution until the bill in the Senate on this subject, be reported to this House.

Mr Atkins moved that the report of the committee be laid on the table, which motion prevailed.

#### BILLS ON SECOND READING.

House File No. 149, A bill for an act to protect game, and substitute for the same, reported by the committee, were taken up and considered.

The substitute recommended by the committee, was considered by sections.

Mr. Dudley moved to amend the first section, by striking out the words "and for his exclusive use."

The amendment did not prevail.

Mr. Kasson moved to amend the first section, as follows: Add to the first section, *Provided*, that, except on his own premises, it shall be further unlawful for any person to net, ensnare or trap any of said game, except in the month of December; and, *provided further*, that except on his own premises it shall be unlawful, for any person to snare, net or trap, any quail at any time of the year, prior to the first of December, 1872.

The amendment prevailed.

Mr. Kasson moved to amend the fourth section, by striking out the words "within the dates aforesaid" and insert "in violation of the provisions of this act."

The amendment prevailed.

Mr. Ordway moved to amend by striking out of the fifth section the words "commissioners of the county."

The motion to amend prevailed.

Mr. Wilson of Tama, moved to strike out the seventh section entire.

The motion to amend did not prevail.

Mr. Lambert moved to strike out all after the enacting clause, which motion did not prevail.

Mr. Wheeler moved that the first section be amended, by adding the following proviso: "*Provided, further*, no person shall trap, kill, or otherwise catch any of the aforesaid animals and birds on the lands of any other persons, when the same is objected to by the owner of said land."

The motion to amend did not prevail.

Mr. Browne of Lee moved to amend by adding a section to be known as section 3, as follows:

SECTION 3. That any railroad company, express company, or other common carrier in this State, or any of their agents or servants having any of the above named birds or animals in their possession for transportation or other purpose during the periods above limited and prohibited shall be punished by fine of not less than one hundred or more than three hundred dollars, or by imprisonment in the county jail thirty days, or by both such fine and imprisonment.

The motion to amend prevailed.

The substitute as amended was adopted, and ordered to be engrossed and read a third time.

Mr. Wilson of Dubuque moved that the rule be suspended and the bill be read a third time now.

The motion prevailed and the bill was read a third time.



Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Babbitt, Bailey, Balingier, Bander, Bent, Blackwell, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donavan, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Kasson, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Murray, Ordway, Parker, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Trusdell, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—64.

The nays were, Messrs. Allen, Brown of Fayette, Dashiell, Dudley, Garrett, Johnson of Cherokee, Lambert, McCoun, McNutt, Miller, Morrison, Newberry, Orr, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Smith of Harrison, Tillson, Traer, Tucker, Werner, Wheeler, and Wright—27.

Absent and not voting, Messrs. Atwood, Burnett, Cramer, Hatch, Johnson of Marshall, Kelley, Walling, and Wilcox—8.

Mr. Lambert moved to amend the title of the bill as follows: "An act to benefit sportsmen."

The motion to amend the title did not prevail, and the title was agreed to.

House File No. 128, A bill for an act to amend sections 493 and 494 of the Revision of 1860, was taken up and considered.

Mr. Rohlf moved that the bill be indefinitely postponed.

On motion of Mr. Traer the bill was laid on the table.

Leave of absence was granted S. A. Flanders, second assistant clerk on account of sickness.

Leave of absence was granted Mr. Kelley until Saturday next.

Mr. Dashiell moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Wright moved that the regular order of business be suspended and the House take up House File No. 299, A bill for an act for the relief of George W. Carver, which motion prevailed.

**MESSAGE FROM THE SENATE.**

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.

Substitute for Senate File No. 13, A bill for an act providing for the erection of buildings for a deaf and dumb asylum.

Senate File No. 81, A bill for an act to enable municipal and public corporations at their election to settle, adjust and compound their indebtedness, and to provide for the issue of new bonds, and for the payment of such new bonds by the levy of specific taxes, and for this purpose altering and amending existing charters and laws.

Senate File No. 148, A bill for an act to provide for the education and support of the deaf and dumb.

JAMES M. WEART, Secretary.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

Senate File No. 92, A bill for an act to legalize the establishment of county roads.

Senate File No. 110, A bill for an act supplemental to chapter 22 of the laws of the Eleventh General Assembly, providing for the settlement of contracts and claims growing out of the Des Moines river improvement.

H. C. RIPPEY, Chairman.

Leave of absence was granted Mr. Ordway for to-morrow.

The Speaker announced that the hour having arrived for bills on third reading, Mr. Burrows moved that the regular order of business be suspended, and the bill be considered engrossed and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Babbitt, Bailey, Ballinger, Blackwell, Brown of Fayette, Brown of Howard, Brown of Van Buren, Cotton, Donavan, Garrett, Glasgow, Hartsock, Hawthorn, Irish, Johnson of Cherokee, Kelley, Leffingwell, Lockwood, Longueville, McKean, Miller, Murray, Newberry, Parker, Rector, Rohlf, Rowell, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tucker, Williams, Wilson of Dubuque, and Wright—37.

The nays were Messrs. Atkins, Bander, Bent, Bolton, Bowen, Browne of Lee, Burrows, Caldwell, Chase, Craig, Davis, Dudley, Ellis, Fulton, Gaylord, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hayden, Kilburn, Knapp, Lambert, McCoun, McNutt, Mechem, Miles, Morrison, Orr, Ordway, Perry, Phillips, Ramsay, Rippey, Sanborn, Tenney, Tillson, Traer, Tritz, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Mr. Speaker—46.

Absent and not voting, Messrs. Adams, Allen, Atwood, Burnett,

Cramer, Criss, Dashiell, Hatch, Hunter, Johnson of Marshall, Kasson, Leach, Peck, Rees, Smith of Harrison, Trusdell, and Walling—16.

So the bill did not pass.

BILLS ON THIRD READING.

Senate File No. 1, A bill for an act to amend an act for the relief of the widow and indigent children of Joseph Ketterer, was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Johnson of Cherokee, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—80.

The nays were none.

Absent and not voting, Messrs. Atwood, Burnett, Cramer, Criss, Gaylord, Hatch, Hunter, Irish, Johnson of Marshall, Kasson, Leach, Leffingwell, Peck, Rees, Smith of Harrison, Stone, Traer, Walling, and Williams.—19.

So the bill passed, and the title was agreed to.

House File No. 113, A bill for an act to amend chapter 172 of the laws of the Ninth General Assembly, was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hunter, Irish, Johnson of Cherokee, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Miles, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—69.

The nays were Messrs. Adams, Babbitt, Bauder, Blackwell, Browne of Lee, Donovan, Hawthorn, Lambert, Longueville, McCoun, McKean, McNutt, Miller, Tritz, Werner, and Mr. Speaker—16.

Absent and not voting, Messrs. Atwood, Burnett, Burrows, Cramer, Criss, Dashiell, Gaylord, Hatch, Johnson of Marshall, Kasson, Mechem, Orr, Smith of Harrison, and Walling—14.

So the bill passed, and the title was agreed to.

Substitute for House File No. 83, A bill for an act to amend section 8, chapter 143, acts of the Eleventh General Assembly, in relation to county superintendents of common schools, was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Ballinger, Bolton, Bowen, Brown of Howard, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Leffingwell, Lockwood, Longueville, Miles, Miller, Morrison, Murray, Ordway, Parker, Peck, Perry, Phillips, Rees, Rippey, Rohlfs, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Traer, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, and Wilson of Tama—58.

The nays were Messrs. Adams, Atkins, Babbitt, Bailey, Bauder, Bent, Blackwell, Brown of Van Buren, Donovan, Hawthorn, Kilburn, Knapp, Lambert, Leach, McCoun, McKean, McNutt, Newberry, Ramsay, Rector, Stuart, Tillson, Tritz, Werner, and Mr. Speaker—25.

Absent and not voting, Messrs. Atwood, Brown of Fayette, Browne of Lee, Burnett, Cramer, Criss, Dashiell, Dudley, Garrett, Hatch, Johnson of Marshall, Mechem, Orr, Smith of Harrison, Walling, and Wright—16.

So the bill passed, and the title was agreed to.

House File No. 119, A bill for an act to amend an act approved April 20, 1866, entitled an act to accept the grant of land to the State of Iowa, was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck,

Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—84.

The nays were, Mr. Irish.—1.

Absent and not voting, Messrs. Atwood, Burnett, Cramer, Dashiell, Hamilton, Hatch, Johnson of Marshall, Kasson, Knapp, McCoun, Orr, Smith of Harrison, Traer, and Walling.—14.

So the bill passed, and the title was agreed.

#### BILLS ON SECOND READING.

House File No. 171, A bill for an act to amend the acts of the Ninth General Assembly in relation to teacher's certificates, was taken up and considered.

Mr. Irish moved to amend by striking out all after the enacting clause, which motion did not prevail.

On the motion to order the bill engrossed and read a third time Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Allen, Atkins, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Cotton, Craig, Criss, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hayden, Kilburn, McNutt, Mechem, Miles, Morrison, Orr, Parker, Phillips, Ramsay, Sanborn, Smith of Dickinson, Stanley, Tenney, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Tama—42.

The nays were, Messrs. Adams, Babbitt, Bauder, Blackwell, Brown of Howard, Browne of Lee, Caldwell, Chase, Davis, Donovan, Grantham, Hawthorn, Hunter, Irish, Kasson, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Miller, Murray, Newberry, Peck, Perry, Rector, Rees, Rippey, Rohlf, Rowell, Sheldon, Stuart, Tillson, Traer, Tritz, Werner, Wilcox, Wilson of Dubuque and Wright—42.

Absent and not voting, Messrs. Atwood, Burnett, Burrows, Cramer, Dashiell, Hamilton, Hatch, Johnson of Cherokee, Johnson of Marshall, Kelley, Ordway, Smith of Harrison, Stone, Walling, and Mr. Speaker—15.

So the House refused to order the bill engrossed and read a third time.

Mr. Phillips moved that the House do now adjourn, which motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 18, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. Hayden.

Journal of yesterday read and approved.

## PETITIONS AND REMONSTRANCES.

Mr. Adams presented a petition from Lyman Cook and fifty-three others, voters of Des Moines county, asking for an equitable license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Werner presented a petition from the board of supervisors of Lee county, asking the members of the Twelfth General Assembly to vote against any change in the present supervisor system, which was referred to the Committee on County and Township Organization.

## MESSAGE FROM THE SENATE.

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 resolution, in which the concurrence of the House is asked.

That providing for a joint convention for the election of trustees of the State University and Agricultural College and Farm, on Thursday, March 19, at 3 o'clock, P. M.

Also, to return herewith preamble and joint resolution relative to making Council Bluffs a port of delivery, which was passed the Senate without amendment.

JAMES M. WEART, Secretary.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report :

Your Committee on Engrossed Bills report that they have examined substitute for House File Nos. 110 and 149, A bill for an act to protect game, and find the same correctly engrossed.

A. R. FULTON, Chairman.

Mr. Williams, from the Committee on Railroads, submitted the following report :

Your committee to whom was referred a petition of citizens of Jackson and Clinton counties, in this State, praying for the transfer of the forty thousand acre land grant to build the Lyons and Clinton Railroad, to be applied on the road running from Maquoketa south-easterly to De Witt, have duly considered the same, and

have instructed me to report the accompanying bill, as your committee believe in accordance with the prayer of the petitioners, and recommend its passage.

WILLIAMS, Chairman.

House File No. 339, A bill for an act resuming certain rights conferred upon the Cedar Rapids and Missouri River Railroad Company by an act approved March 26, 1860, granting certain lands to the Mississippi, Maquoketa and Northwestern Railroad Company, was read first and second time, passed on file, and ordered printed.

Mr. Wilson of Tama, from the Committee on Railroads, submitted the following minority report:

Your Committee on Railroads to whom was referred a petition from citizens of Jackson and Clinton counties, asking for forty thousand acres of land reserved by the Governor of the State of Iowa to insure the completion of a road from the town of Clinton, in Clinton county, to the town of Lyons, Clinton county, be given to assist in completing part of the Iowa Central Air-Line Railroad, we, a minority of said committee, recommend the passage of the bill prepared by the committee, with the following amendment: Add to section 2, "*Provided*, the company accepting the provisions of this act shall at all times be subject to such rules, regulations, and rates of tariff for transportation of freight and passengers as may from time to time be enacted by the General Assembly of the State of Iowa."

JAMES WILSON.

HORACE HAMILTON.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report:

The Committee on County and Township Organization have carefully considered House File No. 332, A bill for an act requiring township trustees to take control of cemeteries in certain cases, and propose the following amendment, to-wit: Strike out the third section of the bill, and insert in lieu thereof as follows: "*Provided*, That the provisions of this act shall not apply to cemeteries or burying-grounds under the control or management of religious societies or private individuals;" and recommend its passage as amended.

JOHN P. GRANTHAM, Chairman.

Mr. Tenney, from the select committee on the resolution relating to George Thornton, submitted the following report:

MR. SPEAKER:—Your committee to whom was referred the resolution relating to George Thornton, would respectfully report, that after carefully considering the matter and the circumstances connected therewith, that they do not deem it advisable, under the circumstances, to recommend his removal; but would further state that there has been gross carelessness and inattention on the part of several of the messengers connected with the House, in the



discharge of their duties; that papers sent to be folded, in many cases, have failed to be returned, and we would recommend that hereafter when messengers have papers delivered to them that they attend to them until returned from the paper-folder, or immediately return them to the persons from whom they received them, if called away for other duties; and that during the hours of session the messengers attend strictly to the duties for which they have been appointed.

Respectfully submitted.

C. W. TENNEY, Chairman.

Mr. Parker from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom was referred House File No. 158, would amend by inserting, after the words "chapter 172," in the eleventh line, of the first section, the words, "which sub-districts have built their own school-houses." Also in the 20th line of the same section, they would substitute the words "for building a school-house" for the words "for school-house purposes," and, as thus amended, they recommend the passage of the bill.

PARKER, Chairman.

Mr. Parker from the select committee on House File No. 336, submitted the following report:

Your special committee to whom was referred House File No. 336, A bill providing for establishing the true meridian of each county in this State, beg leave to report that they have considered the same and find that the objects aimed at in the bill, can be secured by modifying House File No. 21, now pending before this body, and they would recommend the following amendments for that purpose, viz: Insert after the words "north star" in the third line of section 9, of said House File No. 21, the words "or by some other method approved by good authorities." Also, add to said section 9, the words, "it shall also be his duty to protect and preserve such meridian stones, when they have been established."

Respectfully submitted.

L. F. PARKER, Chairman.

Mr. Criss from the special committee on House File No. 190, submitted the following report:

Your special committee, to whom was referred House File No. 190, having had the same under consideration, report the same back to the House with the recommendation that it do pass.

EUGENE CRISS, Chairman.

Mr. Wilcox from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to whom was referred Senate File No. 141, A bill for an act to publish the reports and

proceedings of the State Medical Society, have instructed me to report the same back with the recommendation that it do pass.

WILCOX, Chairman.

Your Committee on Ways and Means, to whom was referred House File No. 315, A bill for an act to tax personal property used or sold within this State, and owned by persons residing without the State, have instructed me to report that they find this bill substantially provided for in section 723 of the Revision of 1860, and recommend that this bill be indefinitely postponed.

WILCOX, Chairman.

Mr. Stone from the Committee on Notaries Public, submitted the following report :

The Committee on Notaries Public, to whom was referred Senate File No. 11, A bill for an act to legalize the acts of John S. Gilmore, a justice of the peace of Lee county; and Senate File No. 91, A bill for an act to legalize the official acts of Henry Temple, a notary public of Cass county, Iowa, beg leave to report that they have considered the same, and that they recommend the passage thereof.

The same committee have had under consideration House File No. 225, A bill for an act to legalize the notarial acts of Charles J. McKay, and they beg to report the accompanying substitute with the recommendation that it be passed.

The same committee have also had under consideration House File No. 20, A bill for an act to legalize the acts of James Foster, a justice of the peace of Orange township, Guthrie county, Iowa, and beg to recommend its passage with the amendment indicated at the end of section 2 thereof.

The same committee have also had under consideration House File No. 213, A bill for an act legalizing the official acts of John R. Nisby, notary public of Muscatine county, Iowa, and they recommend that the same be passed.

The same committee, having considered House File No. 263, A bill for an act to legalize the official acts of James Hagerman, notary public of Lee county, Iowa, beg to recommend the passage of the same.

STONE, Chairman.

Mr. Lambert, from the Committee on Blind Asylum, submitted the following report :

The Committee on Blind Asylum, to whom was referred House File 246, A bill for an act to fill vacancies in the board of trustees, and make appropriations and provide for the expense of the Institution for the Education of the Blind, have had the same under consideration, and instructed me to report the same back to the House, without amendment, and recommend its passage.

LAMBERT, Chairman.

Mr. Brown of Van Buren, from the Committee on Roads and Highways, submitted the following report :

Your Committee on Roads and Highways, to whom was referred the petitions of boards of supervisors of Emmett, Union, Olinnton, and Johnson counties, praying that the business relating to roads be transferred to the County Court, have had the same under consideration, and believing that such a change would result in no benefit to the public, have instructed me to report back the petition, with a recommendation that it lie on the table.

BROWN of Van Buren, Chairman.

Your Committee on Roads and Highways, to whom was referred the petition of John B. Potter and seventeen citizens of \_\_\_\_\_ county, asking that the expense of laying out public highways of a less length than five miles, be provided for the same as those of a greater length, have had the same under consideration, and recommend that the prayer of the petitioners be not granted.

BROWN of Van Buren, Chairman.

Resolution laid over under Rule 34, asking the opinion of the Attorney-General, was taken up and adopted.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 148, A bill for an act for the support of the deaf and dumb, was taken up and read first and second time, and referred to the Committee on Charitable Institutions, and ordered printed.

Senate File No. 13, A bill for an act providing for the erection of buildings for a deaf and dumb asylum, was taken up, and read first and second time.

Referred to the Committee on Deaf and Dumb Asylum, and ordered printed.

Senate File No. 81, A bill for an act to enable municipal and public corporations at their election to settle, adjust, and compound indebtedness, was taken up, read first and second time, and on motion of Mr. McKean, was referred to the Committee on Incorporations, and ordered printed.

The following concurrent resolution was taken up and concurred in:

*Resolved by the Senate, the House concurring,* That both Houses will meet in joint convention, on Thursday, the 19th instant, at three o'clock P. M., for the purpose of electing trustees of the State University and State Agricultural College and Farm.

The Chair announced that the hour had arrived for the consideration of the special order, House File No. 272, A bill for an act to provide for the taxation of the shares of national banks.

On motion of Mr. Kilburn, the special order was taken up and considered.

Mr. Atkins offered a substitute for the entire bill.

Upon the adoption of the substitute, the yeas and nays being demanded, were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Bent, Bolton, Bowen, Brown of Fayette, Chase, Craig, Ellis, Garrett, Gaylord, Glasgow, Hart, Hartsock, Knapp, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Perry, Phillips, Rector, Sanborn, Sheldon, Stanley, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—37.

The nays were, Messrs. Adams, Babbitt, Ballinger, Bauder, Blackwell, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Criss, Davis, Donavan, Dudley, Fulton, Goodspeed, Grantham, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kilburn, Lambert, Leach, Lockwood, Longueville, Murray, Orr, Parker, Peck, Ramsay, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stuart, Traer, Tritz, Trusdell, Tucker, Werner, Wilcox, and Wilson of Dubuque—49.

Absent and not voting, Messrs. Cramer, Dashiell, Guthrie, Hamilton, Hatch, Johnson of Marshall, Kelley, Ordway, Stone, Tenney, Tillson, Walling, and Wright—13.

So the substitute was lost.

Mr. Wilson of Dubuque, moved to amend the first section, by inserting after the word "capital," in the eighth line, the words "or other personal property."

Also, to amend the first section by inserting after the word "rate," in the eighth line, the words "or valuation."

The motion to amend did not prevail.

Mr. Traer moved to amend the second section as follows: Insert after the word "associate," in the first line, the words "on or before the 1st day of May, A. D. 1868, and between the 1st and 15th day of January of each year thereafter."

The motion to amend prevailed.

Mr. Kasson moved to amend the second section, by striking out of the fourth and fifth lines the following: "having their property in its possession, with a view to investing or loaning the same for pecuniary profit."

The motion to amend prevailed.

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

Mr. Traer moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Blackwell, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson,

Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—85.

The nays were none.

Absent and not voting, Messrs. Brown of Howard, Cramer, Dashiell, Donovan, Guthrie, Hamilton, Hatch, Johnson, of Marshall, Kelley, Longueville, Ordway, Phillips, Stone and Walling—14.

So the bill passed, and the title was agreed to.

Mr. Traer moved that the regular order of business be suspended and House File No. 166, A bill for an act to repeal chapter 65 and 66 of the Revision of 1860, be taken up.

Mr. Atkins moved to lay the motion to suspend the regular order of business on the table.

The motion prevailed.

Mr. Morrison moved to suspend the regular order of business, and that House File No. 217, A bill for an act in amendment of chapter 84, of the laws of the Tenth General Assembly, be taken up.

The motion did not prevail.

#### BILLS ON SECOND READING.

House File No. 101, A bill for an act to authorize suits for the collection of taxes in certain cases, was taken up and on motion of Mr. Sanborn, laid on the table.

House File No. 81, A bill for an act to enable sureties on replevin bonds to exonerate themselves from further liability on the same, was taken up.

The amendment recommended by the committee was adopted, and the bill was ordered to be engrossed and read a third time.

House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing and maintaining dams and reservoirs, was taken up and considered.

Mr. Orr moved to amend the first section by adding, "The land so taken shall at the option of the owner be set apart by such commissioners in a square or rectangular shape, if the owner requests it, including all the overflowed land, but shall not deprive the owner of the land to the access to and use in common with such company of the water in such stream on his own land."

The motion to amend prevailed.

Mr. Orr moved to amend the fourth section by adding, "Provided that the provisions of this act shall not operate to discontinue any suit brought for damages on account of any dam until the railroad company for whose benefit the application is made, shall deposit with the clerk sufficient money to pay all costs, including attorneys fees, incurred by the owner of the land in bringing such suit."

The motion to amend prevailed.

Mr. Goodspeed moved to lay the bill on the table and order the same to be printed.

Mr. Rowell moved to amend the first section by adding after the words "water-stations," the words "depot and station-grounds."

Mr. Orr moved to amend the amendment by adding the words "station-house and round-house."

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Babbitt moved to amend by adding additional section :

*And be it further enacted,* That railroad companies in this State are hereby authorized and empowered to take all the property both personal and real of the people of this State for their own use and benefit, it being understood that the construction of railroads within the State is a just compensation therefor.

Mr. Rees moved to lay the amendment on the table, which motion did not prevail.

The motion to amend did not prevail.

The bill was ordered engrossed and read a third time.

Mr. Kilburn moved to reconsider the vote by which House File No. 399, A bill for an act for the relief of G. W. Carver, was laid on the table.

Mr. Wilson of Tama, moved to lay the motion on the table.

The motion did not prevail.

The motion to reconsider prevailed.

Mr. Wheeler moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 19, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Geiger.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

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:

Substitute for Senate File No. 136, A bill for an act in relation to the sale of intoxicating liquors in incorporated cities and towns.

Senate File No. 139, A bill for an act constituting the principal a member of the board of trustees, enlarge and furnish the buildings, and support the Institution for the Education of the Blind.

JAMES M. WEART, Secretary.

## PETITIONS AND REMONSTRANCES.

Mr. Rohlf's presented a petition from twenty-one hundred legal voters in Clinton county, Iowa, praying for a judicious license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Brown of Van Buren presented a petition from thirty-one youths of Van Buren county, Iowa, praying for a law to abolish the manufacture and sale of all alcoholic beverages, which was referred to the Committee on the Suppression of Intemperance.

Also, a petition from eighty voters of Van Buren county, Iowa, asking the enactment of a law to prevent the manufacture of all alcoholic beverages, including beer and wine, which was referred to the Committee on the Suppression of Intemperance.

Mr. Tritz presented a petition from seventy ladies of Jackson county, Iowa, praying for a more stringent prohibitory liquor law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Bander presented a petition from citizens of Lee county, praying that no change be made in the present supervisor system, which was referred to the Committee on County and Township Organization.

Mr. Cotton presented a petition from the Chicago and Northwestern Railway Company, asking the enactment of a law to authorize railroad corporations to take lands for the erection of dams for water reservoirs, and to lay pipes for the conducting of water through lands, to supply railroad engines, and providing for the mode of appraising damages to the land owners, which was referred to the Committee on Railroads.

Mr. Werner presented a petition from the legal voters and citizens of Lee county, praying for the repeal of the prohibitory liquor law, and the enactment of a judicious license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Smith of Dickinson, presented a petition from C. Jarvis, and also one from Chas. James, which were referred to the Committee on Claims.



The Speaker presented a petition from Geo. H. Smith, late of the Seventh Iowa Cavalry, which was referred to the Committee on Military Affairs.

Mr. Werner presented a remonstrance from three hundred and fifty legal voters of Lee county, against any change of the present supervisor system, which was referred to the Committee on County and Township Organization.

#### REPORTS OF COMMITTEES.

Mr. Bolton, from Special Committee, submitted the following report:

Your committee to whom was referred House File No. 322, A bill for an act to secure to Iowa soldiers and others a history of Iowa troops in the war of the rebellion, beg leave to report that they have had the same under consideration, and herewith report the same to the House, and recommend that the bill do pass.

A. BOLTON.

Leave of absence was granted Mr. Sheldon until Tuesday next.

Leave of absence was granted Mr. Stuart until Wednesday next.

Leave of absence was granted Mr. Leach until Tuesday next.

Leave of absence was granted Mr. Wheeler until Wednesday next.

On motion of Mr. Chase, House File No. 305, A bill for an act apportioning the State of Iowa into senatorial districts, was taken up and ordered printed.

On motion of Mr. Rees, the regular order of business was suspended, and House File No. 195, A bill for an act to quiet the title in and to certain lands in Webster county, Iowa, was taken up and considered.

On motion of Mr. Craig, section nine was stricken out.

Mr. Kasson moved that the Clerk of this House be instructed to request the return from the Senate of House File No. 327, A bill for an act relating to the Agricultural College and its lands.

The motion prevailed.

Mr. Rippey moved to amend by striking out the eleventh, seventeenth, eighteenth and nineteenth lines of the first section of the bill.

The motion to amend did not prevail.

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

On motion of Mr. Rees, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan,

Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Kasson, Kilburn, Knapp, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Traer, Tritz, Trnsdell, Tucker, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—84.

The nays were none.

Absent and not voting, Messrs. Bent, Brown of Van Buren, Cramer, Garrett, Hunter, Johnson of Marshall, Kelley, Lambert, Leach, Longueville, Rector, Stone, Tillson, Walling, Wilcox.—15.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:— I am directed by the Senate to return to your Honorable Body, as per request, substitute for Senate File No. 89, Senate File No. 168, and House File No. 327.

JAMES M. WEART, Secretary.

Mr. Traer moved that the regular order of business be suspended and Senate File No. 139, A bill for an act constituting the principal a member of the board of trustees, enlarge and furnish the buildings, and support the Institution for the Education of the Blind, be taken up.

The motion prevailed.

The bill was read first and second time, and referred to the Committee on Charitable Institutions.

#### RESOLUTIONS.

Mr. Wilson of Dubuque, offered the following resolution :

*Resolved*, That the following bills, viz: Senate File No. 85, the substitute for House File No. 139, House File No. 271, Senate File No. 170, the substitute for House File Nos. 232 and 238, House File No. 151, be made the special order for Friday next at 2 o'clock P. M., and taken up in the order above stated, and considered until said bills are disposed of by the House.

The Chair announced that the hour had arrived for the consideration of the special order, substitute for House File No. 129, A bill for an act to regulate insurance companies.

Mr. Wilson of Dubuque, moved that the special order be postponed for ten minutes, for the consideration of the resolution.

The motion prevailed.

The resolution was adopted.

Mr. Kilburn moved that the special order be now taken up.

The motion prevailed.

The special order was taken up and considered by sections.

By leave, Mr. Kasson called up Senate File Nos. 89 and 168.

On motion of Mr. Kasson, the bills were laid on the table.

Mr. Browne of Lee, moved to amend the third section of the bill as follows:

In line four erase the words "twenty-five," in two places, and insert "fifteen" in each place thereof. In line eight, strike out the word "five" at end of the line. In line nine strike out the word "five" and insert the word "three" in place thereof.

The motion to strike out "twenty-five" and insert "fifteen," wherever it occurs in the fourth line, did not prevail.

The motion to amend the eight and ninth line, to strike out \$25,000, and insert \$20,000, and to strike out \$5,000 and insert \$3,000, did not prevail.

Mr. Bent moved to amend the twelfth and thirteenth lines, section 8, by striking out \$500, and insert \$200.

The motion to amend did not prevail.

Mr. Miles moved to amend the twentieth line, section 8, by striking out the words "paid up."

The motion did not prevail.

Mr. Cotton moved to amend section 9, in the first and second lines, strike out the words "on the first or third Monday in January," and insert "during the month of January at such time."

The motion prevailed.

Mr. Adams moved to amend section 10, by striking out in the third line "or a majority."

The motion to amend did not prevail.

Mr. Kilburn moved to amend section seventeen, by striking out, in the eighth line the words "of the time of such insurance."

Also after the word "company," in the twelfth line, the remainder of the sentence.

The motion to amend prevailed.

Leave was granted Mr. Williams, from the Committee on Railroads, to submit the following report:

Your committee to whom was referred House File No. 232, and No. 238, being bills relating to re-granting lands to certain railroad companies, have had the same under consideration, and a majority of the committee have instructed me to report the accompanying bill, as a substitute therefor, and recommend that it do pass.

WILLIAMS, Chairman.

Leave was granted Mr. Wilson of Tama, from the Committee on Railroads, to submit the following minority report:

Your Committee on Railroads to whom was referred House File Nos. 232 and 238, have had the same under consideration, and we, a minority of said committee, recommend the passage of the substitute reported by the majority of your committee with the

following amendment, *provided*, the company accepting the provisions of this act shall, at all times, be subject to such rules, regulations, and rates of tariff for transportation of freight and passengers, as may, from time to time be enacted by the General Assembly of the State of Iowa.

JAMES WILSON.

HORACE HAMILTON.

On motion of Mr. Brown of Fayette, the bill reported by the Committee on Railroads, was ordered printed.

Leave was granted Mr. Parker from the Committee on Schools, to submit the following report :

Your Committee on Schools, to whom was referred House File No. 31, recommend its passage, with amendments to be reported hereafter, as the bill shall be under consideration.

PARKER, Chairman.

Your Committee on Schools recommend the passage of the accompanying bill, which provides for amending section 78 of chapter 172, of the acts of the Ninth General Assembly.

PARKER, Chairman.

Your Committee on Schools to whom was referred Senate File No. 151, recommend its passage.

PARKER, Chairman.

House File No. 340, A bill for an act to amend chapter 172, section 78, of the laws of the Ninth General Assembly, was read first and second time, and passed on file.

Leave of absence was granted M. C. Woodruff, Chief Clerk, on account of sickness.

Mr. Bent gave notice that he would, to-morrow, submit a minority report on the bill reported by the Committee on Railroads.

Mr. Wilson of Dubuque, moved that the House do now adjourn which motion prevailed and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Leave was granted Mr. Cotton to take up a communication from the Attorney-General, which was ordered printed.

House resumed the consideration of the special order substitute for House File No. 129, A bill for an act to regulate insurance companies.

Mr. Bauder moved to amend section 19 as follows:

Line three, strike out the words "and every company doing business as," and insert "or if it be" in place thereof.

The motion to amend did not prevail.

Mr. Kilburn moved to amend the 20th section, by striking out

the word "twenty," in the third line, and insert the word "thirty" in lieu thereof.

The motion to amend prevailed.

Mr. Kilburn moved to further amend the 20th section, by adding as sub-division after the forty-ninth line as follows: "amount received from all other sources."

The motion to amend prevailed.

Mr. Kilburn moved to amend the 25th section, by striking out the words "the fees for such certificate shall be five dollars."

The motion prevailed.

Mr. Kasson moved to further amend section 25, by inserting the word "as" after the word "and," in the second line.

The motion to amend prevailed.

Mr. Kilburn moved to amend section 26, as follows:

Insert after the figures "1869," in the second line, "and when necessary, any existing company shall change its charter and by-laws, so as to conform hereto by a vote of a majority of its board of directors."

The motion to amend prevailed.

Mr. Ordway moved to amend section 35, by adding:

"*Provided*, such examination be not required of companies organized outside of this State, doing business in states where an insurance department is established, and who furnish, whenever required to do so by the Auditor, the certificate of such insurance department exhibiting the solvency of such company."

The motion to amend prevailed.

Mr. Kasson moved to amend the 9th section, by inserting after the word "taxes," the words "upon the corporation or its shares."

The motion to amend prevailed.

Mr. Kilburn moved to amend section 39, by striking out of the first line the words "as provided in this act," and all after the word "company," in the third and fourth lines.

The motion to amend prevailed.

Mr. Trusdell moved to amend by adding as follows:

Sec. 41. Section 3 of this act, shall not apply to insurance companies in this State, whose business is exclusively confined to insuring horses, cattle and other live stock, against loss or damage by accident, theft, or any unknown or contingent event whatever, which may be the subject of legal insurance.

The motion to amend did not prevail.

Mr. Hatch moved that a committee of two be appointed to wait upon the Senate, and inform that body that the House is ready to receive it in joint convention.

The motion prevailed.

The Speaker announced Messrs. Hatch and McNutt as such committee.

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

The Sergeant-at-Arms announced the Honorable Senate, who entered the hall preceded by the President and Secretary, and took the seats assigned it.

## JOINT CONVENTION.

The President of the Senate, Hon. John Scott, Lieut.-Governor, announced as teller on the part of the Senate, Senator Reed.

The Speaker announced as teller on the part of the House, Mr. Rowell.

Senator Bulis moved that the joint convention elect one trustee at a time.

Senator Oliver moved to amend by electing all three at one time.

The motion to amend did not prevail.

The motion to elect one trustee at a time prevailed.

The president of the joint convention announced that nominations for trustees of the State University were now in order.

Senator Bulis nominated L. W. Ross of Pottawattamie county.

Senator Newell nominated C. W. Hobart of Johnson county.

Mr. Parker nominated J. P. Irish of Johnson county.

Mr. Criss nominated W. L. Joy of Woodbury county.

Mr. Trusdell nominated C. C. Nourse of Polk county.

Mr. Brown of Van Buren nominated R. S. Finkbine of Johnson county.

Mr. Rippey nominated Wm. Tracy of Guthrie county.

No other nominations being made, the joint roll was called with the following result :

Whole number of votes cast.....	128
Necessary to a choice.....	65
L. W. Ross received.....	8
C. W. Hobart.....	28
J. P. Irish.....	28
C. C. Nourse.....	21
W. L. Joy.....	1
R. S. Finkbine.....	42

No choice.

Senator Cones withdrew the name of J. P. Irish for the second ballot.

Senator Bulis withdrew the name of L. W. Ross for the second ballot.

Mr. Trusdell withdrew the name of C. C. Nourse for the second ballot.

The joint roll was called a second time, with the following result :

Whole number of votes cast.....	126
Necessary to a choice.....	64
C. W. Hobart received.....	70
R. S. Finkbine.....	56

C. W. Hobart, having received a majority of all the votes cast, was declared by the president of the joint convention duly elected trustee of the State University for the term of four years, and until his successor is duly elected and qualified.

Senator Cones nominated John P. Irish.

Senator Bulis withdrew the name of L. W. Ross for the third ballot.

Mr. Trusdell withdrew the name of C. C. Nourse for the third ballot.

The joint roll was called with the following result:

Whole number of votes cast.....	99
J. P. Irish received.....	99

J. P. Irish, having received a majority of all the votes cast, was declared by the president of the joint convention duly elected trustee of the State University for the term prescribed by law, and until his successor in office is duly elected and qualified.

Senator Bulis nominated L. W. Ross of Pottawattamie county.

Mr. Trusdell nominated C. C. Nourse of Polk county.

The joint roll was called with the following result:

Whole number of votes cast.....	121
Necessary to a choice.....	61
L. W. Ross received.....	62
C. C. Nourse.....	32
Wm. Tracy.....	1
W. L. Joy.....	5
M. C. Davis.....	1

L. W. Ross, having received a majority of all the votes cast, was declared by the president of the joint convention duly elected trustee of the State University for the term prescribed by law, and until his successor is duly elected and qualified.

The president of the joint convention announced that nominations for trustees of the Iowa Agricultural College and Farm for the First, Second, Third, Fifth, Seventh, Ninth and Tenth Districts were now in order.

Senator Donnnon nominated Peter Melendy of Black Hawk county for the Ninth District.

Mr. Dudley nominated J. D. Wright of Lucas county for the Second District.

Mr. Cotton nominated C. E. Leffingwell of Clinton county for the Seventh District.

Mr. Brown of Fayette nominated R. A. Richardson of Fayette county for the Tenth District.

Mr. Grantham nominated O. H. P. Buchanan of Henry county for the First District.

Mr. Murray nominated Oliver Mills of Cass county for the Fifth District.



Mr. Peck nominated James Woodbury of Decatur county for the Third District.

Mr. Wilson of Dubuque moved that the joint convention elect the whole number of trustees at one call of the roll.

The motion prevailed.

The joint roll was called with the following result :

Whole number of votes cast.....	101
Necessary to a choice.....	51
Peter Melendy received.....	97
J. D. Wright.....	97
C. E. Leffingwell.....	97
R. A. Richardson.....	97
O. H. P. Buchanan.....	97
Oliver Mills.....	97
James Woodbury.....	97
Blank.....	4

Peter Melendy, J. D. Wright, C. E. Leffingwell, R. A. Richardson, O. H. P. Buchanan, Oliver Mills, and James Woodbury, having each received a majority of all the votes cast, were declared by the president of the joint convention duly elected trustees of the Iowa Agricultural College and Farm for the terms prescribed by law, and until their successors in office are elected and qualified.

The following certificates were then signed in the presence of the joint convention by the President of the Senate and Speaker of the House :

REPRESENTATIVES HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday the 19th day of March, A. D., 1868, for the purpose of electing a trustee of the Iowa State University, Charles W. Hobart having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D., 1868.

JOHN SCOTT,  
President of the Senate.

JOHN RUSSEL,  
Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D., 1868, for the purpose of electing a trustee of the Iowa State University, John P. Irish having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D., 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Iowa State University, Lewis W. Ross, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Agricultural College and Farm, O. H. P. Buchanan, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Agricultural College and Farm, James Woodbury having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Agricultural College and Farm, Peter Melendy having received a majority of all the votes cast for said office, was duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.  
N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Agricultural College and Farm, J. D. Wright, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.  
N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Agricultural College and Farm, C. E. Leffingwell, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.

JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST :

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee of the Agricultural College and Farm, R. A. Richardson, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.

JOHN RUSSELL,  
Speaker of the House of Representatives.

ATTEST :

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 19, 1868.

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 Thursday, the 19th day of March, A. D. 1868, for the purpose of electing a trustee for the Agricultural College and Farm, Oliver Mills, having received a majority of all the votes cast for said office, was declared duly elected trustee for the unexpired term of Dr. T. K. Brooks, deceased, and until his successor is elected and qualified.

Signed in presence of the joint convention, this 19th day of March, A. D. 1868.

JOHN SCOTT,  
President of the Senate.  
JOHN RUSSELL,

Speaker of the House of Representatives.

ATTEST:

J. R. REED,  
Teller of the Senate.

N. W. ROWELL,  
Teller of the House of Representatives.

Mr. McNutt moved that this convention do now dissolve, which motion prevailed, and the joint convention dissolved.

House was called to order by the Speaker.

Mr. McNutt moved that the regular order of business be suspended and the visiting committee to the penitentiary submitted a report, which was ordered to be printed.

The motion prevailed.

House resumed the consideration of the special order.

Mr. Atkins moved to amend the seventeenth section by adding: Provided that any person insured in any mutual company, except in the case of notes required by this act to be deposited at the time of its organization, may at any time return his policy for cancellation, and upon payment of the amount due at such time upon his premium note, shall be discharged from further liability thereon.

The motion to amend prevailed.

Mr. Orr moved to amend section 1, third line, by inserting after the word "life" the words "and stock." Also, after "insurance" insert "companies."

The motion did not prevail.

Mr. Hart moved to amend section 38, ninth line, by inserting after the word "taxes," the words "except taxes on real property."

The motion to amend prevailed.

The substitute was then adopted.

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

Mr. Kilburn moved that the rule be suspended and the bill be read a third time now.

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. Atkins, Atwood, Babbitt, Bailey, Balingier, Bander, Bent, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Kasson, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Stanley, Stone, Stuart, Tenney, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—74.

The nays were, Mr. Grantham—1.

Absent and not voting, Messrs. Adams, Allen, Blackwell, Bowen, Browne of Lee, Cramer, Criss, Dashiell, Hunter, Johnson of Marshall, Kelley, Lambert, Leach, McCoun, McNutt, Miller, Murray, Rohlf, Smith of Harrison, Sheldon, Tillson, Traer, Walling and Williams—24.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Cotton from the Committee on the Judiciary, to submit the following report:

The Judiciary Committee have instructed me to report or to recommend the passage of the accompanying bill entitled, A bill for an act to confer additional police powers upon incorporated cities and towns in certain cases.

COTTON, Chairman.

The Judiciary Committee having been instructed by resolution of the House to inquire into the expediency of prohibiting the law partners of the district attorney from defending persons who are being prosecuted by the district attorneys, have instructed me to report the accompanying bill and to recommend its passage.

COTTON, Chairman.

The Judiciary Committee, to whom was referred House File No. 313, A bill for an act legalizing the action of the board of supervisors of Taylor county, in loaning the Bedford, Winterset and Des Moines Railroad Company \$50,000, have considered the bill, and a majority of the committee have directed me to report the same, with the recommendation that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee, having considered House File No. 54, A bill providing for the security of costs in the courts of the State of Iowa, have instructed me to report the accompanying substitute, and to recommend its passage.

COTTON, Chairman.



The Judiciary Committee have had under consideration substitute for Senate File No. 30, A bill for an act to amend section 3044, of the Revision of 1860, relating to jurors, and recommend that it do pass.

COTTON, Chairman.

Mr. Phillips moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 20, 1868.

House called to order by the clerk.

On motion of Mr. Traer, Mr. Dudley was elected Speaker *pro tem*.

Prayer by Rev. Mr. Heacock.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Wilcox, from the committee on Ways and Means, submitted the following report:

Your Committee on Ways and Means, to whom was referred Senate File No. 44, A bill for an act to amend sections 1068, 1069 and 1070, of the Revision of 1860, and to provide additional means for the collection of charges, assessments and taxes, on lots of lands in municipal corporations, have instructed me to report the same back, with the recommendation that it do pass.

WILCOX, Chairman.

Mr. Cotton moved that the bills reported by the Committee on Judiciary yesterday, be now read.

The motion prevailed.

House File No. 341, A bill for an act to prevent district attorneys and their law-partners from being bribed and corrupted, and defining their duties.

Read first and second time, and passed on file.

House File No. 342, A bill for an act to confer additional police powers upon incorporated cities, in certain cases.

Read first and second time, and passed on file.

Mr. Stone, from the Committee on Notaries Public, submitted the following report:

The Committee on Notaries Public, to whom was referred House File No. 239, A bill for an act to legalize the official acts of William Tiede, a notary public of Clayton county, report that they

have had the same under consideration, and recommend the passage thereof, with the amendment indicated at the end of section 2.

The same committee have also had under consideration House File No. 267, A bill to legalize the official acts of Thomas M. Atherton, notary public, and they ask leave to recommend its passage.

The same committee have also had under consideration House File No. 198, A bill for an act to legalize the acts of D. D. Miracle, a notary public, and they recommend the passage thereof.

STONE, Chairman.

#### PETITIONS AND REMONSTRANCES.

Mr. Hatch presented a petition from P. D. Gillett and sixty-five others, asking for the passage of a law prohibiting the manufacture and sale of alcoholic liquors, except for medicinal purposes, which was referred to the Committee on the Suppression of Intemperance.

Mr. McKean presented a petition from twenty-eight citizens of Jones county, asking for the passage of the bill to establish Circuit Courts of Common Pleas, which was referred to the Committee on Judiciary.

Mr. Gaylord moved that the regular order of business be suspended, and House File No. 247, A bill for an act to protect crops from the invasions of stock, be taken up.

The motion prevailed, and the bill was taken up and considered.

The Chair announced that the hour had arrived for the consideration of the special order, House File No. 91, A bill for an act limiting the charges and defining the duties of railroad companies.

Mr. Caldwell moved that the special order be now taken up, and postponed until the special order for this afternoon are disposed of, and made the special order for that time.

The motion prevailed.

House resumed the consideration of House File No. 247, A bill for an act to protect crops from the invasion of stock.

Leave was granted Mr. Rippey to offer the following resolution, which was adopted:

*Resolved*, That Will Porter be employed as Assistant Clerk of this House, during the absence and sickness of M. C. Woodruff, Chief Clerk.

The amendment recommended by the committee, was adopted.

Mr. Kilburn moved to amend section 6, by inserting after the word "day" in the eighth line, the following: "after posting up notices of the time and place of said sale in at least three public places in the township where said damages were done, at least ten days previous to the time of said sale."

The amendment prevailed.

Mr. Traer moved to amend the first section by inserting after

the word "sunrise" in the second line, "during the months of June, July, August, September, October and November of each year."

Mr. Johnson of Cherokee, moved to amend the amendment by striking out the words "June, July and August."

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Grantham moved to amend the first section of the bill by striking out all after the word "thereof" in the third line of said section.

The motion to amend did not prevail.

Mr. Ballinger moved to amend the first section, by striking out the word "stock" in the first line of said section, and insert in lieu thereof the words "swine and sheep."

The motion to amend did not prevail.

Mr. Atkins moved to amend the first section, by inserting after the word "sunrise" in second line, the words "or two hours thereafter."

The motion did not prevail.

Mr. Tenney moved the previous question, which was ordered.

The bill was ordered to be engrossed, and read a third time.

Mr. Rees moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Atkins, Atwood, Bailey, Bent, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Chase, Dashiell, Davis, Dudley, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hatch, Johnson of Cherokee, Kasson, Kilburn, Knapp, Lambert, McCoun, McKean, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Tenney, Traer, Tucker, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—51.

The nays were Messrs. Adams, Babbitt, Ballinger, Bauder, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Cotton, Craig, Criss, Donovan, Ellis, Garrett, Grantham, Hartsock, Hayden, Hawthorn, Leffingwell, Longueville, Peck, Rector, Smith of Harrison, Stanley, Stone, Tillson, Tritz, Werner, Wilcox, and Wilson of Dubuque.—30.

Absent and not voting, Messrs. Allen, Blackwell, Cramer, Fulton, Hamilton, Hunter, Irish, Johnson of Marshall, Kelley, Leach, Lockwood, McNutt, Miller, Sheldon, Stuart, Trusdell, Walling, and Wheeler.—18.

So the bill passed.

Mr. Johnson of Cherokee, moved to amend the title as follows: A bill for an act to allow poor men to go to bed.

Mr. Babbitt moved to amend, as follows: A bill for an act to protect milk peddlers, and enhance the profits of speculators in stock.

The motion to amend the amendment did not prevail.

The amendment did not prevail, and the title of the bill was agreed to.

Leave was granted Mr. Bent to submit a minority report from the Committee on Railroads, which was ordered printed.

The minority of the Committee to whom was referred House File Nos. 232 and 238, respectfully submit the following report:

The Legislature of Iowa at its session by joint resolution memorialized Congress for grants of land to aid in the construction of railways from Burlington, Davenport, Dubque and McGregor to several points on the Missouri River, but in the act of Congress making the grant, the line of the forty-second parallel of latitude was substituted for the line west from McGregor. By this action the northern portion of the State to the extent of nearly one-fourth of the surface of the whole State, was left without a grant of land to aid its people to secure railway advantages.

The member of Congress from the Second Congressional District, A. D. 1856, then residing at Davenport, was influential in procuring the substitution of the forty-second parallel for the McGregor line and, as one of the consequences of this diversion, the terminus of the main line of the great Central Pacific Road was fixed at Omaha, and now the grandest of all national highways traverses our State. By the sacrifice of the interests of northern Iowa, this advantage of incalculable value has been secured to the State.

For twelve years the people along the line of the road proposed from McGregor, have borne the burthen of this sacrifice, without sharing its advantages, and the question to be determined by this Legislature is, shall this sacrifice so far as a large portion of our people are concerned be perpetual? It is as will be shown in this report, in the power of the Legislature, without injury to a single person in the State, or a single interest out of it, to secure the facilities so long withheld.

To make this apparent, a brief recital of facts is pertinent.

Sometime during the year 1856, a company was organized under the name and style of the McGregor, St. Peters & Missouri River Railroad Company, with a purpose to build a road west from McGregor to the Missouri with a branch northwest to Minnesota. This company prosecuted its surveys with reference to both its western and northwestern lines, and it raised and expended in lands and money over three hundred thousand dollars, two-thirds of this amount having been contributed by the people of Fayette county, and the south half of Chickasaw county. While under the name and style of the McGregor, St. Peters & Missouri River Railroad the work was prosecuted as a single line to a point near Postville and at that point the western or Missouri line continued

westwardly by way of Clermont on the Turkey River and West Union, and the St. Peters or Northwestern and Minnesota line was continued northwest toward and beyond Calmar in the direction of Cresco and a large amount of work was done on the two lines beyond the point of separation and a portion of it beyond the town of Calmar on the line of the road now running from Calmar to Cresco, Austin and St. Paul, and also a very large amount of work was done between Postville and West Union on the western line.

During this time the people of North Iowa, north of the line of the Dubuque & Pacific, now Dubuque & Sioux City road, were urgently pressing Congress to grant lands in aid of the construction of the Missouri branch of the McGregor, St. Peters & Missouri River road, and in this they were warmly and ably seconded by the people of Dubuque and the counties west of Dubuque, which efforts were finally crowned with success May 12th, 1864, a little over a year after the McGregor, St. Peters & Missouri River Railroad Company had been re-organized under the designation of the McGregor Western Railway Company. This company, under the new name, contracted with a construction company, composed of the officers and directors of the McGregor Western Company, to construct the road west to Cedar river, and as the land grant had not yet been obtained, perhaps the contract had a land grant squint as well as a westerly direction. This company recognized Clermont and West Union as being on this western line by an agreement to complete the road as far west as West Union by the first day of July, 1865. But when the land grant had been secured, or was certain to be obtained, the road having reached the point of divergence, the contract was changed, and the construction company undertook to build a road to Austin, Minnesota, following the old line of the McGregor, St. Peters and Missouri River Railroad along the Northwestern or Minnesota branch, and on this line, and on this line only, has any road been constructed since the passage of the land grant act, May 12, 1864, and from that day to this not a mile of road has been constructed on the line contemplated by Congress in passing the act, or the people in asking for it.

And in further confirmation of this statement, it is just to mention that the agents of the McGregor Western road applied to Congress and a bill was introduced sanctioning this diversion from the land grant line, and granting the lands to the Minnesota road, in imitation of the action of Congress in permitting a departure from the line of the forty-second parallel, under which permission the road has been built on a line different and distant from that designated in the act of May 15, 1856. This effort failed, but the fact that it was made in the interest of and by the direction of the McGregor Western Company, shows that the company was then conscious it had not built its road on the line designated by the act of Congress, a confession that would be taken as conclusive in

any court of justice, and should be by this legislature. It is not easy to see how the McGregor and Sioux City Company, the assigns, successors and representatives of the McGregor Western Company, can claim more than their predecessors.

The act of Congress, approved May 12th, 1864, fixes the line or rather points out the manner of determining the line of the road and the forty-third parallel, must be considered in settling the location of the road. It is a constant element or quantity which can not be eliminated from the equation in any single step of the solution. It is like the meridian to which the chronometer of the mariner is adjusted. No location can be fixed without consulting it.

The next element to be considered is practicability, and here four prominent elements present themselves. In a common sense view of the question, no railroad enterprise can be considered practicable where, when the road is built, there is nothing for it to do. This proposition is too plain to admit of controversy. The next element is cost of construction, which if it is so great that the amount of the advantages and facilities to be secured by its construction is exceeded, then in a large and liberal view, it is no abuse of terms to say such an enterprise is not practicable.

Again, the grade and curvature of the line should be such as to admit of doing the business of the line. Slight curves are no longer regarded as objectionable features in a line except so far as they increase its length, and this element needs no farther consideration, for it has not yet appeared that any line that has been examined on or near the forty-third parallel is impracticable for this reason or seriously objectionable.

The next element in discussing the question of practicability is grade—and here from the vast accumulation of facts ascertained by the experience of railroads, the figures are made, and the value of this element (the probable amount of business being taken for granted,) can be definitely measured. It may be stated that the train expenses, that is, the cost of running trains, is about one-sixth the cost of operating a road, and this is the estimate for roads whose grades vary from forty to sixty feet per mile; within these limits the gain or loss by decreasing or adding to the grade so far as train expenses are concerned, (and it is in this item that the question of grade figures) is so small that when the maximum grade of sixty feet is encountered going west, this grade is not a serious obstruction in operating an Iowa road, and the question of grade, unless it exceeds the limits above defined, need not be considered in determining which is the most practicable route for a railroad. The estimates of the engineer, made in the interest of the Milwaukee and St. Paul Railway Company, show the entire cost of construction from Postville to the Cedar river, via Clermont and West Union, (fifty-seven miles) exclusive of cost of iron, to be \$411,557  $\frac{4}{8}$ , or an average of \$7,237  $\frac{2}{8}$  per mile. This including



earth-work, rock-work, masonry, bridging, ties, leveling track, &c. The earth-work estimated at about thirty cents per yard, which is about thirty per cent more than it will actually cost. The curvature not to exceed five degrees, and the grade going east only fifty-three feet, and going west sixty feet, with the probability of reducing it to fifty-five feet, from Postville westward, crossing the Turkey river at Clermont, and running northward of West Union to the Cedar river. This preliminary line has been run, and the engineer considers that the expense can be reduced very much below his estimates, which he claims are very liberal.

The friends of the McGregor and Sioux City Railroad Company have been challenged to produce a report of their engineer showing a more practicable route but have failed to produce it.

The resources of the country, the number of the people now occupying it, and the capability of the country to sustain a population, and business are such as to furnish a remunerative business for a line of road. The supply of fuel is abundant. The supply extending to the Cedar river is so abundant that the demand of the road for its fuel will not operate as a drain upon the agricultural resources of the adjoining and tributary country. The grades do not exceed a practicable limit, and it is the line contemplated for years by the people and presented to Congress for land-grant aid, and it is the line which determined Congress to fix the forty-third parallel as a guide for the line, and it conforms to all the conditions of the land-grant act, and if these facts are true, and they can not be successfully disputed, the State of Iowa as trustee of the nation can not divert the land-grant from this line.

It is further contended that inasmuch as twenty miles of road are now built on another line it is cheaper to use it than to build a new line. This is simply claiming the right to take advantage of one's own wrong. Having adopted the wrong line, one not contemplated in the land-grant act, the advocates of the McGregor and Sioux City Company claim not only the right to continue the wrong, but claim lands the same as if they had performed the conditions of the act of Congress. If the grant is to be conferred upon the McGregor and Sioux City Company, it can only be conferred upon them upon conditions that they construct the land-grant line, to which condition they, by their authorized agent, once consented, and by such consent admitted the same to be the land-grant line. In any court of justice they would be bound by the admission. But it seems that they ask this legislature to release them from obligation imposed by law upon the citizens of Iowa from the condition of the act of Congress and the obligation imposed by good faith and common honesty.

By confining the company to the land-grant line the people of Fayette, Bremer and Chickasaw counties will secure the advantages of the road, as intended by act of Congress, and the number of people of these counties exceeds the entire population west of



the Cedar river within the limits of the land-grant along the forty-third parallel to the Missouri river, and the construction of the road so as to make it accessible to this large population, who now have no road, does not prevent or interfere with the construction of the line so that the greatest possible facilities may be furnished to those who live beyond the Cedar river along the land-grant line. There is now in process of construction, to be finished in July, 1868, a railroad to Charles City, in Floyd county, and the Milwaukee and St. Paul road is now running to the state line.

By next harvest such will be the road facilities that there will not be one thousand people between Calmar and Charles City who can not go to a depot and return the same day; and should the lower or land-grant line be constructed south of Turkey river, and the road extended from Charles City to Austin, as contemplated, then there will not be a farmer between the Turkey and the Cedar rivers distant more than half-a day's drive from a railroad depot. If the line south of the Turkey is not constructed, there are now more than 20,000 people who will remain without like railroad facilities.

Having now presented the questions to be determined, in disposing of the land granted by the act of Congress approved May 12, 1864, we earnestly urge this House to determine the line, and to confer the land on such a company as will guarantee the fulfillment of the trust reposed in the State,—not merely for the benefit of the people on and west of the Cedar river, but also for those other and more numerous people who also live near the forty-third parallel, and who should enjoy equal railway facilities with their fellow-citizens of Iowa.

HORACE HAMILTON,  
C. R. BENT.

Leave was granted Mr. Kasson to take up House File No. 252, A bill for an act to authorize counties to fund certain accumulated indebtedness.

Mr. Kasson moved to amend the section by striking out "15," in the eighth line and insert "10."

The motion prevailed.

Mr. Kasson moved to amend the first section by striking out of the tenth line "10" and insert "7."

The motion prevailed.

Mr. Kasson moved to amend the first section by striking out of the twelfth line "10" and insert "7."

The motion prevailed.

Mr. Smith of Dickinson moved to amend section one by striking out of the third line "10" and inserting "5."

The motion prevailed.

Mr. Wilson of Dubuque moved to amend the first section by inserting after the word "authorize" in the fourth line, the words "if they deem it expedient."

The motion prevailed.

Mr. Adams moved to amend the second section by inserting after the word "liability," in the first line the words "heretofore."

The motion prevailed.

On motion of Mr. Kasson the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass" the yeas and nays were as follows:

The yeas were Messrs. Atkins, Atwood, Babbitt, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Ellis, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Kasson, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rholf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Stone, Tillson, Traer, Tritz, Trusdell, Tucker, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright.—71.

The nays were Messrs. Adams, Allen, Bauder, Werner, Wilson of Dubuque—5.

Absent and not voting, Messrs. Blackwell, Chase, Cramer, Donovan, Fulton, Garrett, Hamilton, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Leach, Longueville, McCoun, McNutt, Peck, Sheldon, Stuart, Tenney, Walling, Wheeler, and Mr. Speaker.—23.

So the bill passed.

Mr. Kasson moved to amend the title to the bill: Add after "indebtedness" "and to provide for the payment thereof."

The motion to amend the title prevailed.

Leave of absence was granted Mr. Grantham until Monday next.

Leave of absence was granted Mr. Stanley until Wednesday.

Leave of absence was granted Mr. Davis until Tuesday next.

Leave of absence was granted Mr. Wilson of Davis, until Monday next.

Leave was granted Mr. Parker, to call up House File No. 208, A bill for an act to legalize the organization of the Independent District of Montezuma, Iowa.

On motion of Mr. Tenney, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Ellis, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Kasson, Kilburn,

Knapp, Lambert, Leffingwell, McKean, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Stone, Tenney, Traer, Tritz, Truedell, Tucker, Werner, Wilcox, Wilson of Davis, and Wilson of Tama.—70.

The nays were Messrs. Babbitt, and Bander.—2.

Absent and not voting, Messrs. Blackwell, Browne of Lee, Cramer, Donavan, Fulton, Hamilton, Hunter, Irish, Johnson of Marshall, Kelley, Leach, Lockwood, Longueville, McCoun, McNutt, Miller, Rees, Rippey, Sheldon, Stuart, Tillson, Walling, Wheeler, Williams, Wilson of Dubuque, Wright, and Mr. Speaker.—27.

So the bill passed, and the title was agreed to.

Mr. Hawthorn moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Chair announced that the hour had arrived for the consideration of the special order, Senate File No. 85, A bill for an act establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof.

Mr. Wilson of Dubuque, moved that the special order be now taken up, which motion prevailed.

Mr. Murray moved a call of the House, which was ordered.

The Clerk proceeded to call the roll.

On motion of Mr. Irish, Mr. Blackwell was excused.

On motion of Mr. Brown of Van Buren, Mr. Craig was excused.

On motion of Mr. Brown of Howard, Mr. Bent was excused.

The following named gentlemen were absent :

Messrs. Bander, Burnett, Criss, Fulton, Hartsock, Hayden, Hawthorn, Johnson of Cherokee, Kasson, Knapp, Leffingwell, Longueville, Peck, Rector, Rees, Sanborn, Tillson, Wilcox and Williams.

Mr. Hatch moved that further proceedings under the call be dispensed with, which motion did not prevail.

The following named absentees were brought to the bar of the House by the Sergeant-at-Arms, and their excuses being deemed valid, they were excused :

Messrs. Criss, Sanborn, Knapp, Leffingwell, Bander, Longueville, Tillson, Williams, Wilcox, Johnson of Cherokee, and Burnett.

Mr. Hatch moved that further proceedings under the call be dispensed with, which motion prevailed.

House resumed the consideration of the special order.

Mr. Browne of Lee, moved as a substitute for the bill, House File No. 212, A bill for an act to enlarge the jurisdiction of County Courts.

On motion of Mr. Browne of Lee, the substitute was considered by sections.

Mr. Browne of Lee, moved to amend the fourth section, by filling the blank in the third line with "five hundred dollars," which motion prevailed.

Mr. Browne of Lee, moved to amend the seventeenth section, by prefixing "There shall be held in each county of this State four regular terms of the County Court, as hereinafter fixed, *provided, that*."

The motion to amend prevailed.

Mr. Grantham moved to amend the substitute, by striking out section 18, and insert

SEC. 18. The county judge of each county shall, on the first Monday of January, in the year 1869, and on the first Monday of January in each year thereafter, fix by order, to be entered of record, in his court, the times for holding the regular trial terms of his said court, making the time between each term, as nearly equal as possible, but so as to least interfere with times of holding the District Courts of his county.

The motion to amend prevailed.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following resolution, and have directed me to report them as correctly enrolled, and to present them for your signature :

Joint resolution memorializing Congress in respect to claims of Lieut. J. F. St. John.

Joint resolution in favor of David C. Wagner, adopted by the House of Representatives March 12th, 1868.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills, have examined the following resolution, and have directed me to report it as correctly enrolled, and to present it for your signature :

Joint resolution of the Twelfth General Assembly relating to swamp land selections made by the agents of the State, during the years 1859, 1860 and 1861, passed by both branches of the same.

H. C. RIPPEY, Chairman.

Mr. Johnson of Cherokee, moved that the House do now adjourn, which motion did not prevail.

Mr. Cotton moved to amend the amendment by offering a substitute to the substitute.

Mr. Ordway moved that the House do now adjourn, which motion prevailed, and the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 21, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Rice.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

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. 2, A bill for an act to establish and organize a State Reform School for juvenile offenders.

Senate File No. 18, A bill for an act to provide for the appointment of official reporters of legal proceedings, and the preservation of evidence.

Also, to return herewith House File No. 30, A bill for an act to amend chapter 46, of the Revision of 1860, in relation to State and county roads, which has passed the Senate, with the following amendments :

Add to sections 1 and 2, the words, "*Provided*, that such garden, orchard, or grounds are of more than two years establishment or growth."

Strike out of section 2, the words, "be it further enacted."

Strike out of section 3, the words, "in which the concurrence of the House is asked."

JAMES M. WEART, Chairman.

## PETITIONS AND REMONSTRANCES.

Mr. Werner presented a petition from citizens of Lee county, praying for the repeal of the prohibitory liquor law, and the enactment of a judicious license law instead, which was referred to the Committee on the Suppression of Intemperance.

Mr. Traer presented a petition from soldiers of 1861 and 1862, for legislative aid as to bounties, which was referred to the Committee on Military Affairs.

Mr. Wilson of Dubuque presented a petition from citizens of Dubuque, recommending the use of Hon. E. H. Williams' excavator and asking that power be granted to township authorities to purchase it and provide for its use, which was referred to the Committee on Agriculture.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following resolutions to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor.

Joint resolution in favor of David C. Wagner, adopted by the House of Representatives, March 12, 1868.

Joint resolution of the Twelfth General Assembly relating to swamp land selections made by the agents of the State during the years 1859, 1860 and 1861, passed by both branches of the same.

Joint resolution memorializing Congress in respect to the claims of Lient. J. F. St. John.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

House File No. 32, A bill for an act to legalize certain acts of the board of supervisors of Howard county, Iowa.

H. C. RIPPEY, Chairman.

Mr. Craig from the Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills, to whom was referred the substitute for House File 129, A bill for an act regulating insurance companies, beg leave to report that they have examined the same and find it correctly engrossed.

S. H. CRAIG, Chairman.

Chair announced that the hour had arrived for the consideration of the special order, Senate File No. 85, and substitute for House File No. 212.

Leave of absence was granted Mr. Flanders second assistant clerk on account of sickness.

Mr. Irish asked leave of absence for Mr. Blackwell on account of sickness, which was granted.

#### REPORTS OF COMMITTEES.

Mr. Hatch from the Committee on Charitable Institutions submitted the following report:

MR. SPEAKER:—Your Committee on Charitable Institutions, to whom was referred substitute for Senate File No. 139, A bill to provide for the further improvement of the Blind Asylum, furnishing and repairing the same, have had the same under consideration and have instructed me to report the same back with the recommendation that it do pass.

J. H. HATCH, Chairman *pro tem*.

Mr. Bowen, from the Committee on Incorporations, submitted the following reports:

MR. SPEAKER:—Your Committee on Incorporations, to whom

was referred House File No. 329, A bill for an act to allow incorporate towns and cities to license the sale of beer and wine, have instructed me to report it back, with the recommendation that it be referred to the Committee on the Suppression of Intemperance.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred House File No. 274, A bill for an act enabling the association of persons to raise funds, and loan the same for the building of homesteads, have instructed me to report it back, with the recommendation that it do pass.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred House File No. 249, A bill for an act to enable municipal corporations to levy certain taxes, have instructed me to report it back, with the recommendation that it do not pass.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred a petition for an act to incorporate the society of the Union Evangelical Church of Grundy county, and the title to the same, have instructed me to report it back without recommendation, as there is a general incorporation law under which they can incorporate.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred Senate File No. 178, A bill for an act to legalize the acts of the city council and officers of the city of Cedar Falls, have instructed me to report it back, with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Mr. Dudley, from the Committee on Claims, submitted the following reports:

Your Committee on Claims, to whom was referred the claims of sundry persons for material furnished the State for the stockade and buildings at Estherville, have instructed me to report them back and recommend that the following sums be allowed, and that the committee of Ways and Means be instructed to provide for them in the general appropriation bill:

J. R. Hopkins be allowed one hundred and seventy-four dollars; E. Whitcomb be allowed forty dollars; Hiram Barnet be allowed twenty-five dollars; Jesse Coverdale be allowed fifty dollars, and that Charles Jarvis be allowed fifty dollars.

C. DUDLEY, Chairman.

The report of the committee was adopted.

Your Committee on Claims, to whom was referred the claim of George W. O'Brien, have had the same under consideration, and have examined the records in the adjutant-general's office, and have unanimously instructed me to report the same back, and



recommend that it be not allowed, as said O'Brien has already received pay for all the services he rendered the State.

C. DUDLEY, Chairman.

Your Committee on Claims, to whom was referred the claim of Dr. Otto Thieme as a commissioner to visit the Paris Exposition, have had the same under consideration, and have unanimously instructed me to report the same back without recommendation, as the House has his report and the notice of his appointment in the Governor's Special Message, before them, which will enable them to act intelligently.

C. DUDLEY, Chairman.

Your Committee on Claims, to whom was referred the claim of Jonathan C. Mitchel for services recruiting Company C, 7th Cavalry, have had the same under consideration, and have examined the evidence in the Adjutant General's office, and have unanimously instructed me to report the same back and recommend that he be allowed the sum of \$607  $\frac{2}{3}$ , and that the Committee of Ways and Means be instructed to provide for the same in the general appropriation bill.

C. DUDLEY, Chairman.

The report of the committee was concurred in, and the claim was referred to the Committee on Ways and Means.

Mr. Stone moved that the special order be now taken up.

The motion prevailed and the special order with amendments was taken up and considered.

The amendment to the substitute, offered by Mr. Cotton, the Chair decided could not be entertained.

Mr. McNutt moved that Senate File No. 85, and substitute for the same, being House File No. 212, be offered to a select committee consisting of one member from each judicial district, to report at as early a day, as practicable, and have authority to report a substitute for both bills if deemed proper.

And that the committee be required to report on, or before 26th day of March, 1868, and that it be made a special order for the 26th day of March, 1868, at 10 o'clock, A. M.

Mr. Stone moved to amend the amendment.

To instruct the committee that in case they report a bill for the organization of another judicial district; that not less than seven counties be placed in any one district, in re-districting, and that the number of terms to be held in each year, be made to be uniform throughout all the districts.

The motion to amend the amendment prevail.

On the motion to amend, Mr. McKean demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Ballinger, Bolton, Brown of Fayette, Browne of Lee, Brown of Van Buren, Chase, Cotton, Craig, Dashiell, Dudley, Ellis, Gaylord, Glasgow,

Goodspeed, Guthrie, Hart, Hartsock, Hayden, Lambert, Leffingwell, Lockwood, McNutt, Mechem, Miles, Morrison, Newberry, Perry, Sanborn, Tritz and Werner.—33.

The nays were, Messrs. Atkins, Babbitt, Bailey, Bauder, Bent, Brown of Howard, Burnett, Burrows, Caldwell, Criss, Donavan, Garrett, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Longueville, McCoun, McKean, Miller, Murray, Orr, Ordway, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Wilcox, Williams, Wilson of Davis, Wilson of Dubnque, Wilson of Tama, Wright and Mr. Speaker.—52.

Absent and not voting, Messrs. Blackwell, Bowen, Cramer, Davis, Fulton, Grantham, Kasson, Leach, Parker, Sheldon, Stanley, Stuart, Walling, and Wheeler.—14.

So the motion to amend did not prevail.

Mr. Browne of Lee moved to amend the third line of section 9, after the word "juror," insert "and the number of same."

The motion prevailed.

Mr. Traer moved the previous question, which was not seconded.

Mr. Browne of Lee moved to amend the fifth line of section 4, by striking out the words "special proceedings for," and insert "appeal from."

The motion prevailed.

Mr. Goodspeed moved to amend section 17 by striking out "four terms," and insert "two terms."

The motion to amend prevailed.

Mr. Browne of Lee moved a call of the House, which was ordered.

The clerk proceeded to call the roll.

Mr. Dashiell moved that the House adjourn, which motion did not prevail.

Upon the adoption of the substitute, the yeas and nays were demanded, and were as follows:

The yeas were Messrs. Adams, Allen, Atwood, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Lee, Brown of Van Buren, Burnett, Caldwell, Cotton, Craig, Dashiell, Donavan, Dudley, Ellis, Gaylord, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hayden, Lambert, Leffingwell, Lockwood, McNutt, Mechem, Miles, Morrison, Newberry, Perry, Ramsay, Rector, Sanborn, Tritz, Werner, and Mr. Speaker—40.

The nays were Messrs. Atkins, Babbitt, Bailey, Bent, Brown of Howard, Burrows, Chase, Criss, Garrett, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Longueville, McCoun, McKean, Miller, Murray, Orr, Ordway, Peck, Phillips, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Wilcox, Williams,

Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—47.

Absent and not voting, Messrs. Blackwell, Cramer, Davis, Fulton, Grantham, Leach, Parker, Sheldon, Stanley, Stuart, Walling, and Wheeler—12.

So the motion to adopt the substitute did not prevail.

The question recurring upon the adoption of Senate File No. 85, Mr. Tillson moved to amend the thirteenth section by striking out "\$1,500," and insert "\$1,000."

The motion prevailed.

Mr. Goodspeed moved to amend the first line of section 3 by striking out "four terms," and insert "two terms."

The motion to amend did not prevail.

Mr. Adams moved to amend by adding to section 15, "with the exception, the clerk of the Circuit Court shall receive all fees now given to the county judge for all probate business done by him."

Mr. Johnson of Cherokee moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 23, 1868.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

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:

Substitute for Senate File No. 150, A bill for an act to quiet the title of Margaret Enk and others, to certain real estate.

Senate File No. 152, A bill for an act for the relief of Barton B. Dunning of Ringgold county, Iowa.

Senate File No. 156, A bill for an act to legalize the plat of the town of Sabula, in Jackson county, Iowa, and to legalize all conveyances heretofore made by the number of lots and blocks as now specified in said plat.

Senate File No. 182, A bill for an act to legalize certain acts of the board of supervisors of Washington county, Iowa.

Also, to return herewith House File No. 208, A bill for an act

to legalize the organization of the independent district of Montezuma, and the election and acts of the officers thereof, which has passed the Senate with the following amendment, viz: Strike out of section 2, the words "anything in the statutes of the State to the contrary notwithstanding," in which the concurrence of the House is asked.

Also, to return herewith preamble and joint resolution relative to the construction of a draw-bridge across the Missouri river at Council Bluffs, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

PETITIONS AND REMONSTRANCES.

Mr. Rees presented a memorial from citizens of Pocahontas county, Iowa, relative to the title to swamp land selected within limits of Dubuque and Sioux City Railroad Company within said county, which was referred to the Committee on Public Lands, with instructions to report by bill or otherwise.

Mr. Werner presented a petition from republican saloon-keepers of Keokuk City, asking for a license law, which was referred to the Committee on the Suppression of Intemperance.

The Chair announced the hour had arrived for consideration of the special order.

Leave was granted Mr. McNutt to offer the following resolution:

*Resolved, by this House,* That no session be held on the afternoon of Monday, Wednesday and Saturday of this week.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 54, A bill for an act in relation to the payment of the expenses of agents to demand fugitives from justice.

Senate File No. 1, A bill for an act to amend an act for the relief of the indigent children of Joseph Ketterer.

Joint resolution instructing our Senators and Representatives in Congress.

H. C. RIPPEY, Chairman.

Mr. Phillips moved to amend, That during the remainder of this session no member of this House shall speak more than once on any subject, nor more than ten minutes at any time, unless a longer time be granted by a two-third vote of all members present.

Mr. Babbitt moved to amend the amendment, and that the several committees of this House be instructed to proceed with their business without further interruption on the part of lobby members.

Mr. Rippey moved to lay the whole matter on the table, which motion prevailed.

Mr. Wilcox moved that the House adjourn on Monday, Tuesday and Wednesday of this week, at 4 o'clock, P. M.

The motion prevailed.

Mr. Williams moved that four additional members be added to the Ways and Means Committee, which motion prevailed.

#### REPORTS OF COMMITTEES.

Mr. Hamilton from the special Committee on Printing submitted the following reports :

Your joint committee appointed to examine the accounts of the State Printer and State Binder and report what further legislation, if any, is necessary to regulate the compensation of said officers, have performed that duty, and report that they find the laws in many particulars indefinite in regard to the prices for printing and binding. We have, therefore, prepared bills to amend chapters 12 and 13 of the Revision of 1860, and although these bills do not propose to materially change the rates already fixed by law, they make the law more explicit, and fix rates for such work as is not mentioned in the present law. We find the accounts and vouchers of the State Printer and State Binder for the past term, correct.

WALDEN, on part of Senate.

DUDLEY,  
HAMILTON, } on part of House.

House File No. 343, A bill for an act fixing the price of state printing, was read first and second time and passed on file.

Also, House File No. 344, A bill for an act to amend chapter 12 of the Revision of 1860, was read first and second time and passed on file.

Mr. Rowell moved that the special order be now taken up.

The motion prevailed.

Leave was granted Mr. Trusdell to submit a report from the Committee on State University.

MR. SPEAKER: — Your committee, to whom was referred a petition from the Board of Curators of the Iowa State Historical Society, a printed copy of which is herewith returned, have instructed me to report the following bill, and recommend that it do pass.

C. G. TRUSDELL, Chairman.

House File No. 345, A bill for an act in relation to the State Historical Society, was read first and second time, and passed on file.

Mr. Tillson moved to reconsider the vote by which the motion to strike out "\$1500" and insert "\$1000" was adopted Saturday.

Mr. Dudley moved to lay the motion to reconsider on the table.

On the motion to lay on the table, Mr. Murray demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Bauder, Bolton,

Brown of Fayette, Browne of Lee, Brown of Van Buren, Chase, Cotton, Donavan, Dudley, Ellis, Glasgow, Goodspeed, Hart, Hartsock, Lambert, Leffingwell, McNutt, Mechem, Miles, Morrison, Newberry, Parker, Perry, Phillips, Ramsay, Sanborn, Tillson, Werner, Wilcox, and Mr. Speaker—33.

The nays were, Messrs. Atkins, Babbitt, Bailey, Bent, Brown of Howard, Burrows, Caldwell, Craig, Criss, Gaylord, Guthrie, Hamilton, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lockwood, Longueville, McCoun, McKean, Miller, Murray, Orr, Ordway, Peck, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Traer, Tritz, Trusdell, Tucker, Williams, Wilson of Dubuque, Wilson of Tama, and Wright.—48.

Absent and not voting, Messrs. Ballinger, Blackwell, Bowen, Burnett, Cramer, Dashiell, Davis, Fulton, Garrett, Grantham, Kasson, Leach, Sheldon, Stanley, Stuart, Walling, Wheeler, and Wilson of Davis.—18.

So the motion to lay on the table did not prevail.

On the motion to reconsider, the yeas and nays were demanded, which were as follows :

The yeas were Messrs. Atkins, Atwood, Babbitt, Bailey, Bent, Brown of Howard, Burrows, Caldwell, Craig, Criss, Gaylord, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Lockwood, Longueville, McCoun, McKean, Miles, Miller, Murray, Orr, Ordway, Peck, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Traer, Trusdell, Tucker, Williams, Wilson of Dubuque, Wilson of Tama, and Wright.—47.

The nays were Messrs. Adams, Allen, Ballinger, Bauder, Bolton, Brown of Fayette, Browne of Lee, Brown of Van Buren, Chase, Cotton, Donavan, Dudley, Ellis, Glasgow, Goodspeed, Guthrie, Hart, Hartsock, Hayden, Kelley, Lambert, Leffingwell, McNutt, Mechem, Morrison, Newberry, Parker, Perry, Phillips, Ramsay, Sanborn, Tillson, Tritz, Werner, Wilcox, and Mr. Speaker.—36.

Absent and not voting, Messrs. Blackwell, Bowen, Burnett, Cramer, Dashiell, Davis, Fulton, Garrett, Grantham, Leach, Sheldon, Stanley, Stuart, Walling, Wheeler, and Wilson of Davis.—16.

So the motion to reconsider prevailed.

Mr. Phillips moved to amend the 13th section, by striking out \$1500. and insert \$1200.

On the motion to amend Mr. Rippey demanded the yeas and nays, which were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Burrows, Cotton, Dudley, Gaylord, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hayden, Knapp, Lambert, Leffingwell, Longueville, McNutt, Mechem, Miles,



Morrison, Newberry, Perry, Phillips, Ramsay, Rohlf, Sanborn, Smith of Dickinson, Tillson, Tritz, Werner, and Wilcox—37.

The nays were, Messrs. Babbitt, Bent, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Chase, Craig, Criss, Donovan, Ellis, Glasgow, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lockwood, McCoun, McKean, Miller, Murray, Orr, Ordway, Parker, Peck, Rector, Rees, Rippey, Rowell, Smith of Harrison, Stone, Tenney, Traer, Trusdell, Tucker, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—46.

Absent and not voting, Messrs. Blackwell, Bowen, Burnett, Cramer, Dashiell, Davis, Fulton, Garrett, Grantham, Leach, Sheldon, Stanley, Stuart, Walling, Wheeler and Wilson of Davis.—16.

So the motion to amend did not prevail.

Mr. Traer moved the previous question, which was seconded.

The question recurring upon the amendment offered by Mr. Adams, it was not adopted.

Upon the question to order the bill engrossed and read a third time, the yeas and nays were demanded, and were as follows:

The yeas were Messrs. Atkins, Babbitt, Bailey, Bent, Brown of Howard, Burrows, Caldwell, Craig, Criss, Gaylord, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, McCoun, McKean, Miller, Murray, Orr, Ordway, Peck, Phillips, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Traer, Trusdell, Tucker, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, and Wright—45.

The nays were Messrs. Adams, Allen, Atwood, Ballinger, Bauder, Bolton, Brown of Fayette, Browne of Lee, Brown of Van Buren, Chase, Cotton, Donovan, Dudley, Ellis, Glasgow, Goodspeed, Guthrie, Hartssock, Hayden, Kelley, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Morrison, Newberry, Parker, Perry, Ramsay, Sanborn, Tillson, Tritz, Werner, and Mr. Speaker—37.

Absent and not voting, Messrs. Blackwell, Bowen, Burnett, Cramer, Dashiell, Davis, Fulton, Garrett, Grantham, Hart, Leach, Sheldon, Stanley, Stuart, Walling, Wheeler, and Wilson of Davis—17.

So the motion to order the bill to be engrossed and read a third time prevailed.

Mr. Dudley moved that the rule be suspended and the bill be considered engrossed, and read a third time now.

The motion did not prevail.

Substitute for House File No. 139, A bill for an act prescribing the terms and conditions on which the State will relinquish and convey certain rights to the Des Moines Valley Railroad Company, was taken up.



Mr. Orr moved to amend by adding after the word "railroad" in forty-fifth line, "up and along the Des Moines valley by way of a point within one-fourth of a mile of the eastern boundary of the corporation of the town of Boosboro.

The motion to amend did not prevail.

Mr. Wilson of Tama moved to amend by adding to section 3, as follows:

"The company accepting the provisions of this act shall at all times be subject to such rules, regulations and rates of tariff for transportation of freight and passengers as may from time to time be enacted by the General Assembly of the State of Iowa."

The Speaker announced as additional members on Ways and Means Committee, Messrs. Caldwell, Craig, Rohlf, and Ordway.

Mr. Kilburn moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

The question recurred upon the amendment offered by Mr. Wilson of Tama.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bill to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor:

House File No. 32, A bill for an act to legalize certain acts of the board of supervisors of Howard county, Iowa.

H. C. RIPPEY, Chairman.

MESSAGE FROM THE SENATE.

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 and resolution, in which the concurrence of the House is asked:

Senate File No. 132, A bill for act to legalize the acknowledgment and entitle to record a deed from George J. Meredith and wife to William Halderman.

Senate File No. 134, A bill for an act to amend section 1568 of the Revision of 1860, relative to the punishment of persons found in a state of intoxication.

Memorial to Congress in relation to the project of connecting by

navigable channels through the Fox and Wisconsin rivers, the waters of the Mississippi river with the waters of Lake Michigan.

Also, to return herewith House File No. 119, A bill for an act to amend an act approved April 20, 1866, entitled an act to accept the grant of land to the State of Iowa, made by act of Congress of May 12, 1864, and to carry out the provisions of said act entitled, "An act for a grant of land to the State of Iowa, in alternate sections to aid in the construction of a railroad in said State, and to make effectual the acceptance by the State of Iowa of said grant of land, which has passed the Senate without amendment.

Also, to return herewith House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens as to the acquisition, enjoyment and transfer of property," which has passed the Senate with the following amendments: Insert after the word person in the third line of section 4, the words, "or any municipal or other corporation, either public or for pecuniary profit."

Also, add to section 4 the following "except in cases where legal proceedings have been had as required by law, whereof said escheated property has become part of the permanent school fund of the State of Iowa," in which the concurrence of the House is asked.

JAMES M. WEART, Secretary.

Leave was granted Mr. Craig to submit a report from the Committee on Engrossed Bills.

The Committee on Engrossed Bills beg leave to report that they have examined the following bills and find them correctly engrossed:

House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing and maintaining dams and reservoirs to hold and accumulate water to supply engines, and for the purpose of laying down pipes to supply water for the use of engines used in operating such railroad.

House File No. 81, A bill for an act to enable sureties on replevin bonds to exonerate themselves from further liability on the same.

House File No. 271, A bill for an act to provide for the taxation of the shares of national banks.

House File No. 247, A bill for an act to protect crops against the invasions of stock.

House File No. 252, A bill for an act to authorize counties to fund certain indebtedness and to provide for the payment thereof.

S. H. CRAIG, Chairman.

The hour having arrived for the adjournment of the House, the Chair announced the House adjourned until nine o'clock to-morrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 24, 1868.

House convened pursuant to adjournment.  
Speaker in the chair.  
Prayer by Rev. Mr. Turnbull.  
Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

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 and resolution, in which the concurrence of the House is asked:

Substitute for Senate File No. 100, A bill for an act to encourage the planting and growing of timber, fruit-trees, shade-trees and hedges.

Resolution and memorial to Congress for the relief of Peter J. Knapp, private of Company H, Fifth Iowa Infantry Volunteers.

Senate File No. 173, A bill for an act relating to assessment of property for taxation and for other purposes.

JAMES M. WEART, Secretary.

House resumed consideration of substitute to House File No. 139, A bill for an act prescribing the terms and conditions on which the State will relinquish and convey to the Des Moines Valley Railroad Company certain rights, and amendment offered by Wilson of Tama.

Mr. Traer moved the previous question, which was seconded.

Upon the question "Shall the amendment offered by Mr. Wilson of Tama, be adopted?" Mr. Johnson of Marshall, demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Davis, Dudley, Ellis, Fulton, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Johnson of Marshall, Kelley, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rohlf, Smith of Harrison, Traer, Wilson of Davis, Wilson of Tama, and Mr. Speaker—49.

The nays were, Messrs. Ballinger, Bauder, Bent, Brown of Howard, Cotton, Criss, Dashiell, Donovan, Gaylord, Hatch, Hunter, Irish, Kasson, Kilburn, Knapp, Lockwood, Longueville, McCoun, Miller, Murray, Ordway, Peck, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Stone, Tillson, Tritz, Trusdell, Tucker, Werner, Williams, and Wilson of Dubuque—36.

Absent and not voting, Messrs. Blackwell, Browne of Lee,

Cramer, Garrett, Guthrie, Johnson of Cherokee, Sheldon, Stanley, Stuart, Tenney, Walling, Wheeler, Wilcox, and Wright—14.

So the amendment was adopted.

The substitute was adopted, and ordered to be engrossed and read a third time.

On motion of Mr. Rees, the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Stone, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—86.

The nays were none.

Absent and not voting, Messrs. Blackwell, Cramer, Garrett, Guthrie, Hunter, Sheldon, Stanley, Stuart, Tenney, Walling, Wheeler, Wilcox, and Wright—13.

So the bill passed, and the title was agreed to.

Leave granted Mr. McNutt to submit a report, and the following bill, House File No. 346, A bill for an act to regulate the transportation of freight on railroad, and to prevent discrimination in charges unfavorable to the trade and commerce of the State, was read first and second time, and passed on file, and ordered printed.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 119, A bill for an act to amend an act approved April 20, 1866, entitled an act to accept the grant of land to the State of Iowa, by act of Congress of May 12th, 1864, and to carry out the provisions of said act, entitled an act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State, and to make effectual by the State of Iowa, of said grant of land.

House File No. 120, A bill for an act for the relief of Hardin county, Iowa, for money stolen from the county safe, September 14, 1865.

House File No. 186, A bill for an act to enable townships, and

incorporated towns and cities, to aid in the construction of railroads.

House File No. 259, A bill for an act legalizing the incorporation of the First Congregational Society of Mason City, Cerro Gordo county, Iowa.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Atkins from the Committee on Deaf and Dumb Asylum, to submit the following report:

MR. SPEAKER:—Your committee to whom was referred Senate File No. 13, have had the same under consideration, and a majority have instructed me to report the same back, and recommend that the bill do pass.

J. T. ATKINS, Chairman.

Majority three—with two dissenting.

House File No. 271, A bill for an act to legalize, confirm and carry out, a contract between the Dubuque and Sioux City Railroad Company, and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said Railroad from Dubuque to Sioux City, and for other purposes, was taken up and considered by sections.

Mr. Cotton moved to amend the eighth line, first section, by inserting after the word "aforesaid," the words "except as to the lands hereinafter granted to the Dubuque, Bellevue and Sabula Railroad Company."

The motion to amend was adopted.

Mr. Irish moved to strike out the third section of the bill, which motion did not prevail.

Mr. Cotton moved to amend by striking out of the third section, in third line, "eleven miles of." In the fifth line, "eleven miles." In the ninth line, "sixty-six sections."

The motion prevailed.

Mr. Cotton moved to amend by inserting after the word "authorized," in the twelfth line, "and required." Strike out "such," in the fourteenth line, and insert "the." Strike out all after the word "consideration," in the fourteenth line, and insert "one thousand dollars."

The motion to amend prevailed.

Mr. Wilson of Dubuque, moved to amend the thirteenth line, in section 1, by inserting after the word "company," "by quit-claim its intent in."

The motion to amend was adopted.

The amendments recommended by the committee, to the fourth section, were adopted.

Mr. Cotton moved to amend the second line, fourth section, after the word "aforesaid," "except as to the Dubuque, Bellevue and Sabula Railroad Company."

The motion to amend was adopted.

Mr. Rees moved to amend sixteenth line, by striking out the word "continuous," and insert "unbroken."

The motion prevailed.

Mr. Criss moved to amend ninth line: Insert after the words "Sioux City" "crossing North Coon river in township 80."

The motion to amend did not prevail.

Mr. Knapp moved to amend: Insert after the word "purpose" in section 4, eighth line, "and the depot at the town of Alden, Hardin county, shall be upon the grounds donated for the same, on the south-east quarter of section nineteen, township eighty-nine, range seventy-one."

The motion to amend did not prevail.

Mr. Kasson moved to amend section 5; to strike out the word "when" in seventh line, and insert "shall be by said company," and all after the words "lands lie" in seventh line, to the period in eighth line, and insert "may be used as with the same effect as originated;" strike out "or" in seventh line, and insert "and," which motion to amend was adopted.

Mr. Ordway moved to amend: Insert after the word "completed" in the fourth line of section 5, "and no patent shall be issued by him for any portion of said road beyond said seventy-five miles, until the said road is completed and in running order as a through line to Sioux City."

Mr. Donovan moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House called to order by the Speaker.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 89, A bill for an act to amend chapter 135 of the acts of the Eleventh General Assembly, entitled an act to require owners of threshing-machines to guard against accidents.

House File No. 256, A bill for an act to legalize the action of the officers of the corporate town of Montana, Iowa, in organizing a city of the second class.

House File No. 57, A bill for an act fixing the time of holding courts in the Second Judicial District.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor.

House File No. 119, A bill for an act to amend an act approved April 20, 1866, entitled an act to accept the grant of land to the State of Iowa, by act of Congress of May 12, 1864, and to carry out the provisions of said act, entitled an act for a grant of land to the State of Iowa in alternate sections, to aid in the construction of a railroad in said State, and to make effectual by the State of Iowa of said grant of land.

House File No. 120, A bill for an act for the relief of Hardin county, Iowa, for money stolen from county safe Sept. 14, 1865.

House File No. 186, A bill for an act to enable townships and incorporated towns and cities to aid in the construction of railroads.

House File No. 259, A bill for an act legalizing the incorporation of First Congregational Society of Mason City, Cerro Gordo county, Iowa.

H. C. RIPPEY, Chairman.

Leave granted Mr. Lambert to call up joint memorial to Congress relating to the project of connecting by navigable channels, through the Fox and Wisconsin rivers, the waters of the Mississippi river with the waters of Lake Michigan, which was referred to the Committee on Commerce.

Leave granted Mr. Brown of Van Buren, to call up joint resolution for the relief of Peter J. Knapp, private of Co. H, Fifth Iowa Infantry, Volunteers, which was referred to the Committee on Military Affairs.

The House resumed consideration of the amendment to House File No. 271, which on the motion to adopt the amendment, by Mr. Johnson of Cherokee, the yeas and nays were demanded, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Dashiell, Davis, Ellis, Goodspeed, Hartsock, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, McNutt, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rippey, Sanborn, Stone, Wilson of Davis, Wilson of Tama, and Mr. Speaker—38.

The nays were, Messrs. Ballinger, Bauder, Bent, Caldwell, Chase, Craig, Criss, Donovan, Dudley, Fulton, Glasgow, Grant-ham, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Leach, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Orr, Rees, Rowell, Smith of Dickinson, Smith of Harrison, Tillson, Traer, Tritz, Tucker, Werner, Williams, Wilson of Dubuque, and Wright—41.



Absent and not voting, Messrs. Blackwell, Burnett, Cotton, Cramer, Garrett, Gaylord, Guthrie, Hamilton, Kasson, McCoun, Rector, Rholfs, Sheldon, Stanley, Stuart, Tenney, Trusdell, Walling, Wheeler, and Wilcox—20.

So the motion to amend was lost.

Mr. Cotton moved to amend, by adding at the end of 5th section the following:

Should such settlement and improvement be upon any of the land that may be selected for said Dubuque, Bellevue and Sabula Railroad Company, then upon the completion of said branch by said company, the money so received for any of said land that may be selected for said company, shall be paid said company, and a patent made such actual settler.

The motion to amend was adopted.

Mr. Johnson of Cherokee, moved to amend by inserting after the word "last," in the ninth line of section 5, the words "or shall within two years from and after the passage of this act."

Also, insert after the word "acre," in the twelfth line of section 5, "for all lands now occupied, and three hundred dollars per acre for all lands hereinafter occupied by actual settlers within two years from the passage of this act."

Upon the adoption of the amendment, Mr. Johnson of Cherokee, demanded the yeas and nays.

Mr. Bauder moved a call of the House, which was not seconded.

The yeas and nays were as follows:

The yeas were, Messrs. Babbitt, Bowen, Burnett, Burrows, Cries, Dashiell, Davis, Dudley, Ellis, Glasgow, Johnson of Cherokee, Johnson of Marshall, Lambert, McCoun, McKean, McNutt, Murray, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rippey, Tillson, Traer, and Trusdell—28.

The nays were Messrs. Atkins, Atwood, Bailey, Ballinger, Bauder, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Donovan, Fulton, Garrett, Goodspeed, Grantham, Hamilton, Hart, Hartssock, Hatch, Hayden, Hawthorn, Hunter, Irish, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longneville, Mechem, Miles, Miller, Morrison, Newberry, Peck, Rees, Rowell, Sanborn, Smith of Harrison, Stone, Tritz, Tucker, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—54.

Absent and not voting, Messrs. Adams, Allen, Bent, Blackwell, Bolton, Brown of Fayette, Cramer, Gaylord, Guthrie, Rohlfs, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Walling, and Wheeler—17.

So the motion to amend did not prevail.

Mr. Browne of Lee moved to amend by inserting after the word "road" in fifth line of section 5, the words: "*Provided*, That no patent shall be issued under this act for any of the lands lying

within fifty miles of Sioux City east until said railroad is completed and in running order to Sioux City, on the Missouri river."

Mr. Brown of Van Buren moved to reconsider the vote by which the amendment was adopted.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor:

House File No. 89, A bill for an act to amend chapter 135 of the acts of the Eleventh General Assembly, entitled an act to require owners of threshing-machines, to guard against accidents.

House File No. 256, A bill for an act to legalize the action of officers of the corporate town of Montana, Iowa, in organizing a city of the second class.

House File No. 57, A bill for an act fixing the time of holding courts in the Second Judicial District.

H. C. RIPPEY, Chairman.

A message from the Governor relating to the report of J. A. Harvey was received and laid on the Speaker's table.

The motion to reconsider the vote by which the amendment was adopted prevailed.

Mr. Smith of Dickinson moved to amend the amendment by striking out "fifty" and insert "twenty-five."

The amendment to the amendment prevailed, and the amendment as amended was adopted.

The hour having arrived for the adjournment of the House, the Speaker announced the House adjourned until to-morrow morning at 9 o'clock.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 25, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. A. A. Dinsmore.

Proceedings of yesterday read and approved.

Mr. Hunter asked leave to take up the message of the Governor relating to J. A. Harvey as Commissioner in regard to certain swamp land claims of the State of Iowa against the United States, which was granted, and on motion the message and report was ordered printed.

Mr. Ordway offered the following resolution, which was adopted.

*Resolved*, That the use of this hall be given on Wednesday evening of this week to Rev. Mr. Wells, pastor of the colored church in this city, to give such as may desire to hear him, a narrative of some of his experiences as a slave, and of his escape from slavery.

Mr. McNutt obtained leave to present the following report :

MR. SPEAKER:—The Committee on Commerce to whom was referred a memorial to Congress in relation to connecting the waters of the Mississippi river with Lake Michigan by navigable channels through the Wisconsin and Fox river, have had the same under consideration, and instructed me to report the same back without amendment, and recommend its passage.

SAMUEL McNUTT, Chairman.

#### PETITIONS.

Mr. Rippey presented a petition from citizens of Greene county, Iowa, asking the jurisdiction of the County Courts to be extended, which was referred to the Committee on the Judiciary.

Also, a petition from the citizens of Calhoun county, asking for a Thirteenth Judicial District, which was referred to the Committee on Judicial Districts.

Mr. Ellis presented a petition from citizens of Grandview township, Louisa county, Iowa, praying that the acts of Benjamin Furnace, a justice of the peace of said county, may be legalized in certain cases, which was referred to the Committee on the Judiciary.

The House resumed consideration of House File No. 271, An act to legalize, confirm, and carry out a contract between the Dubnque and Sioux City Railroad Company, and the Iowa Falls and Sioux City Railroad Company.

Mr. Caldwell moved to reconsider the vote by which the amendment offered by Mr. Smith, of Dickinson, was adopted.

The motion to reconsider prevailed, and the amendment to strike out "fifty" and insert "twenty-five" was lost.

Mr. Browne, of Lee, moved to amend: "*Provided*, That no patent shall be issued under this act to one hundred and twenty-five thousand acres of the lands lying within the grant northeast of Sioux City, until said railroad is completed and in running order to Sioux City, on the Missouri river."

Upon the adoption of the amendment, Mr. Browne, of Lee, demanded the yeas and nays, which were as follows :

The yeas were Messrs. Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Ellis, Garrett, Goodspeed, Grantham, Guthrie, Johnson of Cherokee, Kelley, Knapp, Lambert, Leach, McNutt, Mecham, Miles, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rohlf, Wilcox, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—33.

The nays were Messrs. Adams, Brown of Howard, Burrows, Caldwell, Chase, Cotton, Criss, Davis, Donavan, Dudley, Fulton, Gaylord, Glasgow, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kilburn, Leffingwell, Lockwood, Longueville, McKean, Miller, Morrison, Murray, Orr, Peck, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillsen, Traer, Tritz, Trusdell, Werner, Wheeler, Wilson of Dubuque.—49.

Absent and not voting, Messrs. Allen, Atkins, Babbitt, Bauder, Bent, Blackwell, Craig, Cramer, Dashiell, Hamilton, Irish, McCoun, Rector, Tucker, Walling, Williams, and Wright.—17.

So the motion to amend did not prevail.

Mr. Wilson, of Dubuque, moved to amend: Add to the end of section 7, the following :

“ If the said Iowa Falls and Sioux City Railway Company shall fail or refuse to accept of this grant upon the conditions hereby imposed, and in time and manner as herein required, the Census Board of this State is hereby authorized by proper writing, with the seal of the State affixed thereto, to confer the same upon such party or company as shall, in their judgment, be competent to carry out the enterprise herein before provided for, in good faith, and which shall accept the grant by a proper written instrument duly executed and attested, and shall file the same in the office of the Secretary of this State, subject to all the sections of this act, and the same shall be applicable to such grantee, subject to all the terms and conditions of this act, as fully as if named originally herein.”

The motion to amend prevailed.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File No. 210, A bill for an act fixing the time for holding terms of the District Court in the Fourth Judicial District, and attaching certain counties to others in said district for judicial purposes.

J. A. T. HULL, Assistant Secretary.

Mr. Wilson, of Tama, moved to amend, by adding to section 7, “ *Provided*, The company accepting the provisions of this act shall at all times be subject to such rules, regulations, and rates of tariff for transportation of freight and passengers, as may from time to time be enacted by the General Assembly of the State of Iowa.”

Mr. Criss moved to amend the amendment: “ *Provided*, That nothing herein contained shall authorize the fixing of the rates of

freight and fare until the net earnings of the road shall be sufficient to pay eight per cent per annum on the cost of the road, nor afterward shall the rates be fixed so low that the road can not earn that amount annually."

Mr. Kilburn moved the previous question, which was not seconded.

Mr. Johnson of Cherokee, moved that the House do now adjourn. The motion did not prevail.

Upon the adoption of the amendment to the amendment, Mr. McNutt demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Ballinger, Bauder, Bent, Cotton, Criss, Donavan, Gaylord, Hatch, Hunter, Johnson of Cherokee, Kasson, Kilburn, Lockwood, Miller, Murray, Ordway, Peck, Rector, Rees, Rippey, Rowell, Smith of Dickinson, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams and Wilson of Dubuque.—32.

The nays were, Messrs. Adams, Allen, Atwood, Babbitt, Bailey, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Johnson of Marshall, Kelley, Knapp, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Wilson of Davis, Wilson of Tama and Wright.—57.

Absent and not voting, Messrs. Atkins, Blackwell, Burrows, Cramer, Irish, Longueville, McCoun, Walling, Werner and Mr. Speaker.—10.

So the motion to amend the amendment, did not prevail.

The question recurred on the adoption of the amendment, and Mr. Johnson of Cherokee, demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Dashiell, Davis, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Johnson of Marshall, Kelley, Knapp, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rohlf, Smith of Harrison, Sheldon, Stanley, Stuart, Traer, Wheeler, Wilson of Davis, Wilson of Tama and Wright.—58.

The nays were, Messrs. Ballinger, Bauder, Bent, Cotton, Criss, Donavan, Gaylord, Hatch, Hunter, Kasson, Kilburn, Lockwood, Miller, Murray, Ordway, Peck, Rector, Rees, Rippey, Sanborn, Smith of Dickinson, Stone, Tenney, Tillson, Tritz, Trusdell, Tucker, Wilcox, Williams and Wilson of Dubuque.—30.

Absent and not voting, Messrs. Blackwell, Burrows, Cramer, Irish, Johnson of Cherokee, Longueville, McCoun, Rowell, Walling and Mr. Speaker.—11.

So the motion to amend prevailed.

Mr. Kasson moved to amend section 8, as follows: "affect in any way the title or interest of persons or corporations not expressly named in this act."

The motion to amend was adopted.

Mr. Wilson of Dubuque moved that the rule be suspended and the bill be read a third time.

The motion prevailed.

The bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Cramer, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright—84.

The nays were none.

Absent and not voting, Messrs. Bauder, Blackwell, Burnett, Craig, Irish, Johnson of Cherokee, Longueville, McCoun, Rector, Rowell, Trasdell, Walling, Werner, Williams and Mr. Speaker.—15.

So the bill passed.

Mr. Wilson of Dubuque moved to amend the title as follows: Insert in the fourth line of the title, after the word "city," the words, to grant certain lands to the Dubuque, Bellevue and Sabula Railroad Company for the building of the Tete des Morts branch."

The motion to amend the title prevailed.

Mr. Leffingwell moved that the House do now adjourn, which motion prevailed and the House adjourned.

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TWO O'CLOCK, P. M.

House was called to order by the Speaker.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:



MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills and resolutions and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 124, A bill for an act to perfect the title of Peter Olsen and Magnus Rangoin in and to certain lands.

A joint resolution, preamble and joint resolution relative to the construction of a draw bridge across the Missouri river at Council Bluffs.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Johnson of Marshall to call up House File No. 319, A bill for an act to provide for the relief of certain classes of indigent persons.

Mr. Wilson of Dubuque moved to amend section 1 by striking out the words "the city council of any incorporated city of the first class, and" in the first and second lines.

The motion to amend did not prevail.

Mr. Garrett moved to reconsider the vote by which the amendment was lost.

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

Mr. Browne of Lee moved to amend section 3 by inserting after the word "treasury" in the fourth line, the words "the same to be reimbursed to the city out of the county treasury."

Mr. Cotton moved to amend the amendment by offering a substitute to section 3, which was adopted:

SEC. 3. All moneys expended as contemplated in this act, shall be paid out of the county treasury, after the proper account rendered therefor shall have been approved by the board of supervisors of the respective counties, and in all cases the necessary appropriations therefor shall be made by the respective counties: *Provided*, That the board of supervisors shall have the power to limit the amount of relief furnished under this act, and shall have the power to refuse to continue such relief whenever in their judgment the person or persons receiving such relief are not in a condition to require further public assistance or aid.

Mr. Hamilton moved to amend section 1 by inserting after the word "lights" in the sixth line, the words "medical attendance."

The motion prevailed.

Mr. Cotton moved to strike out the fourth section, which motion prevailed.

Mr. Dudley moved to amend section 2 by striking out the words "other persons in," in first line.

Mr. Traer moved the previous question, which was not seconded. The motion to adopt the amendment did not prevail.

Mr. Trudell moved to amend by adding to the end of section 2 the words "exclusive of medical attendance."

The motion prevailed.



On motion of Mr. Kasson, the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartssock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Orr, Ordway, Parker, Peck, Perry, Ramsay, Rector, Rippey, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—76.

The nays were Messrs. Kelley, Newberry, Rohlf, Tritz, Wheeler, and Wilson of Dubuque—6.

Absent and not voting, Messrs. Bent, Blackwell, Bowen, Cramer, Dudley, Gaylord, Irish, Kilburn, Longueville, Miller, Phillips, Rees, Smith of Dickinson, Smith of Harrison, Traer, Tucker, and Walling—17.

So the bill passed, and the title was agreed to.

On motion of Mr. Goodspeed, the Senate's messages were taken up.

Senate File No. 18, A bill for an act for the appointment of an official reporter of legal proceedings, and the preservation of evidence.

Read first and second time, and referred to the Committee on Judiciary.

House File No. 30, A bill for an act to amend chapter 46, of the Revision of 1860, with Senate amendments, was taken up.

Upon the adoption of the amendment, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartssock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Ramsay, Rector, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—69.

The nays were, Messrs. Donovan, Dudley, Lambert, Morrison, Phillips, and Tillson—6.

Absent and not voting, Messrs. Atkins, Babbitt, Bailey, Bander, Bent, Blackwell, Brown of Fayette, Browne of Lee, Cramer, Gaylord, Hamilton, Kilburn, Knapp, Longueville, Miller, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Traer, Tucker, Walling, Wheeler, and Wright—24.

So the amendment was concurred in.

Leave of absence was granted Mr. Johnson of Cherokee, for one day.

Leave was granted Mr. Stuart to submit a report from the Committee on Agricultural College and Farm.

The hour having arrived for the adjournment of the House, the Chair announced the House adjourned until nine o'clock to-morrow morning.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, Iowa, March 26, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Hayden.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked.

Substitute for Senate File No. 170, A bill for an act making a grant of land to the McGregor and Sioux City Railway Company, or in case of their failure to accept the same, to the Forty-Third Parallel Railway Company, and to execute the trust conferred by act of Congress, entitled "an act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12, 1864.

JAMES M. WEART, Secretary.

PETITIONS.

Mr. Rohlfs presented a petition from citizens of Cedar county, praying for the passage of a license law, which was referred to the Committee on the Suppression of Intemperance.

Mr. Kilburn presented a petition from citizens of Adair county, praying for a change in our system of county government, which

was referred to the Committee on County and Township Organization.

On motion of Mr. Goodspeed, the Senate messages on the Speaker's table were taken up.

Senate File No. 2, A bill for an act to establish and organize a State Reform School for juvenile offenders, was read first and second time.

Mr. Ballinger moved to refer the bill to the Committee on Reform School.

Mr. McNutt moved to amend by requesting the committee to report by to-morrow morning.

Mr. Hatch moved to amend the amendment by requesting the committee to report as soon as convenient.

The amendment to the amendment was adopted, and the motion to refer as amended prevailed.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following resolution, and have directed me to report it as correctly enrolled, and to present it for your signature:

Preamble and joint resolution relative to making Council Bluffs a port of delivery.

H. C. RIPPEY, Chairman.

House File No. 208, A bill for an act to legalize the organization of the independent district of Montezuma, Iowa, with Senate amendments.

Upon the concurrence in the amendments, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Murray, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tacker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—78.

The nays were, Mr. Dudley.—1.

Absent and not voting, Messrs. Babbitt, Bailey, Bauder, Bent, Blackwell, Brown of Fayette, Burnett, Cramer, Donovan, Hartsock, Johnson of Cherokee, Kasson, Leach, McNutt, Morrison, Ordway, Rees, Rippey, Smith of Dickinson, and Walling.—20.

So the amendment was concurred in.

Senate File No. 182, A bill for an act to legalize certain acts of

the board of supervisors of Washington county, Iowa, was read first and second time, and on motion of Mr. Miles, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—85.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Burnett, Cramer, Dashiell, Gaylord, Johnson of Cherokee, Kasson, Ordway, Rippey, Rowell, Smith of Dickinson and Walling.—14.

So the bill passed, and the title was agreed to.

Senate File No. 156, A bill for an act to legalize the plat of the town of Sabula in Jackson county, Iowa, and to legalize all conveyances heretofore made by the number of lots and blocks as now specified in said plat, was read first and second time, and on motion of Mr. Stuart the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Bander, Bent, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Criss, Davis, Donavan, Dudley, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—80.

The yeas were none.

Absent and not voting, Messrs. Blackwell, Bowen, Babbitt, Ballinger, Browne of Lee, Burnett, Craig, Cramer, Dashiell, Garrett,

Hart, Johnson of Cherokee, Kasson, Longneville, Mechem, Smith of Dickinson, Stone, Trusdell, Walling—19.

So the bill passed, and the title was agreed to.

Senate File No. 152, A bill for an act for the relief of Barton B. Dunning of Ringgold county, Iowa, was read first and second time, and on motion of Mr. Kilburn, was referred to the Committee on Ways and Means.

Substitute for Senate File No. 150, A bill for an act to quiet the title to Margaret Enk and others to certain real estate, was read first and second time, and on motion of Mr. Irish, the rule was suspended, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Cries, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—86.

The nays were none.

Absent and not voting, Messrs. Blackwell, Craig, Cramer, Dashiell, Hart, Johnson of Cherokee, Kasson, Longneville, McNutt, Orr, Smith of Dickinson, Walling, and Stone—13.

So the bill passed, and the title was agreed to.

Substitute for Senate File No. 100, A bill for an act to encourage the planting and growing of timber, fruit-trees, and hedges.

Read first and second time, and on motion of Mr. Irish, the bill was referred to the Committee on Horticulture.

Senate File No. 210, A bill for an act fixing the time of holding court in the Fourth Judicial District.

Read first and second time, and referred to a committee of members from the Fourth Judicial District, Smith of Harrison, chairman.

Senate File No. 173, A bill for an act relating to assessment of property for taxation, and for other purposes.

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

Substitute for Senate File No. 136, A bill for an act in relation to the sale of intoxicating liquors in incorporated towns and cities.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Senate File No. 134, A bill for an act to amend section 1568, of the Revision of 1860.

Read first and second time.

Mr. Irish moved to refer the bill to the Committee on Judiciary.

Mr. Dudley moved to amend by striking out "Judiciary," and inserting "Suppression of Intemperance."

The motion to amend was adopted.

Senate File No. 132, A bill for an act to legalize the acknowledgment, and entitle to record a deed from George J. Meredith and wife, to William Halderman.

Read first and second time, and on motion of Mr. Irish the rule was suspended, and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Babbitt, Blackwell, Browne of Lee, Burrows, Chase, Cramer, Dudley, Ellis, Johnson of Cherokee, Knapp, McCoun, McKean, Murray, Peck, Stone, and Walling—16.

So the bill passed, and the title was agreed to.

House File No. 59, A bill for an act abolishing all distinctions between foreigners and citizens as to the acquisition, enjoyment, and transfer of property, with Senate amendments, was taken up.

Upon the concurring in Senate amendments, the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp,



Leach, Leffingwell, Lockwood, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—86.

The nays were none.

Absent and not voting, Messrs. Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Johnson of Cherokee, Lambert, Longueville, McNutt, Peck, Perry, Stone, and Walling—13.

So the amendment was concurred in.

Substitute for Senate File No. 170, A bill for an act making a grant of land to the McGregor and Sioux City Railway Company, and to execute the trust conferred by act of Congress entitled "An act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in said State," approved May 12, 1864, was read first and second time.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 186, A bill for an act providing for the submission of certain proposed amendments to the Constitution of the State of Iowa to the people thereof at the next general election therein.

I am also directed to return herewith joint resolution agreeing to, ratifying, and confirming amendments to the Constitution of the State of Iowa, which have passed the Senate without amendment.

JAMES M. WEART, Secretary.

Mr. Williams moved that the bill be taken up for consideration in lieu of the special order now pending, relating to the same subject.

Mr. Brown of Fayette moved that the bill be referred to the Committee on Railroads, which motion was lost, and the motion to take up in lieu of the special order now pending prevailed and the bill was considered by sections.

Mr. Trusdell moved to amend by inserting after section 2, "Provided, that if a more practicable route can be found near the forty-third parallel in the same meridian with each, or either of the points named in this act the company building said road shall be at liberty to adopt it.

The motion to amend did not prevail.

Mr. Brown of Fayette moved to amend section 2 by inserting



after the word "within" in fourth line, "one mile of Clermont, and one mile of West Union in Fayette county."

Mr. Traer moved the previous question, which was seconded.

Upon the adoption of the amendment pending the yeas and nays were as follows:

The yeas were, Messrs. Bailey, Bent, Bowen, Brown of Fayette, Cotton, Dudley, Garrett, Guthrie, Hamilton, Hatch, Hunter, Lambert, Newberry—14.

The nays were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bander, Bolton, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hayden, Hawthorn, Irish, Johnson of Marshall, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Murray, Orr, Peck, Perry, Phillips, Rohlf, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—68.

Absent and not voting, Messrs. Blackwell, Cramer, Ellis, Johnson of Cherokee, Kasson, Kelley, Morrison, Ordway, Parker, Rector, Rees, Rippey, Rowell, Smith of Harrison, Stone, Trusdell, Walling—17.

So the amendment was not adopted.

The bill was ordered engrossed, and read a third time.

On motion of Mr. Irish, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bander, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—86.

The nays were, Messrs. Bailey, Bent, and Brown of Fayette.—3.

Absent and not voting, Messrs. Blackwell, Cramer, Ellis,

Hamilton, Johnson of Cherokee, Kasson, Ordway, Rees, Stuart, and Walling.—10.

So the bill passed, and the title was agreed to.

On motion of Mr. Hunter, House File No. 257, A bill for an act to release an escheat in Hardin county, was taken up and considered.

On motion of Mr. Rees, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—83.

The nays were none.

Absent and not voting, Messrs. Adams, Atkins, Blackwell, Cramer, Hamilton, Hatch, Johnson of Cherokee, Kasson, Peck, Rippey, Sheldon, Stone, Tucker, Walling, and Wilson of Dubuque.—15.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Kilburn, from the Committee on Insurance, to submit the following report and substitute for House File No. 200, which was ordered printed:

Your Committee on Insurance to whom was referred House File No. 200, A bill for an act to regulate life insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute therefor, and recommend its passage.

G. F. KILBURN, Chairman.

Leave was granted Mr. Bowen, from the Committee on Incorporation, to submit the following report:

Your Committee on Incorporations to whom was referred Senate File No. 81, A bill for an act to enable municipal and public corporations at their elections to settle, adjust and compound their indebtedness and to provide for the issue of new bonds, and for the payment of such new bonds by the levy of specific taxes, and for this purpose altering and amending existing charters and laws,

have instructed me to report it back with the recommendation that it do pass.

B. G. BOWEN, Chairman.

Mr. Burnett moved that the bill reported by the Committee on Incorporations, Senate File No. 81, A bill for an act to enable municipal and public corporations, at their elections, to settle, adjust and compound their indebtedness, and to provide for the issue of new bonds, by the levy of specific taxes, and for the purpose of altering and amending existing charters and laws, be made a special order, after the special orders under consideration are disposed of.

Mr. Babbitt moved to amend by including Senate File No. 13, which was lost.

The motion to make a special order, did not prevail.

Mr. Rohlf's moved that Senate File No. 81, be made a special order for Wednesday next.

Mr. Stuart moved to amend by including House File No. 339.

Mr. Rees moved to amend the amendment by including House File No. 183.

Mr. Caldwell moved to lay the whole matter on the table, which motion prevailed.

Mr. Bowen from the Committee on Incorporations, submitted the following report:

MR. SPEAKER:—Your Committee on Incorporations, beg leave to report the following bill: A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, in the levy of a town tax, on the property in said town of Corydon, and recommend its passage.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations, beg leave to report the following bill, A bill for an act authorizing cities to establish, and maintain parks, and to take and hold land for that purpose, and recommend its passage.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations beg leave to report the following bill, "A bill for an act to include the territory known as the Kinkade Addition in the limits of the town of Corydon, Wayne county, Iowa," and recommend its passage.

B. G. BOWEN, Chairman.

MR. SPEAKER:—Your Committee on Incorporations beg leave to report the following bill, entitled, A bill for an act authorizing and empowering municipal corporations, to contract for the use of railroad bridges as public highways, and recommend its passage.

B. G. BOWEN, Chairman.

House File No. 351, A bill for an act to include the territory known as the Kinkaid Addition in the limits of the town of Corydon, Wayne county, Iowa, was read first and second time, and passed on file.

House File No. 352, A bill for an act authorizing cities to establish and maintain parks, and to take and hold land for that purpose, was read first and second time, and passed on file.

House File 353, A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, in the levy of a town tax on the property of said town of Corydon, was read first and second time, and passed on file.

House File No. 354, A bill for an act authorizing and empowering municipal corporations to contract for the use of railroad bridges and public highways, was read first and second time, and passed on file.

#### SENATE MESSAGES.

Senate File No. 186, A bill for an act providing for the submission of certain proposed amendments to the constitution of the State of Iowa to the people thereof, at the next general election therein, was read first and second time, and referred to the Committee on Constitutional Amendments.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor:

House File No. 124, A bill for an act to perfect the title of Peter Oleson and Magnus Rangoin in and to certain lands.

Preamble and joint resolution relative to the construction of a draw bridge across the Missouri river at Council Bluffs.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature:

House File No. 30, A bill for an act to amend chapter 46 of the Revision of 1860, in relation to state and county roads.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Wilcox, from the Committee on Ways and Means, to submit the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred House File No. 290, A bill for an act in relation to revenue and taxing the property of express companies and telegraph companies, have instructed me to report the same back with the following amendments: First. In the twelfth line of section 1 and the fourth line of section 3, strike out the word "fifty" and insert the word "sixty." Second. In the first line, section 6,

strike out the words "lands and real property" and insert "real and personal property," and as amended your committee unanimously recommend that it do pass.

WILCOX, Chairman.

MR. SPEAKER:—Your Committee on Ways and Means to whom was referred Senate File No. 57, A bill for an act relating to settlement with county treasurers, have instructed me to report that in their opinion the repeal of section 798 of the Revision for which this bill provides, would be injurious to the public interest, and that said section is needed for the protection of the revenue. They, therefore, recommend that this bill be indefinitely postponed.

WILCOX, Chairman.

MR. SPEAKER:—Your Committee on Ways and Means to whom was referred House File No. 107, A bill for an act to amend chapter 45 of the Revision of 1860, and chapter 173 of the laws of the Ninth General Assembly in relation to revenue; also, House File No. 6, A bill for an act to more effectually encourage the payment of taxes, have had the same under consideration and have instructed me to report the accompanying bill as a substitute for both and recommend that the substitute do pass.

WILCOX, Chairman.

Leave was granted Mr. Brown of Fayette, from the Committee on Military Affairs, to submit the following report:

The Committee on Military Affairs, to whom was referred the petition of John Dond, D. E. Lyon and others, asking an appropriation for the relief of George Higley, of Dubuque, Iowa, have had the same under consideration, and directed me to report by bill and recommend the passage of the same.

AARON BROWN, Chairman.

House File No. 347, A bill for an act for the relief of George Higley, of Dubuque, Iowa, was read first and second time.

On motion of Mr. Brown, of Fayette, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mchem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tilson, Tritz, Trusdell, Tucker,

Werner, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—78.

The nays were none.

Absent and not voting, Messrs. Blackwell, Cramer, Criss, Dashiell, Goodspeed, Hamilton, Johnson of Cherokee, Kasson, Lambert, McCoun, Miller, Orr, Peck, Ramsay, Smith of Dickinson, Stone, Traer, Walling, Wheeler, Wilcox, and Wilson of Davis.—21.

So the bill passed, and the title was agreed.

Leave was granted Mr. Brown of Howard, to submit a report from the Committee on Penitentiary.

The Committee on the Penitentiary have instructed me to report the following bills, and recommend their passage:

A bill for an act to provide for the payment of salaries and wages of employes of the penitentiary, and for the general support of the convicts.

A bill for an act for the improvement of the penitentiary.

A bill for an act to purchase certain additional real estate for the use of, and to be added to the grounds of the Iowa State Penitentiary.

BROWN of Howard, Chairman.

House File No. 348, A bill for an act to provide for the payment of salaries and wages of employes of the penitentiary, and for the general support of the convicts.

Read first and second time, passed on file and ordered printed.

House File No. 349, A bill for an act for the improvement of the penitentiary.

Read first and second time, passed on file, and ordered printed.

House File No. 350, A bill for an act to purchase certain additional real estate for the use of, and to be added to grounds of the Iowa State Penitentiary.

Read first and second time, passed on file, and ordered printed.

Mr. Adams moved that the regular order of business be suspended, and the House take up House File No. 314, which motion did not prevail.

Mr. Cotton, from the Committee on Judiciary, submitted the following report:

The Judiciary Committee recommend the passage of Senate File No. 18, A bill for an act to provide for the appointment of official reporters of legal proceedings, and the preservation of evidence.

AYLETT R. COTTON, Chairman.

The Judiciary Committee have considered House File No. 317, A bill for an act regulating elections, and the manner of voting in corporations incorporated under or deriving any authority from the laws of Iowa, and recommend that the bill be indefinitely postponed.

COTTON, Chairman.

The Judiciary Committee recommend that the petition of citizens of Grand View township, Louisa county, in relation to legalizing acts of Benjamin Furnace, justice of the peace, be referred to the Committee on Notaries Public.

COTTON, Chairman.

The report of the committee was concurred in, and the petition was so referred.

Mr. Trusdell moved that next Thursday be set apart for the consideration of bills relating to Schools and Blind Asylum.

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

Mr. Parker moved that a sifting committee be appointed consisting of the chairman from each committee.

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

Mr. Wilcox was granted leave of absence for the remainder of the day.

Mr. Wilson of Tama, moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House called to order by the Speaker.

Leave was granted Mr. Kasson to call up substitute for House File No. 225, A bill for an act to legalize the acts of certain notaries public of Polk county, Iowa.

On motion of Mr. Kasson, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Ellis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hayden, Hawthorn, Irish, Johnson of Marshall, Kasson, Kelley, Leach, Leffingwell, Lockwood, Longueville, McConn, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—79.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Blackwell,



Browne of Lee, Cramer, Hamilton, Hatch, Hunter, Johnson of Cherokee, Kilburn, Knapp, Lambert, Peck, Rees, Rippey, Rohlf, Smith of Dickinson, Trusdell, Walling, and Wilcox.—20.

So the bill passed, and the title was agreed to.

Leave of absence was granted Mr. Tucker for one week.

Mr. McCoun moved that the House take up substitute for House File No. 22, which motion was lost.

The Chair announced the next order of business, House File No. 151, A bill for an act to provide for the fencing of the right of way of railroads, in this State.

Mr. Craig moved that House File No. 91, A bill for an act limiting charges, and defining duties of railroad companies, be taken up in lieu of House File No. 151.

The motion prevailed.

Mr. McNutt moved a substitute, House File No. 346, A bill for an act to regulate the transportation of freight on railroads, and to prevent discrimination in charges unfavorable to the trade and commerce of the State.

Mr. McNutt moved that the House resolve itself into the Committee of the Whole, for the purpose of considering House File No. 91, and House File No. 346.

The motion prevailed.

The House resolved itself into the Committee of the Whole, with Mr. Williams in the chair.

The committee arose and the Chairman reported the bills back to the House without recommendation.

Speaker called the House to order.

Leave of absence was granted Mr. Hartsock for two days.

Leave of absence was granted Mr. Bander until Wednesday next.

Mr. Traer moved that the House do now adjourn, which motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 27, 1868.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. De Forest.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 157, A bill for an act to amend chapter 92 of the acts of the Eleventh General Assembly, and to provide for Iowa Soldiers' Orphans Homes.

I am also directed to return herewith the following bills which have passed the Senate without amendment:

House File No. 135, A bill for an act to fix the compensation of the attorney-general for certain services.

House File No. 237, A bill for an act requiring the reporter of the Supreme Court to attend the argument term at Dubuque.

House File No. 39, A bill for an act to provide for the incorporation of towns and cities.

House File No. 257, A bill for act for the relinquishment of an escheat.

JAMES M. WEART, Secretary.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills have examined the following House Files, and report the same as correctly engrossed:

House File No. 319, A bill for an act to provide for the relief of certain classes of indigent persons.

House File No. 271, A bill for an act to legalize, confirm, and carry out a contract between the Dubuque and Sioux City Railroad Company and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said railroad from Dubuque to Sioux City; to grant certain lands to the Dubuque, Bellevue and Sabula Railroad Company for the building of the Tete des Morts Branch, and for other purposes.

A. R. FULTON, Chairman.

Mr. Ballinger from the Committee on State Reform School submitted the following report:

Your committee to whom was referred Senate File No. 2, A bill for an act to establish and organize a State Reform School for juvenile offenders, have had the same under consideration and recommend that the same do pass.

THOMAS BALLINGER, Chairman.

Mr. Wilcox from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to whom was referred House File No. 67, A bill for an act to provide for the collection of delinquent taxes, have had the same under consideration and instructed me to report the same back to this House with a recommendation that it do not pass as the subject is provided for in Senate File No. 24.

WILCOX, Chairman.

The Committee on Ways and Means to whom was referred Senate File No. 24, have instructed me to report the same back with the recommendation that it do pass.

WILCOX, Chairman.

Your Committee on Ways and Means, to whom was referred House File No. 292, A bill for an act to limit the amount of tax for State purposes, have unanimously instructed me to report the same back with the recommendation that it do pass.

WILCOX, Chairman.

Mr. McKean from the Committee on Constitutional Amendments submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments to whom was referred Senate File No. 186, A bill for an act providing for the submission of certain proposed amendments to the constitution of the State of Iowa, to the people thereof at the next general election therein, 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 pass.

JOHN McKEAN, Chairman.

Mr. Bent moved that the regular order of business be suspended, and that House File No. 332, A bill for an act requiring township trustees to take control of cemeteries in certain cases, be taken up.

The motion prevailed, and the bill was taken up and considered.

The amendment recommended by the committee was concurred in.

Mr. Wilson of Dubuque moved to amend the first section by inserting after the word "by" in the eighth line, the words "incorporations, or."

The motion to amend prevailed.

On motion of Mr. Bent the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cottou, Craig, Criss, Davis, Donavan, Dudley, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Peck, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Trnsdell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—81.

The nays were, Messrs. Gaylord, Phillips, Tillson—3.

Absent and not voting, Messrs. Adams, Blackwell, Browne of Lee, Cramer, Dashiell, Irish, Johnson of Cherokee, Kasson, Kelley, Knapp, Ordway, Traer, Tritz, Tucker, Walling—15.

So the bill passed, and the title was agreed to.

Mr. Murray moved that bills on third reading be taken up immediately after the conclusion of the special order for to-day.

Mr. McNutt moved to amend, by striking out "bills on third reading," and insert "bills on second reading."

The amendment did not prevail.

The motion to take up bills on third reading after the conclusion of the special order, prevailed.

Mr. Cotton moved that the regular order of business be suspended, and that House File No. 204, A bill for an act to legalize the acts of the council of the city of Olinnton, be taken up.

The motion did not prevail.

The House proceeded to consider substitute for House File No. 91, A bill for an act to regulate the transportation of freight on railroads, and to prevent discrimination in charges unfavorable to the trade and commerce of the State.

Mr. Cotton moved to lay the bill on the table.

On this motion Mr. Traer demanded the yeas and nays, which were as follows:

The yeas were Messrs. Atkins, Babbitt, Bander, Brown of Fayette, Brown of Howard, Browne of Lee, Burrows, Cotton, Criss, Dashiell, Dudley, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hartsock, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kilburn, Knapp, Leach, Leffingwell, McCoun, Miller, Morrison, Orr, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rippey, Sanborn, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Traer, Trusdell, Werner, Wheeler, Wilcox, Wilson of Tama, and Mr. Speaker—50.

The nays were Messrs. Allen, Atwood, Bailey, Bent, Bolton, Bowen, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Davis, Donavan, Ellis, Goodspeed, Grantham, Hamilton, Hart, Hayden, Kelley, Lambert, Lockwood, Longueville, McKean, McNutt, Miles, Murray, Newberry, Perry, Rohlf, Sheldon, Stanley, Stone, Tritz, Wilson of Davis, Wilson of Dubuque, and Wright—37.

Absent and not voting, Messrs. Adams, Ballinger, Blackwell, Cramer, Irish, Johnson of Cherokee, Kasson, Mechem, Rowell, Tucker, Walling, and Williams—12.

So the motion to lay on the table prevailed.

The Chair announced that the next order of business was House File No. 151, A bill for an act to provide for the fencing of the right of way of railroads in this State.

The bill was taken up and considered.

Mr. Grantham moved to amend section 3, by adding the following:

And the provisions of this act are expressly understood to require the keeping of said fence good and lawful after they are so constructed.

The motion to amend prevailed.

Mr. Rees moved to amend the 2d section of the bill, by inserting after the word "the," in the third line, the words "survey and location of the lines of their," and striking out of said line the words "and commencing running regular trains thereon."

The motion did not prevail.

Mr. Cotton moved to amend the first section of the bill, by adding after the word "road," in the third line, of said section, the words "where it passes through enclosed land, or timber land."

Also, to amend section 2, by adding at the end of the third line the words "which passes through enclosed land, and timber land."

Mr. Babbitt moved to amend the amendment as follows: Insert in the third line, of the second section, after the word "road," the words "through enclosed land, and in sections where more than one half the land is enclosed."

Mr. Traer moved that the bill be laid upon the table.

Upon the question to lay upon the table, Mr. Caldwell demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Allen, Atkins, Ballinger, Bander, Bent, Brown of Fayette, Brown of Howard, Browne of Lee, Burrows, Chase, Cotton, Criss, Donovan, Fulton, Gaylord, Glasgow, Goodspeed, Guthrie, Hartsock, Hawthorn, Hunter, Johnson of Marshall, Leffingwell, McCoun, Miles, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wilcox, Williams, and Mr. Speaker—45.

The nays were, Messrs. Atwood, Babbitt, Bailey, Bolton, Bowen, Brown of Van Burnett, Caldwell, Craig, Davis, Dudley, Ellis, Garrett, Grantham, Hamilton, Hart, Hatch, Hayden, Irish, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longneville, McKean, McNutt, Mechem, Miller, Newberry, Orr, Perry, Rippey, Rohlf, Smith of Harrison, Stanley, Stone, Wheeler Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright.—42.

Absent and not voting, Messrs. Adams, Blackwell, Cramer, Dashiell, Johnson of Cherokee, Kasson, Leach, Morrison, Murray, Ordway, Tucker, and Walling.—12.

So the motion to lay on the table prevailed.

The Chair announced that the next business for consideration was House File No. 4, A bill for an act for the further prosecution of the geological survey of the State.

Mr. McNutt moved that the bill be committed to a special committee of five, with instructions to report at 9 o'clock to-morrow morning.

Mr. Irish moved to amend by striking out special committee of five, and insert "the committee on geological survey."

The amendment to the motion to re-commit prevailed.

The motion to re-commit to the Committee on Geological Survey, with instructions to report at 9 o'clock to-morrow morning, prevailed.

Mr. Rohlf moved that the regular order of business be suspended and Senate File No. 81, A bill for an act to enable municipal and public corporations at their elections to settle, adjust and compound their indebtedness, be taken up.

The motion prevailed, and the bill was taken up and considered by sections.

Mr. Rippey moved to amend section 1, by striking out the words "at New York, N. Y., or," in the twenty-seventh line.

The motion to amend did not prevail.

Mr. Babbitt moved to amend the first section by striking out the words "and such new," in the fifth line, and also by striking out the sixth, seventh and eighth lines, of said section, entire.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to return to your Honorable Body, the following bill, which has passed the Senate without amendment :

Substitute for House File No. 139, A bill for an act prescribing the terms and conditions on which the State will relinquish, and convey to the Des Moines Valley Railroad Company, certain rights and privileges in respect to the resumption of lands heretofore granted to said company.

JAMES M. WEART, Secretary.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills, have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 257, A bill for an act for the relinquishment of an escheat.

House File No. 59, A bill for an act abolishing distinctions between foreigners and citizens as to the acquisition, enjoyment, and transfer of property.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bill and joint resolution to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor :

House File No. 30, A bill for an act to amend chapter 46 of the Revision of 1860 in relation to state and county roads.

Preamble and joint resolution relative to making Council Bluffs a port of delivery.

H. C. RIPPEY, Chairman.

Mr. Mechem moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment, and was called to order by the Speaker.

Mr. Stuart moved that the regular order of business be suspended, and House File No. 323 be taken up.

The motion did not prevail.

Leave was granted Mr. Stuart to offer the following resolution, which was adopted:

*Resolved*, That this House hold sessions on Monday, Wednesday and Friday evenings of next week, commencing at 7½ o'clock P. M., for the consideration of local bills, &c.

Mr. Johnson of Marshall moved to reconsider the vote by which House File No. 151, A bill for an act to provide for the fencing of the right of way of railroads in this State, was laid on the table.

The motion to reconsider prevailed.

Upon the question "Shall the bill be laid upon the table?" the yeas and nays were as follows:

The yeas were Messrs. Atkins, Babbitt, Ballinger, Bauder, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Criss, Davis, Fulton, Glasgow, Goodspeed, Guthrie, Hawthorn, Knapp, Leffingwell, McCoun, McNutt, Miles, Morrison, Ramsay, Rector, Sheldon, Stuart, Traer, Tritz, Werner, Williams, and Mr. Speaker—30.

The nays were Messrs. Atwood, Bailey, Bolton, Bowen, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Dashiell, Donovan, Dudley, Ellis, Garrett, Gaylord, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Irish, Johnson of Marshall, Kelley, Kilburn, Lambert, Leach, Lockwood, Longueville, Mechem, Miller, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rees, Rippey, Rowell, Sanborn, Smith of Harrison, Stanley, Stone, Tenney, Tillson, Trusdell, Wheeler, Wilson of Davis, and Wilson of Tama—51.

Absent and not voting, Messrs. Adams, Allen, Bent, Blackwell, Burrows, Cramer, Hunter, Johnson of Cherokee, Kasson, McKean, Peck, Rohlf, Smith of Dickinson, Tucker, Walling, Wilcox, Wilson of Dubuque, and Wright—18.

So the motion to lay on the table did not prevail.

The amendment to the amendment did not prevail.



Mr. Newberry moved to amend the amendment by adding "prairie and grub."

The amendment to the amendment did not prevail.

Mr. Hartsock moved to amend the amendment by striking out the word "timber."

Mr. Rohlfs moved to postpone the further consideration of the bill, and take up Senate File No. 81.

The motion did not prevail.

The amendment to the amendment did not prevail.

The amendment prevailed.

Mr. Craig moved to amend the third section of the bill by striking out the word "treble."

The motion prevailed.

Mr. Orr moved to amend the third section, by adding the following: "*Provided*, That no party shall recover for any fence constructed under the provisions of this act, where the cost of fencing was estimated as part of the damages for the right of way by the company paid,"

The motion to amend prevailed.

Mr. Hunter moved to amend the third section, by adding: "*Provided, however*, That the company accepting the provisions of this act, shall at all times be subject to such rules and regulations in relation to freight and passenger tariffs as the legislature may from time to time see fit to impose."

The amendment did not prevail.

Mr. Murray moved the previous question, which was ordered, and the bill was ordered to be engrossed and read a third time.

House resumed the consideration of Senate File No. 81, A bill for an act to enable municipal and public corporations at their elections to settle, adjust and compound their indebtedness, and to provide for the issue of new bonds, and for this purpose altering and amending existing charters and laws.

The motion to amend the first section, by striking out the words "and such new" in the fifth line thereof, and also by striking out the sixth, seventh and eighth lines, did not prevail.

Mr. Babbitt moved to amend the first section, by inserting at the end of the eighth line, the words "*Provided*, That no compromise shall be made without first submitting the question whether such compromise shall be made to the people and shall be by them authorized by a majority vote."

The amendment prevailed.

Mr. Parker moved to amend the fourth section, by striking out of the twenty-third line the words "assent to" and inserting the words "does not." Also, to strike out the words "refuses to receive and".

The motion to amend did not prevail.

The Chair announced that the hour had arrived for the consideration of bills on their third reading.

## BILLS ON THIRD READING.

House File No. 299, A bill for an act for the relief of G. W. Carver, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Babbitt, Ballinger, Bander, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Cotton, Craig, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kilburn, Leach, Lockwood, Longueville, McKean, Miles, Miller, Murray, Newberry, Peck, Rector, Rohlf, Rowell, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tillson, Werner, Williams, Wilson of Dubuque, Wright, and Mr. Speaker.—45.

The nays were, Messrs. Allen, Atkins, Atwood, Bailey, Bolton, Bowen, Brown of Fayette, Caldwell, Chase, Dashiell, Dudley, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hayden, Kelley, Knapp, Lambert, Leffingwell, McCoun, McNutt, Morrison, Orr, Ordway, Perry, Phillips, Ramsay, Rees, Rippey, Sanborn, Smith of Harrison, Tenney, Tritz, Wheeler, Wilcox, Wilson of Davis, and Wilson of Tama.—39.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Browne of Lee, Cramer, Criss, Davis, Johnson of Cherokee, Kasson, Mechem, Parker, Traer, Trusdell, Tucker, and Walling.—15.

So the bill was lost.

House File No. 81, A bill for an act to enable sureties on replevin bonds to exonerate themselves from further liability on the same, was taken up and read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—81.

The nays were none.

Absent and not voting, Messrs. Adams, Bander, Bent, Blackwell, Cramer, Caldwell, Dudley, Garrett, Hunter, Johnson of Cherokee, Kasson, Longueville, McNutt, Mechem, Orr, Tucker, Walling, and Wilson of Dubuque—18.

So the bill passed, and the title was agreed to.

House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing and maintaining dams and reservoirs, was taken up.

Mr. Irish moved a call of the House, which was ordered.

The following named gentlemen were absent: Messrs. Adams, Kasson, and Mechem.

Mr. McNutt moved that further proceedings under the call be dispensed with.

Mr. Rohlfs moved that Mr. Adams be excused.

The motion did not prevail.

Mr. Mechem being brought to the bar of the House by the Sergeant-at-Arms, and his excuse being deemed valid, was excused.

Mr. McNutt moved that further proceedings under the call be dispensed with, which motion prevailed.

House File No. 138, was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Ballinger, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Donavan, Dudley, Fulton, Garrett, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kelley, Kilburn, Leach, Leffingwell, Lockwood, Longueville, Mechem, Miles, Murray, Orr, Ordway, Parker, Phillips, Ramsay, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Sheldon, Stuart, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—52.

The nays were, Messrs. Atwood, Bailey, Bolton, Brown of Fayette, Browne of Lee, Criss, Dashiell, Ellis, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hayden, Irish, Knapp, Lambert, McCoun, McNutt, Miller, Morrison, Newberry, Peck, Perry, Rector, Rohlfs, Rowell, Sanborn, Stanley, Stone, Tenney, and Wright—34.

Absent and not voting, Messrs. Adams, Babbitt, Bander, Bent, Blackwell, Cramer, Davis, Hartsock, Johnson of Cherokee, Kasson, McKean, Tucker, and Walling—13.

So the bill passed, and the title was agreed to.

Senate File No. 85, A bill for an act to establish Circuit Courts was read a third time.

Upon the question "Shall the bill pass" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Babbitt, Ballinger, Bowen, Brown of Howard, Burrows, Caldwell, Chase, Craig, Criss, Dashiell, Davis, Gaylord, Guthrie, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, McCoun, McKean, Miller, Murray, Orr, Ordway, Peck, Phillips, Rector, Rees, Rippey, Rohlfs, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tillson, Traer, Trusdell, Wilcox, Williams, Wilson

of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—52.

The nays were Messrs. Allen, Atwood, Bailey, Bauder, Bolton, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Cotton, Donavan, Ellis, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hayden, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Morrison, Newberry, Parker, Perry, Ramsay, Sanborn, Stanley, Stuart, Tritz, Werner, Wheeler—38.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Cramer, Dudley, Johnson of Cherokee, Kasson, Tucker and Walling—9.

So the bill passed, and the title was agreed to.

Mr. Irish moved that the vote by which the bill passed be reconsidered.

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

House resumed the consideration of Senate File No. 81, A bill for an act to enable municipal and public corporations at their election, to settle, adjust, and compound their indebtedness.

Mr. Dudley moved to amend the ninth section by striking out the word "counties" in the second line.

The motion did not prevail.

Mr. McNutt moved to amend the tenth section by striking out all to the words "to submit" in the fourth line and insert in lieu thereof the following:

No compromise shall be made under the provisions of this act, until the proper council or board of supervisors shall submit the question, whether the powers given by this act shall be exercised by such town, city or county, and it shall be the duty of the town, city or county authorities.

The motion to amend prevailed.

Mr. Parker moved to amend the 2d section, by striking out the words "refuses to," in the twenty-third line, and inserting in lieu thereof the words "does not." Also, to strike out of the twenty-fourth line of the said section, the words "refuses to receive and."

The motion to amend did not prevail.

Mr. Burnett moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Babbitt, Ballinger, Bolton, Bowen, Browne of Lee, Burnett, Burrows, Caldwell, Craig, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Hatch, Irish, Kelley, Kilburn, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Ordway, Peck, Phillips, Rector, Rees, Rohlfis, Rowell, Sanborn, Smith of

Harrison, Stone, Stuart, Tillson, Wheeler, Wilcox, Wilson of Dubuque, and Wright—47.

The nays were, Messrs. Allen, Bailey, Brown of Van Buren, Chase, Cotton, Dudley, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hayden, Hawthorn, Hunter, Johnson of Marshall, Lambert, Newberry, Orr, Parker, Perry, Ramsay, Rippey, Stanley, Tenney, Traer, Werner, Wilson of Davis, and Wilson of Tama—28.

Absent and not voting, Messrs. Adams, Atwood, Bauder, Bent, Blackwell, Brown of Fayette, Brown of Howard, Cramer, Garrett, Gaylord, Guthrie, Hamilton, Johnson of Cherokee, Kasson, Knapp, Leach, Smith of Dickinson, Sheldon, Tritz, Trusdell, Tucker, Walling, Williams, and Mr. Speaker—24.

So the bill, not having received a constitutional majority, failed to pass the House.

Mr. Cotton moved that the vote by which the bill failed to pass the House, be reconsidered.

The motion prevailed.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atwood, Babbitt, Ballinger, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Hatch, Irish, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Peck, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Stone, Stuart, Tillson, Traer, Tritz, Wheeler, Wilcox, Williams, Wilson of Dubuque, Wright and Mr. Speaker.—60.

The nays were, Messrs. Allen, Bailey, Chase, Dudley, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hayden, Hawthorn, Hunter, Johnson of Marshall, Lambert, Orr, Perry, Rippey, Stanley, Werner, Wilson of Davis and Wilson of Tama.—21.

Absent and not voting, Messrs. Adams, Atwood, Bauder, Bent, Blackwell, Brown of Fayette, Cramer, Garrett, Gaylord, Guthrie, Hamilton, Johnson of Cherokee, Kasson, Sheldon, Tenney, Trusdell, Tucker and Walling.—18.

So the bill passed, and the title was agreed to.

Leave of absence was granted Mr. Rohlf for two days.

Leave of absence was granted Mr. Peck for three days.

Mr. Kilburn moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, March 28, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Paxton.

Journal of yesterday and approved.

MESSAGE FROM THE SENATE.

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. 42, A bill for an act for the registry of electors, and to prevent fraudulent voting.

Senate File No. 80, A bill for an act to amend section 2, chapter 115, laws of the Ninth General Assembly, relating to the protection of game.

Senate File No. 93, A bill for an act to authorize the register of the State land office, to deliver patents to parties who purchased land of the commissioners of the Des Moines River Improvement, when the original certificates of purchase have been lost or destroyed.

Senate File No. 196, A bill for an act relating to real estate sold for taxes, and unredeemed, and providing that property so sold and unredeemed shall be designated as such, in the tax list.

Senate File No. 176, A bill for an act empowering municipal incorporations to contract for the use of railroad bridges as public highways.

I am also directed to return herewith substitute for House File No. 129, A bill for an act to regulate insurance companies, which has passed the Senate with sundry amendments noted thereon, in which the concurrence of the House is asked.

JAMES M. WEART, Secretary.

REPORTS OF COMMITTEES.

Mr. Goodspeed, from the Committee on Horticulture, submitted the following report:

The Committee on Horticulture to whom was referred substitute for Senate File No. 100, A bill for an act to encourage the planting and growing of timber, fruit trees, shade trees, and hedges, have had the same under consideration, and believing that while the passage of said act would undoubtedly accomplish the object intended, yet certain sections of said bill, if passed, would seriously interfere with the perfection of our present revenue system; therefore, your committee recommend that said bill do not pass, and

that substitute for House File Nos. 61, 77, 122, 143 and 161 be substituted and passed in lieu thereof.

GOODSPEED, Chairman.

Mr. Stone, from the Committee on Notaries Public, submitted the following report:

Your Committee on Notaries Public to whom was referred House File No. 57, A bill for an act to legalize the official acts of E. Perdw, a notary public of Lee county, beg leave to report that they have considered the same, and they report the accompanying substitute with the recommendation that it be passed.

The same committee have considered House File No. 260, A bill for an act to legalize the notarial acts of Josephus Eastman, a notary public of Poweshiek county, Iowa, and they recommend its passage.

The same committee to whom was referred House File No. 295, A bill for an act relative to notaries public, have considered the same, and beg to report against its passage, for the reason that it is too general in its application, and might, if passed, legalize criminal acts designedly done.

The same committee to whom was referred a resolution instructing them to inquire into the necessity of enacting a law making it a criminal offense for notaries public to transact notarial business without commission, etc., beg leave to report that in their opinion chapter 16 of the Revision of 1860, is sufficient to answer the purpose sought.

The committee ask leave to report the accompanying bill for an act to prevent the commissioning of persons notaries public who are under twenty-one years of age.

The same committee to whom was referred the communication of George C. Van Allen, beg to report the accompanying bill for an act to legalize the official acts of James Craig, a notary public of Henry county, Iowa, to meet the case.

The same committee to whom was referred the petition of citizens of Louisa county asking that certain official acts of Benjamin Furnace, a justice of the peace of Louisa county, be legalized, beg to report that they have considered the same, and they report the accompanying bill for an act to legalize certain judgments rendered by Benjamin Furnace, a justice of the peace in and for Louisa county, Iowa, with the recommendation that it do pass.

STONE, Chairman.

Mr. Wilcox, from the Committee on Ways and Means, submitted the following report:

Your Committee on Ways and Means, to whom was referred Senate File No. 152, have had the same under consideration, and instructed me to report the same back with the recommendation that it do pass.

WILCOX, Chairman.

Your Committee on Ways and Means, to whom was referred



Senate File No. 173, have instructed me to report the same back with the recommendation that it do not pass.

WILCOX, Chairman.

Mr. Ordway from the Committee on the Suppression of Intemperance, submitted the following report:

Your Committee on the Suppression of Intemperance, would respectfully report that they have had under consideration substitute for Senate File No. 136, A bill for an act in relation to the sale of intoxicating liquors in incorporated towns and cities, and have instructed me to report the same back and recommend that it do pass.

ORDWAY, Chairman.

Your Committee on the Suppression of Intemperance, would respectfully report that they have had under consideration Senate File No. 134, A bill for an act to amend section 1568 of the Revision of 1860, relative to the punishment of persons found in a state of intoxication, and have instructed me to report the same back to this House and recommend that it do pass.

ORDWAY, Chairman.

Your Committee on the Suppression of Intemperance, would respectfully report that they have had under consideration House File No. 329, A bill for an act to allow incorporated towns and cities to license the sale of beer and wine, and have instructed me to report the same back, with the recommendation that it be indefinitely postponed, for the reason that the objects sought will be obtained by Senate File No. 136.

ORDWAY, Chairman.

Mr. Brown of Fayette, from the Committee on Military Affairs, submitted a report recommending the passage of the following joint resolution.

WHEREAS, Peter J. Knapp, a private of Company H, Fifth Iowa Volunteer Infantry, was captured by the rebel army at the battle of Mission Ridge, Tennessee, November 25, 1863, and remained a prisoner until nine of his company, captured with him, had died of want and exposure; and,

WHEREAS, The said soldier was recaptured in December, 1864, by General Grierson at Egypt Station, on the Ohio and Mobile Railroad, in company with other Union prisoners who were then regarded as deserters, and treated as such by our military commanders. But it being known that the said Peter J. Knapp never took an oath of allegiance to the so-called rebel government, and that his loyalty and fidelity is, and always was, unquestionable; and

WHEREAS, The said Peter J. Knapp has endured great hardships, and did honor to himself and flag on many a battle-field, both before and since his long captivity; therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That we instruct our Senators and request our Representatives in Congress to secure such legislation as will authorize the honorable

muster out of the said Peter J. Knapp, and the full payment of all back pay and allowances due him as a soldier of the company and regiment above stated, and that the Secretary of State be instructed to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. Brown of Van Buren, the resolution was adopted.

Mr. Knapp from the Committee on Public Lands, submitted the following report :

The Committee on Public Lands, to whom was referred House File No. 328, A bill for an act requiring the land grant railroads to record their titles to lands, have had the same under consideration, and have instructed me to return the same to the House, with the accompanying substitute, with a recommendation that the substitute do pass.

THOMAS B. KNAPP, Chairman.

Mr. Ramsay from the Committee on Geological Survey, submitted the following report :

Your committee having in charge the matters pertaining to the geological survey, to whom was referred House File No. 4, for the purpose of ascertaining by reference to the journal, the amendments proposed thereto on the former consideration thereof by the House, beg leave respectfully to report that the House did on February 10th, amend the said bill by striking out after the word office, in third line of section 1, the words "until removed by the General Assembly," and inserting in lieu thereof the words "for two years;" also by striking out tenth, eleventh, and twelfth lines of section 1. Also, that it was moved to amend by striking out \$6,500 and inserting \$6,000, which motion was lost.

A. A. RAMSAY, J. D. HUNTER, R. A. SMITH, B. W. JOHNSON, JOHN P. IRISH.	}	Committee.
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Mr. Smith of Harrison submitted the following report :

Your committee, to whom was referred Senate File No. 210, A bill for an act fixing the time of holding court in the Fourth Judicial District, beg leave to report the said bill back to this house with the recommendation that the same do pass.

J. H. SMITH, Chairman.

Mr. Fulton from the Committee on Engrossed Bills submitted the following report :

MR. SPEAKER:—Your Committee on Engrossed Bills have examined the following House File and report the same as correctly engrossed :

House File No. 332, A bill for an act requiring township trustees to take control of cemeteries in certain cases.

A. R. FULTON, Chairman.

Leave was granted Mr. Caldwell to offer the following resolutions, which were adopted:

WHEREAS, The General Assembly of the State of Iowa, in twelfth session assembled, has heard with sincere regret that a terrible and crushing calamity has suddenly fallen upon Hon. Charles Dudley, a member of the House of Representatives from Wapello county, in the destruction of his house by fire, and the irreparable loss of three of his children who perished in the flames; therefore,

*Resolved*, That we desire to express to our friend and associate, Hon. Charles Dudley and his mourning family, our heart-felt sympathy and condolence in this terrible and sudden grief which has fallen with crushing weight upon his heart.

*Resolved*, That this resolution be spread upon the journal of the House of Representatives, and a copy of the same be furnished by the clerk to Hon. Charles Dudley.

*Resolved*, That this House do now adjourn until Monday morning.

*Resolved*, That the Speaker appoint a committee of three members of this House, to accompany Mr. Dudley to his home.

The Chair announced Messrs. Caldwell, Grantham, and Hayden.

On motion of Mr. Hatch, the House adjourned until Monday morning at nine o'clock.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 30, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Summerbell.

Journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

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:

Substitute for Senate File No. 4, A bill for an act to provide for the election of township collectors, and to define their powers and duties.

Senate File No. 160, A bill for an act to reorganize boards of supervisors.

JAMES M. WEART, Secretary.

Mr. Cotton, from the Committee on Judiciary, submitted the following report:

The Judiciary Committee, upon petition of members of the Bar of Jackson county, beg leave to report a bill for an act to amend section 3, chapter 27, of the Acts of the Twelfth General Assembly, and recommend its passage.

AYLETT R. COTTON, Chairman.

House File No. 358, A bill for an act to amend section 3, chapter 27, of the Acts of the Twelfth General Assembly, was read first and second time.

On motion of Mr. Wilson of Dubuque, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Burnett, Burrows, Chase, Cotton, Criss, Davis, Donovan, Ellis, Fulton, Garrett, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longneville, McConn, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—65.

The nays were none.

Absent and not voting, Messrs. Bailey, Blackwell, Bander, Bowen, Browne of Lee, Brown of Van Buren, Caldwell, Craig, Cramer, Dashiell, Dudley, Gaylord, Goodspeed, Grantham, Hart, Hartsock, Hayden, Johnson of Cherokee, Kasson, Leffingwell, Mechem, Miller, Murray, Peck, Perry, Rector, Rholf, Smith of Harrison, Stanley, Tucker, Walling, Wheeler, Wilcox, and Williams—34.

So the bill passed, and the title was agreed to.

Leave was granted Mr. McNutt to offer the following resolution, which was adopted:

*Resolved*, That the reports of the Legislative Visiting Committees to the following institutions be spread at large upon the journal of this House, to-wit:

Report of the Committee to visit the Orphans' Home at Davenport.

Report of the Committee to visit the Orphans' Home at Glenwood, and the Deaf and Dumb Asylum at Council Bluffs.

Report of the Committee to visit the Agricultural College and Farm.

Report of the Committee to visit the Penitentiary, the Solferino Farm, and White's Manual Labor School.

Report of the Committee to visit the Orphans' Home at Cedar Falls.

Report of the Committee to visit the Blind Asylum at Vinton.

Report of the Committee to visit the Insane Asylum at Mt. Pleasant.

Report of the Committee to visit the State University, and Deaf and Dumb Asylum at Iowa City.

The Chief Clerk is hereby instructed to see that the foregoing reports are spread upon the journal.

Leave of absence was granted Mr. Murray, for four days.

Leave of absence was granted Mr. Stanley.

Leave of absence was granted Mr. Goodspeed.

Leave of absence was granted Mr. Craig.

Leave of absence was granted Mr. Brown of Van Buren.

Leave of absence was granted Mr. Wheeler.

Leave of absence was granted Mr. Miller.

Leave of absence was granted Mr. Bowen, for one day.

Leave of absence was granted Mr. Bailey, for two days.

Leave of absence was granted Mr. Mechem for one day.

Leave was granted Mr. Irish, to call up House File No. 4, A bill for an act providing for the further prosecution of the geological survey of the State.

Mr. McNutt moved to amend section 1, by inserting after the figures \$6,500, in the fourth line, the words "or so much thereof as may be necessary."

The motion to amend did not prevail.

Mr. McNutt moved to amend the first section by striking out of the eighth line, the words "the aforesaid law," and inserting the in lieu thereof, the words "chapter 73 acts."

The motion to amend prevailed.

Mr. Ramsay moved to amend section 5, by adding "Iowa State Register, and Evening Statesman."

The motion to amend prevailed.

Mr. Rowell 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.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz,

Trusdell, Werner, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—70.

The nays were, Mr. Atkins.—1.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bowen, Brown of Van Buren, Caldwell, Craig, Cramer, Dashiell, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Mechem, Miller, Murray, Peck, Perry, Rector, Rohlf, Smith of Harrison, Stanley, Tucker, Walling, Wheeler, and Wilcox.—28.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Ballinger to take up Senate File No. 2, A bill for an act to establish, and organize a State Reform School for juvenile offenders.

Mr. Rippey from the Committee on Enrolled Bills, submitted report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 182, A bill for an act to legalize certain acts of the board of supervisors of Washington county, Iowa.

Senate File No. 150, A bill for an act to quiet the title of Margaret Enk and others to certain real estate.

Senate File No. 156, A bill for an act to legalize the plat of the town of Sabula, in Jackson county, Iowa, and to legalize all conveyances of lots heretofore made, by the number of lots and blocks, as now specified in said plat.

Senate File No. 132, A bill for an act to legalize the acknowledgment and to record a deed from George J. Meredith and wife to William Halderman.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bill to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor:

House File No. 257, A bill for an act for the relinquishment of an escheat.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills and resolution, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 237, A bill for an act requiring the reporter of the Supreme Court to attend the argument term at Dubuque.

House File No. 135, A bill for an act to fix the compensation of the attorney-general for certain services.

Joint resolution agreeing to ratifying and confirming amendments to the State Constitution.

H. C. RIPPEY, Chairman.

Senate File No. 2 was considered by sections.

Mr. Rees moved to amend section 2 by striking out the word "appointed" wherever it occurs in said section, and inserting in lieu thereof the word "elected."

The motion to amend did not prevail.

Mr. Williams moved to amend the fourth section by inserting the words "by the most direct route," which motion did not prevail.

Mr. Ballinger moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Tenney, Traer, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—68.

The nays were, Messrs. Leach, Orr, Smith of Harrison, and Tillson—4.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bowen, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Garrett, Gaylord, Goodspeed, Grantham, Hart, Hartsock, Hayden, Johnson of Marshall, Mechem, Miller, Murray, Peck, Rohlf, Stanley, Stuart, Tucker, Walling, and Wheeler—27.

So the bill passed, and the title was agreed to.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bill to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor.

House File No. 59, A bill for an act abolishing distinctions between foreigners and citizens as to the acquisition, enjoyment, and transfer of property.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill and memorial, and have directed me to report them as correctly enrolled, and to present them for your signature:



House File No. 139, A bill for an act prescribing the terms and conditions on which the State will relinquish and convey to the Des Moines Valley Railroad Company, certain rights and privileges in respect to the resumption of lands heretofore granted to said company.

A memorial to Congress in relation to the project of connecting by navigable channels, through the Fox and Wisconsin rivers, the waters of the Mississippi river with the waters of Lake Michigan.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Rippey to offer a resolution in relation to the non-publication of the twenty-first volume of the Iowa Supreme Court Reports, which was laid over under the rule.

MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 42, A bill for an act for the registry of electors and to prevent fraudulent voting, was taken up, read first and second time, and referred to the Committee on Elections.

Senate File No. 4, A bill for an act to provide for the election of township collectors, and to define their powers and duties, was taken up and read first and second time.

Mr. Burnett moved that the bill be laid on the table.

Upon this question the yeas and nays were demanded, and were as follows:

The yeas were, Messrs. Adams, Atwood, Babbitt, Burnett, Criss, Fulton, Glasgow, Hunter, Irish, Kasson, Kelley, Kilburn, Knapp, Lambert, McCoun, Miles, Morrison, Orr, Perry, Ramsay, Rippey, Rowell, Tillson, and Traer.—24.

The nays were Messrs. Allen, Atkins, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Burrows, Caldwell, Chae, Dashiell, Davis, Donavan, Ellis, Garrett, Guthrie, Hamilton, Hawthorn, Johnson of Marshall, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Newberry, Ordway, Parker, Phillips, Rector, Rees, Sanborn, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—47.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bowen, Browne of Lee, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Gaylord, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Johnson of Cherokee, Mechem, Miller, Murray, Peck, Rohlf, Smith of Dickinson, Stanley, Tucker, Walling, and Wheeler.—28.

So the motion to lay on the table did not prevail.

On motion of Mr. McKean, the bill was referred to the Committee on County and Township Organization, with instructions to report as soon as convenient.

Senate File No. 160, A bill for an act reorganizing the board of supervisors, was taken up and read first and second time.

Mr. Ordway moved that the bill be referred to the Committee on County and Township Organization.

Mr. Wilson of Dubuque moved that the bill be laid upon the table.

Upon this question the yeas and nays were demanded, and were as follows:

The yeas were Messrs. Allen, Atwood, Babbitt, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Davis, Donovan, Ellis, Gaylord, Guthrie, Hamilton, Hunter, Irish, Kelley, Knapp, Leach, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Newberry, Ordway, Perry, Rector, Sanborn, Smith of Dickinson, Sheldon, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—47.

The nays were Messrs. Adams, Atkins, Ballinger, Bent, Criss, Dashiell, Fulton, Garrett, Glasgow, Hatch, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leffingwell, McCoun, Orr, Parker, Ramsay, Rees, Rippey, Rowell, Smith of Harrison, Stone, and Wilson of Davis—28.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bowen, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Mechem, Miller, Murray, Peck, Phillips, Rohlf, Stanley, Tucker, Walling, and Wheeler—24.

So the motion to lay on the table prevailed.

Mr. Ordway moved to reconsider the vote by which the bill was laid upon the table.

Mr. Wilson of Dubuque moved to lay the motion to reconsider upon the table, which motion prevailed.

Senate File No. 157, A bill for an act to amend chapter 92 of the Eleventh General Assembly, and to provide for the Iowa Soldiers' Orphans Home, was taken up and read a first and second time.

On motion of Mr. Burnett, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Sanborn, Smith of Dickinson, Sheldon,

Stone, Tenney, Tillson, Traer, Trusdell, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—68.

The nays were none.

Absent and not voting, Messrs. Bailey, Bauder, Blackwell, Bowen, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Knapp, Leach, Longueville, Mechem, Miller, Murray, Peck, Rohlf, Rowell, Smith of Harrison, Stanley, Stuart, Tritz, Tucker, Walling, Werner, and Wheeler—31.

So the bill passed, and the title was agreed to.

Senate File No. 176, A bill for an act to empower municipal corporations to contract for the use of railroad bridges as public highways was taken up and read first and second time, and on motion of Mr. Wilson of Dubuque, referred to the Committee on the Judiciary.

Substitute for Senate File No. 196, A bill for an act relating to real estate sold for taxes and unredeemed, and providing that property so sold and unredeemed shall be designated as such on the tax list, was taken up and read first and second time.

On motion of Mr. Hawthorn the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Leach, Leflingwell, Lockwood, Longueville, McKean, McNutt, Miles, Morrison, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Sanborn, Smith of Harrison, Sheldon, Tenney, Tillson, Tritz, Trusdell, Werner, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright—63.

The nays were Messrs. Hunter, Lambert, McCoun, Ordway, Traer—5.

Absent and not voting, Messrs. Allen, Bailey, Bauder, Blackwell, Bowen, Brown of Howard, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Knapp, Mechem, Miller, Murray, Peck, Smith of Dickinson, Stanley, Stone, Stuart, Tucker, Walling, Wheeler, Wilcox and Mr. Speaker—31.

So the bill passed, and the title was agreed to.

Senate File No. 80, A bill for an act to amend section 2, chapter 115 of the laws of the Ninth General Assembly relating to the protection of game, was taken up and read first and second time.

Mr. Hatch moved that the bill be referred to the special committee on Game Law.

Mr. Rees moved to add instructions that the committee amend the title by adding the words "and fish."

The motion to amend prevailed, and the motion to refer as amended prevailed.

Senate File No. 92, A bill for an act to authorize the Register of the State Land Office to deliver patents to parties who purchase land of the Commissioner of the Des Moines River Improvement where the original certificate of purchase have been lost or destroyed, was taken up and read first and second time and referred to the Committee on the Judiciary.

Substitute for House File No. 129, A bill for an act to regulate insurance companies, was taken up.

Upon the concurrence of the Senate amendments, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Browne of Lee, Burnett, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rippey, Rowell, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—64.

The nays were none.

Absent and not voting, Messrs. Bailey, Bauder, Blackwell, Bowen, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Craig, Cramer, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Hunter, Knapp, Longueville, Mechem, Miles, Miller, Murray, Peck, Phillips, Rohlf, Sanborn, Smith of Dickinson, Stanley, Tucker, Walling, Wheeler, Wilcox, Williams, and Mr. Speaker—35.

So the amendments reported by the Senate were concurred in.

Leave was granted Mr. Smith of Harrison to take up Senate File No. 210, A bill for an act fixing the time of holding courts in the Fourth Judicial District, and attaching certain counties to others in said district for judicial purposes, which was read first and second time.

Mr. Johnson of Cherokee moved that the bill be laid on the table and printed, which motion did not prevail.

Mr. Hatch moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were, Mr. Johnson of Cherokee—1.

Absent and not voting, Messrs. Bailey, Bauder, Blackwell, Bolton, Bowen, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Longueville, Mechem, Murray, Miller, Peck, Rohlf, Smith of Dickinson, Stanley, Traer, Tucker, Walling, and Wheeler—27.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Rippey to submit the following report:

The committee composed of the members of the House from the Fifth Judicial District, to whom was referred House File No. 7, A bill to fix the time of holding courts in Greene county, in the Fifth Judicial District, have examined the same, and directed me to recommend that the bill do pass.

H. C. RIPPEY, Chairman.

Mr. Rippey moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—70.

The nays were none.

Absent and not voting, Messrs. Allen, Bailey, Bauder, Blackwell, Bowen, Brown of Van Buren, Burrows, Caldwell, Craig, Cramer, Dudley, Goodspeed, Grantham, Hartsock, Hart, Hayden,

Longneville, Mechem, Miller, Murray, Peck, Rohlf's, Smith of Dickinson, Stanley, Traer, Tucker, Walling, Wheeler, and Mr. Speaker—29.

So the bill passed, and the title was agreed to.

Leave was granted Mr. McKean to take up, Senate File No. 186, A bill for an act providing for the submission of certain proposed amendments to the Constitution of the State of Iowa, to the people thereof, at the next general election therein.

The bill was read first and second time.

Mr. Irish moved to amend the 1st section, by inserting after the word "against," the words "striking the word 'white' from section 1, of article 2, of the Constitution."

Mr. Rowell moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House convened pursuant to adjournment.

The House resumed the consideration of Senate File No. 186.

#### MESSAGE FROM THE SENATE.

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. 143, A bill for an act to repeal chapter 120 of the laws of the Ninth General Assembly, approved April 7, 1862, and to enact instead thereof, a substitute having for its object the better protection of fruit.

Senate File No. 220, A bill for an act to repeal chapter 163 of the laws of the Ninth General Assembly; also, chapter 76 of the laws of the Tenth General Assembly, and to enact a law prescribing the duties of township trustees and road supervisors in certain cases; to provide for the levying and collecting of road taxes, and determining the *per diem* of road supervisors.

Also, that the Senate has concurred in House amendments to Senate File No. 81, A bill for an act to enable municipal and public corporations at their elections to settle, adjust and compound their indebtedness, and to provide for the issue of new bonds, and for the payment of such new bonds by the levy of specific taxes, and for this purpose altering and amending existing charters and laws.

JAMES M. WEART, Secretary.

Mr. Wilson of Tama, moved the previous question.

Mr. McNutt moved a call of the House, which was ordered.



The roll was called, and the following named gentlemen were absent: Messrs. Chase, Criss, Johnson of Cherokee, Trusdell, and Wilcox.

Leave of absence was granted Mr. Criss.

Mr. Cotton moved that Mr. Trusdell be excused.

The motion did not prevail.

Mr. Sheldon moved that Mr. Chase be excused, which motion did not prevail.

Mr. Kasson moved that further proceedings under the call be dispensed with, which motion prevailed.

The previous question being ordered, the question "Shall the main question be now put?" prevailed.

The amendment offered by Mr. Irish, did not prevail.

Upon the question "Shall the bill be ordered to be engrossed and read a third time?" Mr. McKean demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Burnett, Burrows, Cotton, Dashiell, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tillson, Traer, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—56.

The nays were, Messrs. Babbitt, Browne of Lee, Davis, Donovan, Hawthorn, Irish, Lockwood, Rector, Rees, Stuart, Tritz, Werner, Wilson of Dubuque, and Wright.—14.

Absent and not voting, Messrs. Bailey, Bauder, Bent, Blackwell, Bowen, Brown of Van Buren, Caldwell, Chase, Craig, Cramer, Criss, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Johnson of Cherokee, Longueville, Mechem, Miller, Murray, Peck, Rohlf, Stanley, Trusdell, Tucker, Walling, and Wheeler.—29.

So the bill was ordered engrossed and read a third time.

Mr. McKean moved that the rule be suspended and the bill be read a third time now, which motion prevailed.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Burnett, Burrows, Cotton, Dashiell, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tillson, Traer,



Wilcox, Williams, Wilson of Davis, Wilson of Tama and Mr Speaker.—57.

The nays were Messrs. Babbitt, Davis, Donavan, Hawthorn, Lockwood, Longueville, Rector, Stuart, Tritz, Wilson of Dubnque, Wright—13.

Absent and not voting, Messrs. Bailey, Bauder, Bent, Blackwell, Bowen, Brown of Van Buren, Caldwell, Chase, Craig, Cramer, Criss, Dudley, Goodspeed, Grantham, Hart, Hartsock, Hayden, Johnson of Cherokee, Mechem, Miller, Murray, Peck, Rohlf, Stanley, Trusdell, Tucker, Walling Werner, and Wheeler—29.

So the bill passed, and the title was agreed to.

Mr. Rowell moved that the regular order of business be suspended and House File Nos. 348 and 349 be taken up.

The motion prevailed and House File No. 348, A bill for an act to provide for the payment of salaries of officers and wages of employes of the penitentiary, and for the general support of the convicts, was taken up and considered.

Mr. Wilson of Davis, moved to amend the first section by striking out the word "fifty" in the seventh line and inserting the word "sixty-five" in lieu thereof, which motion did not prevail.

Mr. Kasson moved to amend the sixth section by striking out the word "warden" in the first line, and insert in lieu thereof the words "State Auditor," which motion prevailed.

Mr. Kasson moved to amend the sixth section by striking out the words "district attorney" for the first district and insert in lieu thereof the words "attorney-general," which motion prevailed.

Mr. Atwood moved to amend the first section by striking out of the fourth line thereof, the words "and twenty-five," which motion did not prevail.

On motion of Mr. Browne of Lee, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Brown of Lee, Burnett, Burrows, Cotton, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Guthrie, Hamilton, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Smith of Harrison, Sheldon, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wilcox, Williams, Wilson of Davis, Wilson of Dubnque, Wilson of Tama, Wright, and Mr. Speaker.—69.

The nays were none.

Absent and not voting, Messrs. Bailey, Bauder, Bent, Blackwell,

Bowen, Brown of Van Buren, Chase, Craig, Cramer, Criss, Dudley, Goodspeed, Grantham, Hamilton, Hart, Hartssock, Hatch, Hayden, Caldwell, Mechem, Miller, Murray, Peck, Rohlf, Smith of Dickinson, Stanley, Stone, Tucker, Walling and Wheeler.

—30.

The bill passed, and the title was agreed to.

Mr. Wilcox moved that Aaron Thacher be appointed janitor in place of the present janitor, on account of sickness.

Mr. Rector offered the following resolution as a substitute:

WHEREAS, James Crystal is by reason of sickness, unable to attend to the duties of his office—

*Resolved*, That William H. Shannon be appointed to act as janitor of this House during the inability of the said James Crystal.

Mr. McNutt moved to amend the amendment as follows:

*Resolved*, That the Speaker appoint a janitor *pro tem*.

The amendment to the amendment prevailed.

Mr. Bolton moved that House File No. 322, be made the special order for to-morrow at 10 o'clock, which motion prevailed.

Leave was granted Messrs. Trusdell, and Johnson of Cherokee to record their votes on Senate File No. 186.

House File No. 349, A bill for the improvement of the penitentiary, was taken up and considered by sections.

Mr. Kilburn moved to amend by striking out the second section, which motion prevailed.

Mr. Burnett moved to amend section 6, by striking out the words "twenty-five," in the first line, and insert in lieu thereof the word "twenty." Also to strike out the figures \$25,000, in the seventh line, and insert in lieu thereof the figures "\$20,000."

Mr. McKean moved to amend the amendment, so as to leave the sum \$5,000, which motion prevailed.

The amendment as amended prevailed.

Mr. Wilson of Dubuque, moved to amend the 6th section, by adding as follows:

So much of the contingent-fund hereby appropriated by this bill, shall be expended in furnishing to each convict light at night, so that he may be enabled to read and write; *provided*, that nothing in this section shall be so construed as to prevent the Warden from temporarily withholding such light as a punishment for violating the rules of the prison, but such withholding shall never be extended beyond two days for any one offense.

Mr. Adams moved to amend the amendment by substituting the following:

The Warden is hereby required to sufficiently light the cell-room by lamps or otherwise, until nine o'clock p. m. of each day, so that each convict may be able to read when otherwise not employed.

The amendment to the amendment did not prevail.

Mr. Davis moved to amend the bill, by substituting for sections 1, 4 and 5, the following:

There is hereby appropriated out of the State treasury, the sum of \$50,000, to be expended, or so much as may be necessary, under the direction of the census board, in such improvements to the State Penitentiary as they may think proper after a personal inspection; said improvements to be contracted by them, and the money paid by them in drafts upon the State Auditor as may from time to time be required.

Strike out the first line of section 6.

The motion to amend did not prevail.

Mr. Browne of Lee, moved to amend the 1st section of the bill, by striking out of the second line the word "fifteen," and inserting in lieu thereof the word "twenty."

Leave of absence was granted Mr. Irish, until Friday next.

Mr. Brown of Fayette, moved to amend the amendment, by striking out all of the second line after the words "sum of," and all of the third, fourth and fifth lines; also, the words "further appropriated the," in the sixth line, which motion did not prevail.

Mr. Browne of Lee, withdrew his amendment.

Mr. Hatch moved to reconsider the vote by which the amendment to the amendment to section 6, making the contingent-fund \$5,000, was adopted.

The motion to reconsider prevailed.

Mr. Wilson of Dubuque, moved to amend the amendment, by striking out the word "twenty-five," and inserting in lieu thereof the word "eighteen."

In accordance with the resolution adopted by the House this day, the Speaker appointed Aaron H. Thacher as janitor *pro tempore*, to fill the unexpired term of James Crystal, who was relieved on account of illness.

Mr. Tillson moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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SEVEN THIRTY O'LOOK P. M.

House convened pursuant to adjournment.

BILLS ON SECOND READING.

House File No. 313, A bill for an act legalizing the action of the board of supervisors of Taylor county, Iowa, was taken up and considered.

On motion of Mr. McCoun the blank in the 1st section of the bill, was filled with the words "three years."

On motion of Mr. Lambert the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hatch, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stuart, Tenney, Tillson, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—70.

The nays were, Messrs. Hawthorn, Kilburn, Phillips, and Traer—4.

Absent and not voting, Messrs. Adams, Babbitt, Bailey, Bander, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Guthrie, Hartsock, Hayden, Irish, Miles, Murray, Peck, Rippey, Smith of Dickinson, Stanley, Stone, Tucker, Walling, and Wilcox—25.

So the bill passed, and the title was agreed to.

House File No. 268, A bill for an act to authorize the correction of errors in the plat of the village of Webster City, Hamilton county, Iowa, was taken up and considered.

On motion of Mr. Hunter the rule was suspended and the bill read a third time.

Upon the question, "Shall the bill pass," the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelly, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—78.

The nays were none.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed,

Guthrie, Hartsock, Hayden, Irish, Lambert, Murray, Peck, Perry, Stanley, Tucker, Walling and Wilcox—21.

So the bill passed, and the title was agreed to.

House File No. 323, A bill for an act to legalize the acts of the Northwestern Mining Company, was taken up and considered.

On motion of Mr. Stuart, the rule was suspended, and the bill read the third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—78.

The nays were none.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Hartsock, Hatch, Hayden, Irish, Lambert, McNutt, Murray, Peck, Stanley, Tucker, Walling, and Wilcox—21.

So the bill passed, and the title was agreed to.

House File No. 204, A bill for an act to legalize the acts of the council of the city of Clinton in levying and collecting tax for engine-house, was taken up and considered.

Mr. Trusdell moved to amend section 1 by adding the following: "and all other acts of the council of the city of Clinton within the scope of the powers conferred by law upon cities of the second class as fully as if the same had been done with all due form of law: *Provided*, That this act shall not impair any rights acquired or any actions pending."

The motion prevailed.

On motion of Mr. Trusdell, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp,

Lambert, Leach, Leffingwell, Lockwood, Longneville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—80.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bailey, Bauder, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Hartsock, Hayden, Irish, Murray, Peck, Stanley, Tucker, Walling, and Wilcox—19.

So the bill passed, and the title was agreed to.

House File No. 355, A bill for an act to legalize certain judgments rendered by Benjamin Furnace, a justice of the peace in Louisa county, Iowa, was taken up and considered.

On motion of Mr. Ellis, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bauder, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longneville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—79.

The nays were, Mr. Smith of Harrison—1.

Absent and not voting, Messrs. Bailey, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Davis, Dudley, Goodspeed, Hartsock, Hayden, Irish, Johnson of Cherokee, Murray, Peck, Stanley, Tucker, Walling, and Wilcox—19.

So the bill passed, and the title was agreed to.

Senate File No. 91, A bill for an act to legalize the official acts of Henry Temple, a notary public, was taken up and considered.

On motion of Mr. Rees the rule was suspended, and the bill read a third time.

Upon the question shall the bill pass the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell,



Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hatch, Hawthorn, Hunter, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Fritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—75.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bailey, Bander, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Davis, Dudley, Goodspeed, Hart, Hartsock, Hayden, Irish, Johnson of Cherokee, Johnson of Marshall, Murray, Peck, Stanley, Traer, Tucker, Walling, Wilcox—24.

So the bill passed, and the title was agreed to.

House File No. 194, A bill for an act to legalize the acts of William Van Asch and Koenraad D. Yong, attorneys of Johanna J. Zeelt, was taken up and considered.

Mr. Kasson moved to amend the first section by striking out the words "good and sufficient" and inserting the words "*prima facie*."

On motion of Mr. Bowen, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Donavan, Dudley, Ellis, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Fritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—76.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bailey, Bander, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Davis, Fulton, Goodspeed, Hartsock, Hayden, Irish, Johnson of Cherokee, Longueville, Miles, Murray, Peck, Stanley, Tucker, Walling, and Wilcox—23.

So the bill passed, and the title was agreed.

House File No. 20, A bill for an act to legalize the acts of James Foster, a justice of the peace, was taken up and considered.



The amendment recommended by the committee was adopted.

On motion of Mr. Rippey, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Cries, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—79.

The nays were none.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Dudley, Goodspeed, Hartssock, Hayden, Irish, Johnson of Cherokee, McNutt, Murray, Peck, Stanley, Tucker, Walling, and Wilcox.—20.

So the bill passed, and the title was agreed to.

Senate memorial and joint resolution asking Congress to declare the Iowa river unnavigable from the city of Wapello, in Louisa county, north, was taken up and considered.

Mr. Wilson of Dubuque moved to refer the memorial and joint resolution to the Committee on Judiciary, which motion did not prevail.

Upon the adoption of the joint resolution, Mr. Wilson of Dubuque demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Burnett, Burrows, Chase, Cotton, Cries, Dashiell, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—70.

The nays were, Messrs. Browne of Lee, Donavan, Lockwood, Longueville, Miller, Tritz, Werner, Wilson of Dubuque, and Wright.—9.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Brown of Van Buren, Craig, Cramer, Davis, Dudley, Goodspeed,

Hartsock, Hayden, Irish, Johnson of Cherokee, Murray, Peck, Stanley, Tucker, Walling and Wilcox.—20.

So the resolution was adopted.

Mr. Mechem moved that the House do now adjourn, which motion did not prevail.

House File No. 95, A bill for an act to legalize the election held by the voters in Burlington township, Des Moines county, Iowa, to form an independent school district, and the official acts of the officers of said district, was taken up and considered.

On motion of Mr. Allen the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Ballinger, Bent, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilson of Davis, Wilson of Tama, and Wright—71.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Bailey, Bauder, Blackwell, Brown of Van Buren, Caldwell, Craig, Cramer, Davis, Dudley, Goodspeed, Hartsock, Hayden, Irish, Johnson of Cherokee, Leach, Murray, Peck, Phillips, Stanley, Stuart, Tucker, Walling, Wilcox, Williams, Wilson of Dubuque and Mr. Speaker—28.

So the bill passed, and the title was agreed to.

Mr. Rowell moved that the House do now adjourn, which motion did not prevail.

House File No. 353, A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, was taken up and considered.

On motion of Mr. Glasgow the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Ballinger, Bent, Bowen, Brown of Fayette, Browne of Lee, Burnett, Burrows, Chase, Cotton, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leffingwell, Longueville, McCoun, McKean, McNutt, Morrison, Newberry,

Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilson of Davis, Wilson of Tama, and Wright—63.

The nays were none.

Absent and not voting, Messrs. Atkins, Babbitt, Bailey, Bander, Blackwell, Bolton, Brown of Howard, Brown of Van Buren, Caldwell, Craig, Cramer, Criss, Davis, Dudley, Goodspeed, Hartsock, Hatch, Hayden, Irish, Johnson of Cherokee, Kelley, Leach, Lockwood, Mechem, Miles, Miller, Murray, Peck, Phillips, Stanley, Tucker, Walling, Wilcox, Williams, Wilson of Dubuque, and Mr. Speaker.—36.

So the bill passed, and the title was agreed to.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor:

House File No. 135, A bill for an act to fix the compensation of the attorney-general for certain services.

House File No. 237, A bill for an act requiring the reporter of the Supreme Court to attend the argument term at Dubuque.

Joint resolution agreeing to, ratifying and confirming amendments to the State Constitution.

H. C. RIPPEY, Chairman.

Mr. Bent moved that the House do now adjourn, which motion did not prevail.

House File No. 51, A bill for an act to include the territory known as the Kinkade Addition to the town of Corydon, Wayne county, Iowa, was taken up and considered.

On motion of Mr. Glasgow, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Donavan, Ellie, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kilburn, Lambert, Longueville, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilson of Davis, Wilson of Tama, and Wright.—61.

The nays were, Messrs. Dashiell, Guthrie, and Rowell.—3.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bolton, Brown of Van Buren, Caldwell, Craig, Cramer, Criss, Davis, Dudley, Goodspeed, Hartsock, Hatch, Hayden, Irish, Johnson of Cherokee, Kelley, Knapp, Leach, Leffingwell, Lockwood, Mechem, Miller, Murray, Peck, Phillips, Rees, Stanley, Tucker, Walling, Wilcox, Williams, Wilson of Dubuque, and Mr. Speaker.—35.

So the bill passed, and the title was agreed to.

Mr. Rector moved that the House do now adjourn, which motion did not prevail.

Senate File No. 178, A bill for an act to legalize the acts of the city council and officers of the city of Cedar Falls, was taken up and considered.

On motion of Mr. Ordway, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kilburn, Lambert, Lockwood, McCoun, McKean, McNutt, Miles, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rohlts, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilson of Davis, Wilson of Tama, and Wright—61.

The nays were, Mr. Rowell—1.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bolton, Brown of Van Buren, Caldwell, Craig, Cramer, Criss, Davis, Dudley, Goodspeed, Hartsock, Hatch, Hayden, Irish, Johnson of Cherokee, Kelley, Knapp, Leach, Leffingwell, Longueville, Mechem, Miller, Morrison, Murray, Peck, Phillips, Rees, Rippey, Stanley, Tucker, Walling, Wilcox, Williams, Wilson of Dubuque, and Mr. Speaker—37.

So the bill passed, and the title was agreed to.

Mr. Kilburn moved that the House do now adjourn.

The motion did not prevail.

House File No. 153, A bill for an act to organize fire companies in incorporated towns and villages and to regulate the same, and to legalize acts of such companies heretofore organized, was taken up and considered.

Mr. Lambert moved that the House do now adjourn.

The motion did not prevail.

Mr. Rippey moved to amend the bill by striking out the publication clause.

The motion did not prevail.

Mr. Rees moved to amend the bill by striking out the enacting clause.

The motion did not prevail.

On motion of Mr. Ordway, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Chase, Cotton, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kilburn, Lambert, Longueville, McCoun, McKean, McNutt, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Reece, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Stone, Tenney, Traer, Tritz, Wheeler, Wilson of Davis, Wilson of Tama, and Wright—57.

The nays were Messrs. Rowell, Sheldon, Tillson, and Werner—4.

Absent and not voting, Messrs. Babbitt, Bailey, Bauder, Blackwell, Bolton, Brown of Van Buren, Caldwell, Craig, Cramer, Criss, Davie, Dudley, Goodspeed, Guthrie, Hartsock, Hatch, Hayden, Irish, Johnson of Cherokee, Kelley, Knapp, Leach, Leffingwell, Lockwood, Mechem, Miller, Murray, Peck, Phillips, Stanley, Stuart, Trusdell, Tucker, Walling, Wilcox, Williams, Wilson of Dubuque, and Mr. Speaker—38.

So the bill passed, and the title was agreed to.

Mr. Rector moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 31, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Hobbs.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 and memorial, in which the concurrence of the House is asked:

Senate File No. 127, A bill for an act relating to towns incorporated under the provisions of chapter 42 of the Code of 1851.

Substitute for Senate File No. 84, A bill for an act to repeal section 898 of the Revision of 1860, and to provide a substitute therefor in relation to returning non-resident road tax.

Senate File No. 107, A bill for an act giving the consent of the legislature of the State of Iowa to the purchase by the United States of certain real estate.

Senate File No. 163, A bill for an act to amend section 721 of the Revision of 1860, in relation to assessment of credits for taxation.

Senate File No. 153, A bill for an act to amend chapter 59 of the laws of the Tenth General Assembly, in relation to the report of the State University to the General Assembly.

Senate File No. 145, A bill for an act to amend chapter 169 of the acts of the Ninth General Assembly, in relation to the duties of railroad companies.

Senate File No. 147, A bill for an act for the protection of game.

Substitute for Senate File No. 72, A bill for an act in relation to balances due from county treasurers whose terms of office have expired.

Memorial to Congress in relation to the project of connecting by navigable channels through the Wisconsin, Fox and Rock rivers, the waters of the Mississippi river with the waters of Lake Michigan.

I am also directed to return herewith the following House bills, which have passed the Senate without amendment.

House File No. 230, A bill for an act relating to the qualifications of notaries public.

House File No. 117, A bill for an act making appropriations for two Lawson Wood furnaces, pipes and register, furnished and put in the adjutant general's office and state arsenal by Fuller, Warren & Co.

House File No. 358, A bill for an act to amend section 3 of chapter 27 of the acts of the Twelfth General Assembly of Iowa.

JAMES M. WEART, Secretary.

Leave was granted the following named gentlemen, who were absent yesterday, to record their votes on Senate File No. 186, A bill for an act providing for the submission of certain proposed amendments to the Constitution of the State of Iowa, to the voters thereof at the next general election.

Messrs. Stanley, Caldwell, Grantham, Craig, Hart, Brown of Van Buren, Mechem, and Wheeler voted yea.

Mr. Miller voted nay.

Leave was granted the following named gentlemen, who were absent yesterday, to record their votes, yea, upon Senate File No. 2, A bill for an act to establish and organize a State Reform School: Messrs. Grantham, Hart, Caldwell, Stanley, Brown of Van Buren, Mechem, and Gaylord.



Mr. Cotton, from the Committee on Judiciary, submitted the following report:

The Judiciary Committee beg leave to report a bill for an act supplemental to an act entitled, an act for establishing Circuit and General Term Courts, and to define the power and jurisdiction thereof, and recommend its passage.

COTTON, Chairman.

The Judiciary Committee beg leave to report a bill entitled, A bill for an act to amend the act passed by the Twelfth General Assembly, entitled, an act establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof, and recommend its passage.

COTTON, Chairman.

The Judiciary Committee have considered substitute for Senate File 19, A bill for an act to amend section 1193 of the Revision of 1860, in relation to the incorporating of benevolent, charitable, scientific, and missionary societies, and recommend that it do pass.

COTTON, Chairman.

The Judiciary Committee having had under consideration House File No. 133, A bill for an act to amend chapter 1581, section 3875 of Revision of 1860, recommend that the bill do not pass.

COTTON, Chairman.

House File No. 360, A bill for an act to amend the act passed by the Twelfth General Assembly of the State of Iowa, entitled "an act establishing Circuit and General Term Courts and to define the powers and jurisdiction thereof," was read first and second time.

On motion of Mr. Adams the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Johnson of Cherokee, Johnson of Marshall, Leach, Leffingwell, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Sanborn, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama and Mr. Speaker—57.

The nays were, Messrs. Babbitt, Browne of Lee, Davis, Donovan, Hawthorn, Hunter, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longueville, McCoun, McKean, Miller, Rees, Rippey, Rohlf, Rowell, Smith of Harrison, Stuart, Tritz, Werner, Wilson of Dubuque and Wright—25.

Absent and not voting Messrs. Bailey, Bauder, Bent, Blackwell,



Cramer, Dudley, Goodspeed, Hartsock, Hayden, Irish, Kasson, Murray, Peck, Rector, Smith of Dickinson, Tucker and Walling—17.

So the bill passed, and the title was agreed to.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills, have examined the following House File, and report the same as correctly engrossed:

House File No. 151, A bill for an act to provide for the fencing of the right of way of railroads in this State.

A. R. FULTON, Chairman.

House File No. 361, A bill for an act supplemental to an act, entitled an act for establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof, was read a first and second time.

On motion of Mr. Browne of Lee, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hatch, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were, Mr. Werner—1.

Absent and not voting, Messrs. Adams, Bailey, Bander, Bent, Blackwell, Cramer, Dudley, Goodspeed, Hamilton, Hartsock, Hayden, Hunter, Irish, Leffingwell, Murray, Ordway, Peck, Rector, Rowell, Smith of Dickinson, Tucker, Walling, and Wheeler—23.

So the bill passed, and the title was agreed to.

Mr. Brown of Van Buren, from the Committee on Roads and Highways, submitted the following report:

Your Committee on Roads and Highways beg leave to report a bill to amend section 901 of the Revision of 1860 in relation to taking timber for repairing roads, and they recommend that it do pass.

BROWN of Van Buren, Chairman.

Mr. Orr, from the Committee on Claims, submitted the following report:

The Committee on Claims to whom was referred the petition of Alyah Yarrington asking an allowance for services in apprehending deserters, have had the same under consideration, and instructed the chairman to report the same back to the House with the recommendation that it be not allowed.

J. ORR, for Committee.

Mr. Wilson of Davis offered the following resolution which was referred to the Committee on Constitutional Amendments:

WHEREAS, We hold these truths to be self evident, that all men are created equal, and endowed by their Creator with certain inalienable rights, that to secure these rights governments are instituted deriving their just powers from the consent of the governed; and,

WHEREAS, We believe "men," in the memorable document from which we quote, refers to the whole human race, regardless of nationality, or sex; and

WHEREAS, We recognize the fact, that as a general principle, taxation and representation should be co-extensive; and

WHEREAS, It is a fact that women are compelled to give allegiance, and pay taxes, to a government, in the enactment of whose laws, they have been, and still are, denied a voice. Therefore,

*Be it Resolved as the sense of this House,* That steps should be taken looking towards a change in the constitution of this State so as to allow women the right of franchise, for the proper use of which, her quick perception, strong intellect, and above all, her high sense of right and justice, have proven her so well qualified.

*Resolved further,* That the committee to whom this resolution must be referred in accordance with a previous order of this House, be instructed to report upon the same at an early day.

The following resolution, laid over under the rule, was taken up, and on motion of Mr. McNutt, was adopted.

*Resolved,* That the Secretary of State be requested to inquire of the late Supreme Court Reporter, Hon. Thomas F. Withrow, why the twenty-first volume of the Supreme Court Reports has not been published, and the usual number of copies furnished the State; also, why its publication has been delayed until after the publication of the twenty-second volume of Iowa Reports, and to report the reasons for non-publication to this House.

*Resolved,* That the Secretary of State be requested to inform this House if stationery required by law has been furnished to the late reporter to publish said twenty-first volume, and if he has been paid for the usual number of copies required to be furnished by law.

Mr. Williams offered the following resolution, which was adopted.

*Resolved*, That a special committee be appointed, consisting of the chairman of each standing committee which has bills on the files reported upon favorably, with a view to select from the whole number a few such bills as shall be agreed upon by said committee as being of the greatest general importance, and report them to the House as worthy of being first disposed of.

The Chair announced that the hour had arrived for the consideration of the special order, House File No. 322, A bill for an act to secure to Iowa soldiers and others, a history of Iowa troops in the war of the late rebellion.

On motion of Mr. Browne of Lee, the special order was deferred and House File No. 349, A bill for an act for the improvement of the penitentiary, was taken up.

The amendment to the amendment making the contingent fund (in section 6) \$18,000, did not prevail.

Mr. Browne of Lee moved to amend the amendment by striking out "\$5,000" and inserting in lieu thereof "\$15,000."

Upon the adoption of the amendment to the amendment, the yeas and nays were demanded and were as follows:

The yeas were Messrs. Allen, Babbitt, Ballinger, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Ellis, Fulton, Gaylord, Glasgow, Grantham, Hatch, Hawthorn, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McNutt, Miller, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Rector, Rippey, Rohlf, Rowell, Sanborn, Stanley, Stone, Stuart, Tenney, Traer, Truedell, Wilcox, Williams, Wilson of Davis, Wilson of Tama, and Wright—53.

The nays were Messrs. Atkins, Atwood, Bolton, Brown of Fayette, Chase, Davis, Donovan, Garrett, Guthrie, Hamilton, Hart, Lambert, McCoun, McKean, Mechem, Orr, Ramsay, Smith of Harrison, Sheldon, Tillson, Tritz, Wheeler, and Mr. Speaker—23.

Absent and not voting, Messrs. Adams, Bailey, Bauder, Bent, Blackwell, Cramer, Dudley, Goodspeed, Hartssock, Hayden, Hunter, Irish, Johnson of Cherokee, Longueville, Miles, Murray, Peck, Rees, Smith of Dickinson, Tucker, Walling, Werner, and Wilson of Dubuque—23.

So the amendment to the amendment was adopted.

Mr. Truedell moved to amend section 4 of the bill by inserting after the word "warden" in the first line of said section, the following: "by and with the advice of the census board, or a majority of them, after a personal inspection of the premises by them, for which extra service the said census board shall receive only the same mileage for each member who shall attend, as is now allowed members of the General Assembly."

The amendment was adopted.

Mr. Traer moved to amend the bill by striking out section 5, and inserting in lieu thereof as follows:

SEC. 5. The several sums shall only be drawn upon the order of the warden, accompanied by an estimate of work done or material furnished, and said order shall be approved by the Governor: *Provided*, That a sum not exceeding three thousand dollars may be drawn by the warden in advance of such estimates for the purchase of materials when the best interests of the State seem to require it: *And further provided*, That should there be a surplus left over, the cost of any one of the items above specified may be used for the compensation of any one of the other items named.

The motion to amend prevailed.

Mr. Parker moved to amend section 1 of the bill by striking from the fifth line thereof the words "one of which shall be dark."

Mr. Kilburn moved the previous question, which was not seconded.

Mr. Lambert moved a call of the House, which was ordered.

Mr. Kilburn moved that further proceedings under the call be dispensed with, which motion prevailed.

Mr. Ordway moved the previous question which was seconded, and the main question was ordered.

The question recurred upon the amendment offered by Mr. Parker to strike from the fifth line of section 1, the words "one of which shall be dark."

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

The yeas were Messrs. Adams, Allen, Atwood, Ballinger, Bowen, Brown of Fayette, Burrows, Garrett, Grantham, Hamilton, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Leach, Lockwood, McCann, Parker, Perry, Phillips, Ramsay, Sanborn, Sheldon, Traer, Trusdell, Wilson of Davis, Wilson of Tama—27.

The nays were Messrs. Atkins, Babbitt, Bolton, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnet, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Ellis, Fulton, Glasgow, Guthrie, Hart, Hatch, Hunter, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miller, Morrison, Newberry, Orr, Ordway, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Harrison, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Wheeler, Williams, Wright and Mr. Speaker—50.

Absent and not voting, Messrs. Bailey, Bauder, Bent, Blackwell, Cramer, Donavan, Dudley, Gaylord, Goodspeed, Hartsock, Hayden, Irish, Longueville, Miles, Murray, Peck, Smith of Dickinson, Tucker, Walling, Werner, Wilcox and Wilson of Dubuque—22.

So the amendment did not prevail.

The bill was ordered to be engrossed, and read the third time.

On motion of Mr. Browne of Lee, the rule was suspended, and the bill was read the third time.

Upon the question. "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Babbitt, Ballinger, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Ellis, Fulton, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McNutt, Meckem, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Rees, Rippey, Rohlf, Rowell, Sanborn, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Williams, Wilson of Davis, Wright, and Mr. Speaker—63.

The nays were, Messrs. Brown of Fayette, Davis, Garrett, Lambert, McCoun, McKean, Ramsay, Rector, Smith of Harrison, Sheldon, Tillson, Wheeler, and Wilson of Tama—13.

Absent and not voting, Messrs. Atkins, Bailey, Bauder, Bent, Blackwell, Cramer, Donavan, Dudley, Gaylord, Goodspeed, Hartsock, Hayden, Irish, Longueville, Miles, Miller, Murray, Peck, Smith of Dickinson, Tucker, Walling, Werner, Wilcox, and Wilson of Dubuque—23.

So the bill passed, and the title was agreed to.

On motion of Mr. Burnett, the special order, House File No. 322, A bill for an act to secure to Iowa soldiers, and others, a history of Iowa troops, in the war of the late rebellion, was taken up and considered.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 39, A bill for an act to provide for the incorporation of towns or cities.

House File No. 230, A bill for an act relating to the qualification of notaries public.

Senate File No. 170, A bill for an act making a grant of land to the McGregor and Sioux City Railway Company, or in case of their failure to accept the same, to the Forty-third Parallel Company, and to execute the trust conferred by act of Congress, entitled "an act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad, in said State, approved May 12th, 1864."

Senate File No. 2, A bill for an act to establish and organize a State Reform School, for juvenile offenders.

H. C. RIPPEY, Chairman.

Mr. Ellis moved to lay the bill upon the table.

Upon this question, the yeas and nays were demanded and were as follows:

The yeas were, Messrs. Atkins, Atwood, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Caldwell, Chase, Criss, Dashiell, Davis, Ellis, Glasgow, Hamilton,

Hart, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Lockwood, Mechem, Newberry, Phillips, Rees, Rippey, Rohlf, Stanley, Stuart, Tenney, Tillson, Wheeler and Mr. Speaker—34.

The nays were, Messrs. Adams, Babbitt, Bolton, Browne of Lee, Burnett, Burrows, Cotton, Craig, Fulton, Garrett, Grantham, Guthrie, Hawthorn, Hunter, Johnson of Cherokee, Kelley, Leach, McCoun, McKean, McNutt, Miller, Morrison, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rowell, Sanborn, Sheldon, Stone, Traer, Tritz, Trusdell, Williams, Wilson of Davis, Wilson of Tama and Wright.—89.

Absent and not voting, Messrs. Allen, Bailey, Bander, Bent, Blackwell, Cramer, Donovan, Dudley, Gaylord, Goodspeed, Hartsock, Hatch, Hayden, Irish, Leffingwell, Longueville, Miles, Murray, Peck, Smith of Dickinson, Smith of Harrison, Tucker, Walling, Werner, Wilcox, and Wilson of Dubuque.—26.

So the motion to lay on the table did not prevail.

Mr. Wilson of Davis, moved to refer the bill to the Committee on Military Affairs.

Mr. Johnson of Cherokee, moved that the House do now adjourn, which motion did not prevail.

Mr. Tillson moved to amend the motion to refer by striking out "Military Affairs," and substituting "Ways and Means."

Mr. McCoun moved that the House do now adjourn.

The motion prevailed and the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

House resumed the consideration of the special order.

A message was received from the Governor in relation to the acceptance of the act, of the present General Assembly, entitled an act providing for, and requiring the early construction of the Chicago, Rock Island and Pacific Railroad, by the Chicago, Rock Island and Pacific Railroad Company.

The motion to amend, did not prevail.

Mr. Parker moved to refer the bill to a select committee of all the military men of the House, Brown of Fayette, chairman, with instructions to report Friday morning.

Mr. Kilburn moved to amend the instruction by adding "and to inquire into the cost of carrying out the provisions of this act."

The motion to amend the instruction prevailed.

The motion to refer to special committee prevailed.

Mr. Grantham offered the following resolution:

*Resolved by the General Assembly of the State of Iowa, That*



there are hereby appointed, as trustees of the Iowa Reform School, the following persons, viz :

Isaac T. Gibson, of the First Congressional District.

J. A. Parvin, of the Second Congressional District.

W. G. Stewart, of the Third Congressional District.

J. D. Ladd, of the Fourth Congressional District.

J. W. Cattell, of the Fifth Congressional District.

Wm. Battin, of the Sixth Congressional District.

The resolution was referred to the Committee on Reform School.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File No. 215, A bill for an act to permanently locate and to provide for the erection of an additional Institution for the Insane.

GEO. P. ABEL, Assistant Secretary.

On motion of Mr. McCoun, the regular order of business was suspended and House File No. 22, A bill for an act to regulate the toll of grist mills, and prescribing certain duties of millers, was taken up and considered.

Mr. Wheeler moved to amend by striking out "one-seventh" and inserting "one-sixth"; also, by striking out "one-fifth" and inserting "one-fourth," which motion did not prevail.

Mr. Adams moved that the whole matter be laid upon the table, which motion did not prevail.

Mr. Rowell moved the previous question, which was not seconded.

Mr. Leach moved to amend as follows: "Persons taking grain to any mill in this State, and offering the same for sale, be allowed to receive a sum to exceed \$1.25 per bushel for wheat, 50 cents for corn, and 75 cents for barley, buckwheat and rye."

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File No. 162, A bill for an act making appropriation for the Iowa State Agricultural College and Farm.

GEO. P. ABEL, Assistant Secretary.

Mr. Grantham moved to amend by inserting an additional section, as follows :

SECTION 4. And that all persons in this State keeping hotels or boarding-houses for pay, shall charge no more than \$5.00 per



week, and persons violating this section shall be subject to all the pains and penalties herein provided.

The motion to amend did not prevail.

Mr. Stuart moved to amend by adding a section, as follows :

*Be it further enacted*, That lawyers shall receive not more than two dollars per day for each day or fraction of a day professionally employed — six hours to be considered as a days work.

*Resolved*, That this legislature regulate the compensation of lawyers and doctors and merchants, as well as millers.

Mr. Traer moved the previous question, which was ordered.

The main question was ordered.

The motion to amend did not prevail.

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

On motion of Mr. Tenney, the rule was suspended and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Atwood, Ballinger, Bowen, Browne of Lee, Burnett, Burrows, Caldwell, Craig, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Glasgow, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Kasson, Kelley, Kilburn, Lambert, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Newberry, Orr, Parker, Perry, Ramsay, Rees, Rohlfis, Rowell, Smith of Harrison, Sheldon, Stone, Tenney, Traer, and Trusdell.—48.

The nays were, Messrs. Adams, Allen, Bent, Brown of Fayette, Brown of Van Buren, Chase, Cotton, Criss, Grantham, Johnson of Cherokee, Johnson of Marshall, Leach, Leffingwell, Morrison, Ordway, Rector, Sanborn, Stanley, Stuart, Tillson, Tritz, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—29.

Absent and not voting, Messrs. Babbitt, Bailey, Bauder, Blackwell, Bolton, Brown of Howard, Cramer, Dudley, Gaylord, Goodspeed, Hartsock, Hayden, Irish, Knapp, Murray, Peck, Phillips, Rippey, Smith of Dickinson, Tucker, Walling, and Wilcox.—22.

So the bill, not having received a constitutional majority, failed to pass the House.

Mr. Babbitt moved that the regular order of business be suspended, and Senate File No. 13, A bill for an act providing for the erection of buildings for the deaf and dumb, be taken up and made the special order for to-morrow, at ten o'clock A. M., which motion did not prevail.

Senate File No. 127, A bill for an act relating to towns incorporated under the provisions of chapter 42, of the Code of 1851, was taken up and read a first and second time.

On motion of Mr. Williams the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Ballinger, Bander, Bent, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rohlf's, Sheldon, Stanley, Traer, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wright, and Mr. Speaker—64.

The nays were Messrs. Babbitt, Lambert, Leach, Rippey, Sanborn, Smith of Harrison, Tillson, and Werner—8.

Absent and not voting, Messrs. Bailey, Blackwell, Bolton, Brown of Howard, Cramer, Dudley, Gaylord, Goodspeed, Hartsock, Hayden, Irish, Johnson of Cherokee, Knapp, McNutt, Murray, Peck, Phillips, Rees, Rowell, Smith of Dickinson, Stone, Stuart, Tenney, Tucker, Walling, Wilson of Dubuque, and Wilson of Tama—27.

So the bill passed, and the title was agreed to.

A message from the Governor in relation to the acceptance by the Chicago, Rock Island and Pacific Railroad Company of the provision of an act of the Twelfth General Assembly entitled An act providing for and requiring the early construction of the Chicago, Rock Island and Pacific Railroad was taken up and referred to the Committee on the Judiciary.

Substitute for Senate File No. 84, A bill for an act to repeal section 898 of the Revision of 1860, and to provide a substitute therefor in relation to returning and collecting non-resident road tax, was taken up and read first and second time.

On motion of Mr. Brown of Van Buren, the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Babbitt, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donavan, Ellis, Fulton, Garrett, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rohlf's, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker.—66.

The nays were, Messrs. Atkins, Lambert, McCoun, Morrison, Newberry, Rippey, Tillson, Werner.—8.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bolton, Cramer, Criss, Dudley, Gaylord, Glasgow, Goodspeed, Hartsock, Hayden, Irish, Johnson of Cherokee, Kasson, McNutt, Murray, Peck, Phillips, Rowell, Smith of Dickinson, Smith of Harrison, Tucker, Walling and Williams.—25.

So the bill passed, and the title was agreed to.

Senate File No. 107, A bill for an act giving the consent of the Legislature of the State of Iowa to the purchase of certain real estate by the United States, was taken up and read first and second time.

On motion of Mr. Hatch, the rule was suspended, and the bill read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Douavan, Ellis, Fulton, Garrett, Glasgow, Grantham, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McConn, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—74.

The nays were, Mr. Werner—1.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bolton, Browne of Lee, Cramer, Dudley, Gaylord, Goodspeed, Guthrie, Hartsock, Hayden, Irish, Johnson of Cherokee, McKean, Murray, Ordway, Parker, Peck, Phillips, Sanborn, Smith of Dickinson, Tucker, and Walling—24.

So the bill passed, and the title was agreed to.

Senate File No. 163, A bill for an act to amend section 721, of the Revision of 1860, relating to assessment of credits for taxation, was taken up and read a first and second time, and referred to the Committee on Ways and Means.

Senate File No. 153, A bill for an act in relation to the University Report, was taken up and read a first and second time, and referred to the Committee on State University.

Senate File No. 145, A bill for an act to amend chapter 169, of the Acts of the Ninth General Assembly, in relation to the duties of railroad companies, was taken up, and read a first and second time.

On motion of Mr. Stanley, the rule was suspended, and the bill read a third time.

Mr. Trusdell moved to refer the bill to the Committee on Commerce.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bill to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 139, A bill for an act prescribing the terms and conditions on which the State will relinquish and convey to the Des Moines Valley Railroad Company, certain rights and privileges in respect to the resumption of lands heretofore granted to said company.

H. C. RIPPEY, Chairman.

MR. SPEAKER—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 258, A bill for an act to amend section 3, of chapter 27, of the Acts of the Twelfth General Assembly of Iowa.

Senate File No. 186, A bill for an act providing for the submission of certain proposed amendments to the Constitution of the State of Iowa, to the people thereof at the next general election therein.

Senate File No. 81, A bill for an act to enable municipal and public corporations at their elections, to settle, adjust and compound their indebtedness, and to provide for the issue of new bonds, by the levy of specific taxes, and for this purpose altering and amending existing charters and laws.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following memorials and bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Memorial and joint resolution, asking Congress to declare the Iowa river unnavigable from the city of Wapello, in Louisa county, north.

Also, joint resolution to Congress for the relief of Peter J. Knapp, private of Company H, Fifth Iowa Infantry Volunteers.

Senate File No. 157, An act to amend chapter 92, of the Acts of the Eleventh General Assembly, and to provide for the Iowa Soldiers' Orphans Homes.

Senate File No. 91, A bill for an act to legalize the official acts of Henry Temple, a notary public of Cass county, Iowa.

Senate File No. 178, A bill for an act to legalize the acts of city council and officers of the city of Cedar Falls, and the incorporation of said city.

H. C. RIPPEY, Chairman.

The motion to refer did not prevail.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donavan, Ellis, Garrett, Glasgow, Grantham, Hamilton, Hart, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Parker, Perry, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—66.

The nays were Messrs. Adams, Criss, Hawthorn, Leach, Leffingwell, Ordway, Rippey, and Werner—8.

Absent and not voting, Messrs. Bailey, Bauer, Bent, Blackwell, Bolton, Cramer, Dudley, Fulton, Gaylord, Goodspeed, Guthrie, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Murray, Orr, Peck, Phillips, Smith of Dickinson, Tucker, Walling, and Mr. Speaker—25.

So the bill passed, and the title was agreed to.

Senate File No. 215, A bill for an act to permanently locate and provide for the erection of an additional building for an asylum for the insane, was taken up and read first and second time, and referred to the Committee on Charitable Institutions.

Leave of absence was granted Mr. Werner.

Mr. Tillson moved that the House do now adjourn, which did not prevail.

Mr. Stuart moved that the regular order of business be suspended, and House File No. 339, A bill for an act resuming certain rights conferred upon the Cedar Rapids and Missouri River Railroad Company, be taken up and made the special order for tomorrow at 2 o'clock P. M.

The motion prevailed.

Senate File No. 143, A bill for an act to repeal chapter 120 of the laws of the Ninth General Assembly, approved April 7, 1862, and to enact in lieu thereof a substitute, having for its object the better protection of fruit, was taken up and read first and second time.

On motion of Mr. Kilburn, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Bent, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Craig, Criss, Davis, Donavan, Ellis, Fulton, Glasgow, Guthrie, Hart, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Leach,

Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rholfs, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Werner, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—65.

The nays were Messrs. Adams, Grantham, Knapp, Tillson, and Wheeler—5.

Absent and not voting, Messrs. Bailey, Bander, Blackwell, Bolton, Caldwell, Cotton, Cramer, Dashiell, Dudley, Garrett, Gaylord, Goodspeed, Hamilton, Hartssock, Hatch, Hayden, Irish, Johnson of Cherokee, Lambert, McNutt, Miller, Murray, Peck, Phillips, Rippey, Smith of Dickinson, Tucker, Walling, and Wilcox—29.

So the bill passed, and the title was agreed to.

On motion of Mr. Wilson of Dubuque, the regular order of business was suspended, and substitute for House File No. 21, A bill for an act authorizing the re-survey of lands in certain cases, and prescribing rules, duties and powers of county surveyors, was taken up and made the special order for Thursday, April 2, at 10 o'clock A. M.

Mr. Criss moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 1, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Ingalls.

On motion of Mr. Hatch, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Rees, the regular order of business was suspended, and House File No. 183, A bill for an act to secure to the settlers upon the odd sections of land within five miles of the Des Moines river, a right to purchase the land occupied by them, was taken up and considered.

MESSAGE FROM THE SENATE.

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 resolution, in which the concurrence of the House is asked:

Joint resolution providing for the appointment of trustees of the Hospital for the Insane.

I am also directed to return herewith the following bills, which have passed the Senate, without amendment:

House File No. 268, A bill for an act to authorize the correction of errors in the plat of the village of Webster City, in Hamilton county.

House File No. 348, A bill for an act to provide for the payment of salaries of officers, and wages of employes of the penitentiary, and for the general support of the convicts.

House File No. 355, A bill for an act to legalize certain judgments rendered by Benjamin Furnace, a justice of the peace in and for Louisa county, Iowa.

Also, the following bills, which have passed the Senate, with an amendment to each, adding to the publication clause the words, "provided such publication be without expense to the State," in which the concurrence of the House is asked:

House File No. 95, A bill for an act to legalize the election held by the voters in Burlington township, Des Moines county, Iowa, to form an independent school district, and the official acts of the officers of said district.

House File No. 194, A bill for an act to legalize the acts of Wm. Van Asch and Koenraad De Yong, of Marion county, Iowa, attorneys of Johanna J. Zeelt.

House File No. 351, A bill for an act to include the territory known as the Kinkade Addition, in the limits of the town of Corydon, Wayne county, Iowa.

JAMES M. WEART, Secretary.

#### PETITIONS.

Mr. Bowen presented a petition from W. D. Bray asking that pay be allowed him for subsistence furnished to the Southern Border Brigade.

Referred to the Committee on Claims.

Mr. Tillson presented the petition of Joseph A. Stright, asking pay for services as recruiting officer, office rent, and traveling expenses.

Referred to the Committee on Claims.

Mr. Werner presented the petition of P. Gramurger and other citizens of Keokuk, Lee county, praying for the repeal of the prohibitory liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. Werner presented a petition of citizens of Lee county, praying for the repeal of the prohibitory liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. Trusdell presented a petition for township collectors.

Referred to the Committee on Township and County Organization.



Mr. Browné of Lee, moved that the further consideration of the bill be deferred until Monday next.

Mr. Tracer moved that the further consideration of the bill be postponed, and that the bill be made the special order for April 2, at two o'clock P. M., which motion prevailed.

#### REPORTS OF COMMITTEES.

Mr. Cotton, from the Committee on Judiciary, submitted the following reports:

The Judiciary Committee to whom was referred the message of the Governor in relation to the Rock Island and Pacific Railroad, have to report the accompanying resolution instructing the attorney-general, in relation to proceedings touching the Chicago, Rock Island and Pacific Railroad, and recommend its adoption.

COTTON, Chairman.

The Judiciary Committee beg leave to report the accompanying bill, entitled A bill for an act to amend chapter 22 of the acts of the Twelfth General Assembly, the passage of which is recommended.

COTTON, Chairman.

The Judiciary Committee herewith submit a bill entitled a bill for an act supplemental to an act passed by the Twelfth General Assembly, entitled "An act establishing Circuit, and General Term Courts, and to define the powers and jurisdiction thereof," and a majority of the committee recommend the passage of the bill.

COTTON, Chairman.

The Judiciary Committee have considered Senate File No. 176, A bill for an act to empower municipal corporations to contract for the use of railroad bridges as public highways, and recommend its passage.

COTTON, Chairman.

House File No. 363, A bill for an act supplemental to an act passed by the Twelfth General Assembly, entitled an act establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof," was read a first and second time.

On motion of Mr. Kilburn, the further consideration of the bill was postponed until this evening.

House File No. 364, A bill for an act to amend chapter 22 of the acts of the Twelfth General Assembly changing the time of holding court in the county of Hardin, State of Iowa, was read first and second time.

On motion of Mr. Knapp the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt,

Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Roblfs, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Cramer, Criss, Dudley, Goodspeed, Hamilton, Hatch, Irish, McCoun, Murray, Peck, Tenney, Tucker, Walling, and Wilcox—16.

So the bill passed, and the title was agreed to.

The joint resolution instructing the attorney-general as to proceedings touching the Chicago, Rock, Island and Pacific Railroad, reported by the Judiciary Committee, was read and adopted.

Mr. Kasson from the Committee on Federal Relations, submitted a joint resolution asking for additional mail facilities in Iowa, which was read and adopted; also, the following resolution, which was adopted:

*Be it Resolved by the General Assembly of the State of Iowa,* That the Senators in Congress from this State be instructed and the Representatives requested to procure the passage of a law, making the post-masters within the United States the special agents for the distribution of revenue stamps.

*Resolved,* That the Secretary of State be directed to forward to each of the Senators and Representatives in Congress a copy of these resolutions:

Mr. Fulton from the Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills have examined the following House File and report the same as correctly engrossed:

House File No. 204, A bill to legalize the acts of the council of the City of Clinton.

A. R. FULTON, Chairman.

Mr. Grantham from the Committee on County and Township Organization submitted the following report:

Your Committee on Township and County Organization, to whom was referred House File Nos. 8, 9, 24 and 25, all for changing the present mode of county government; also sundry petitions and remonstrances bearing on the same subject, have had the same under consideration, and in view of the late action of the House,

which seems to be adverse to any change in our present system of county government, have instructed me to report the said several bills, petitions, &c., back with a recommendation that they lie upon the table.

JOHN P. GRANTHAM, Chairman.

The Committee on Township and County Organization have very carefully considered substitute for Senate File No. 4, A bill to provide for the election of township collectors, &c., and being unable to agree, have instructed me to report the same back to the House without recommendation.

JOHN P. GRANTHAM, Chairman.

Your Committee on Township and County Organization have considered House File No. 37 and House File No. 79, Bills for acts changing the township government, and have instructed me to report them back with a recommendation that they lie upon the table.

JOHN P. GRANTHAM, Chairman.

Mr. Johnson of Marshall, from the Committee on Charitable Institutions, submitted the following report:

Your Committee on Charitable Institutions, to whom was referred Senate File No. 215, have had the same under consideration, and order me to report the same back to this House, and recommend that the same do pass.

B. W. JOHNSON, Chairman.

Mr. Miles from the Committee on Elections, submitted the following report:

Committee on Elections, to whom was referred Senate File No. 42, A bill for an act for the registry of electors, and to prevent fraudulent voting, have considered said bill, and directed me to report it back to the House and recommend that it do pass.

J. D. MILES, Chairman.

Mr. Orr from the Committee on Claims, submitted the following report:

Your Committee on Claims, to whom was referred the petition of Jacob Reichard for additional compensation for building the Agricultural College building, have had the same under consideration, and instructed the chairman to report the same back to the House with the accompanying bill, and recommend that it do pass.

SHELDON, Chairman *pro tem.*

Your committee, to whom was referred the claim of Jenkins & Davis, for lumber furnished the Northern Border Brigade, have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that said claim be allowed, and that it be incorporated into the appropriation bill.

SHELDON, Chairman.

House File No. 365, A bill for an act for the relief of Jacob

Reichard, and to enable him to complete the Iowa State Agricultural College building, was read first and second time and passed on file.

Mr. Brown of Van Buren, moved that the regular order of business be suspended, and substitute for Senate File No. 139, be taken up.

Mr. Babbitt moved to amend by adding Senate File No. 13.

Mr. McKean moved to amend the amendment by adding Senate File No. 4.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Mr. Wilson of Dubuque, moved to amend by including the bill for an act creating the office of County Auditor, which motion prevailed.

Mr. Mechem moved to amend by adding House File No. 234, which motion prevailed.

Mr. Browne of Lee, moved to include House File No. 350, which motion prevailed.

Mr. Mechem moved to amend by adding Senate File No. 102.

Mr. Parker moved to amend the amendment by adding Senate File No. 3, and House File No. 254.

The amendment to the amendment prevailed.

The amendment as amended prevailed.

Mr. Kilburn moved to lay the whole matter on the table, which motion prevailed.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 147, A bill for an act for the protection of game, was taken up and read first and second time, and referred to the Committee on Game Law.

Senate File No. 162, A bill for an act making appropriations for the Iowa State Agricultural College and Farm, was taken up and read first and second time.

On motion of Mr. Kasson, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bowen, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Ellis, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Perry, Rector, Rees, Rippey, Rohlf, Sanborn, Sheldon, Stanley, Stone, Stuart, Tillson, Traer, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—64.

The nays were Messrs. Bander, Bolton, Brown of Howard, Donovan, Guthrie, Hartsock, Hayden, Lockwood, Longueville, McCoun, Phillips, Ramsay, Rowell, Tritz, Werner, and Wilson of Dubuque—16.

Absent and not voting, Messrs. Bent, Blackwell, Brown of Fayette, Cramer, Criss, Dudley, Fulton, Goodspeed, Irish, Kelley, Knapp, Murray, Parker, Peck, Smith of Dickinson, Smith of Harrison, Tenney, Tucker, and Walling—19.

So the bill passed, and the title was agreed to.

Senate File No. 220, A bill for an act to repeal chapter 163 of the laws of the Ninth General Assembly; also chapter 76 of the laws of the Tenth General Assembly, and to enact a law prescribing the duties of township trustees and road supervisors in certain cases, and to provide for levying and collecting of road taxes and determining the *per diem* of road supervisors, was read first and second time.

Mr. Brown of Van Buren moved to amend by adding a publication clause, which motion prevailed.

Mr. Rees moved to amend section 2 by adding the following proviso:

*Provided*, That no road tax shall be levied until after the equalization of assessments have been made as provided by law.

On motion of Mr. Rees the bill was referred to the Committee on Roads and Highways.

Substitute for Senate File No. 72, A bill for an act relative to balances due from county treasurers whose terms of office have expired, was read first and second time and referred to the Committee on County and Township Organization.

House File No. 351, A bill for an act to include the territory known as the Kinkade Addition in the limits of the town of Corydon, Wayne county, Iowa, was taken up.

Upon the question of concurring in the Senate amendment the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Tillson, Tritz, Truedell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr Speaker.—75.

The nays were Mr. Babbitt—1.

Absent and not voting, Messrs. Bent, Blackwell, Brown of Fayette, Cramer, Criss, Dudley, Gaylord, Goodspeed, Irish, Kasson,

Leach, McCoun, McKean, Murray, Peck, Rippey, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Traer, Tucker and Walling—23.

So the amendment was adopted.

House File No. 95. A bill for an act to legalize the election held by the voters in Burlington Township, Des Moines county, Iowa, to form an independent school district, and the official acts of the officers of said district, was taken up.

Upon the question of concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Babbitt, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelly, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Traer, Tritz, Trusdell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—70.

The nays were none.

Absent and not voting, Messrs. Adams, Allen, Atwood, Bailey, Bent, Blackwell, Cramer, Dudley, Gaylord, Goodspeed, Hartsock, Irish, Kasson, Leach, McCoun, McKean, Murray, Orr, Peck, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Tucker, and Walling—29.

So the amendments were concurred in.

House File No. 194. A bill for an act to legalize the acts of William Van Asch and Koenraad DeYong, attorneys of Johanna J. Zeelt, was taken up.

Upon the question of concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were none.



Absent and not voting, Messrs. Adams, Bailey, Bent, Blackwell, Cramer, Criss, Dudley, Goodspeed, Irish, Kasson, Leach, McCoun, McKean, Murray, Orr, Peck, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tucker, and Walling.—24.

So the amendment was concurred in.

COMMUNICATIONS ON SPEAKER'S TABLE.

A communication from the Secretary of State was taken up, read, and ordered to be spread upon the journal.

STATE OF IOWA, OFFICE OF SECRETARY OF STATE,  
DES MOINES, April 1, 1868.

HON. JOHN RUSSELL, *Speaker of the House of Representatives* :

SIR:—In obedience to resolutions of your Honorable Body, a copy whereof is hereunto annexed, I have the honor to state that, pursuant to the first resolution I addressed a note to the Hon. T. F. Withrow, on the 31st ultimo, inclosing a copy of said resolutions. I have just received a reply to said note, and herewith transmit the same.

In reply to the second resolution, I have the honor to say that Hon. T. F. Withrow has not, during my term of office received any stationery from the State, as allowed by section 12, of chapter 22, Acts of the Tenth General Assembly, for the reason that he has never called for it. I would further state that Mr. Withrow has not received any money from the State, on account of the Twenty-First Volume of Iowa Reports, for the reason that said volume has not been delivered, and it has been the uniform custom of this office not to give a receipt for reports until they are delivered, and a certificate of approval by the Judges of the Supreme Court filed in this office.

All of which is respectfully submitted,

ED WRIGHT, Secretary of State.

Copy of resolutions adopted by the House of Representatives, March 31, 1868.

*Resolved*, That the Secretary of State be requested to inquire of the late Supreme Court Reporter (Hon. Thomas F. Withrow), why the Twenty-First Volume of the Supreme Court Reports has not been published and the usual number of copies furnished the State; also, why its publication has been delayed until after the publication of the Twenty-Second Volume of Iowa Reports, and to report the reasons for non-publication to this House.

*Resolved*, That the Secretary of State be requested to inform this House, if stationery required by law has been furnished to the late reporter to publish said Twenty-First Volume, and if he has been paid for the usual number of copies required to be furnished by law.



I hereby certify that the above is a true copy of a resolution adopted by the House of Representatives, this 31st day of March, A. D. 1868.

S. A. FLANDERS, Assistant Clerk.

DES MOINES, March 30, 1868.

HON. ED WRIGHT, *Secretary of State*:

SIR:—I have your note of this date inclosing the resolutions of the House of Representatives relating to the Twenty-First Volume of Iowa Reports, and in compliance with your request to “furnish such information as will satisfy the demands of said resolutions,” would say, as to the first resolution:

1. The delay in the publication of the volume is attributable to various causes, among which may be mentioned constant engagement in the court-room during the greater part of last Spring and all of the Summer; the loss of proof-sheets in the mails; delays in the transmission of manuscript to the printer; delay in the revision of proofs; illness in my family; and the printing of the Twenty Second Volume, as hereinafter mentioned.

2. The Twenty-Second Volume was published before the Twenty-First, because the present reporter went to Albany to remain while his first volume was going through the press, thereby inducing the printing house at which both were executed to lay aside my volume, one-half of which was then in type, until his could be completed—to which arrangement I interposed no objection, because the reporter’s inexperience in supervising the publication of books made his presence while his first volume was being printed a matter of importance to himself, the printer, and the public.

3. That I finished reading the proofs of the Twenty-First Volume before the commencement of the present session of the General Assembly, and have for several weeks daily expected the books for delivery to the State. A few days since I received from the printers, in answer to a letter urging a shipment of the books, the receipt of the Merchants’ Dispatch Fast Freight Line showing that they were delivered to that company on the tenth instant. There is some unusual delay somewhere, arising from causes beyond my knowledge or control.

As to the second resolution:

1. I had forgotten that under the law I was entitled to fifteen or twenty dollars’ worth of stationery to be used in preparing the volume for the press. You will remember that I have never asked you for that stationery, and consequently have never received it—an instance of official negligence difficult to account for, and more difficult to excuse.

2. I have not received any sum whatever for books not delivered to the State. The drawing of a warrant in my favor by the

Auditor without the production of your receipt showing that you had received the books, would be a violation of the law and his official oath on his part; and the execution of such a receipt by you before the books were received would render you guilty in the same degree. Neither yourself nor the Auditor have ever volunteered a favor to me which could be granted only by the commission of perjury; and I have never been disposed to ask favors which could be granted only at that cost.

The delay in the delivery of this volume subjects me to much annoyance and regret, beside the loss of the use of a considerable sum of money, none of which can come to my hands until the five hundred copies are delivered to the State.

Yours, truly,

THO. F. WITHROW.

The following Senate joint resolution relative to the appointment of trustees of the Hospital for the Insane, was taken up and adopted :

*Resolved by the General Assembly of the State of Iowa, That Martin L. Edwards, of Henry county, and George Achison, of Jefferson county, are hereby appointed trustees of the Hospital for the Insane for the term commencing on the fourth day of July next.*

BILLS ON SECOND READING.

Mr. Chase moved that House File No. 306, A bill for an act apportioning the State into senatorial districts, be ordered printed, which motion prevailed.

House File No. 16, A bill for an act to ascertain the citizens entitled to the right of suffrage and to prevent fraudulent voting, was taken up.

Mr. Ordway moved to substitute Senate File No. 42, A bill for an act for the registry of electors, and to prevent fraudulent voting, which was considered by sections.

Mr. Ordway moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills have examined the following bill, and have directed me to report it as correctly enrolled, and to present it for your signature :

House File No. 117, A bill for an act making appropriations for two Lawson wood furnaces, pipes and register, furnished and put in the adjutant-general's office and state arsenal, by Fuller, Warren & Co.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor :

House File No. 230, A bill for an act relating to the qualification of notaries public.

House File No. 39, A bill for an act to provide for the incorporation of towns and cities.

H. C. RIPPEY, Chairman.

The hour having arrived for the consideration of the special order, House File No. 339, A bill for an act resuming certain rights conferred upon the Cedar Rapids and Missouri River Railroad Company, by an act approved March 26, 1860, and granting certain lands to the Mississippi, Maquoketa and North-Western Railroad Company.

On motion of Mr. Wilson of Tama, the bill was taken up and considered.

Mr. Cotton offered a substitute to the bill.

Mr. Tritz moved to amend the amendment by substituting: "Substitute for House File No. 339, A bill for an act resuming certain rights conferred upon the Cedar Rapids and Missouri River Railroad Company, by an act approved March 26, 1860, and granting certain lands to the Mississippi, Maquoketa and North-Western Railroad Company."

Leave was granted Mr. Williams, from the Committee on Railroads, to submit the following report :

The Railroad Committee, to whom was submitted Senate File No. 213, it being a bill for an act providing for and requiring the completion of the Cedar Rapids and Missouri River Railroad as near as practicable to the forty-second parallel, have considered the same, and have concluded that two hundred and forty sections of the lands granted and conferred upon said road upon certain conditions, should be withheld and set apart to aid in the construction of a railroad from a point at or near Denison, in a westerly direction, as near as practicable on the forty-second parallel, to the Missouri river, through the counties of Crawford and Monona.

WILLIAMS, Chairman.

House resumed the consideration of the special order.

#### MESSAGE FROM THE SENATE.

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. 228, A bill for an act to amend chapter 95 of the acts of the Eleventh General Assembly entitled an act to provide for the settlement of certain claims against the General Government.

Senate File No. 230, A bill to legalize the acts of certain cities and towns in their attempts to amend and abandon their special charters and to legalize elections held, ordinances enacted, and other proceedings had by said cities and towns.

Also, that the Senate has passed House File No. 364, A bill for an act to amend an act fixing the time of holding court in the county of Hardin and State of Iowa, approved March 9, 1868.

House File No. 204, A bill for an act to equalize the acts of the council of the city of Clinton, with the following amendments : add to publication clause the words " Provided such publication shall be without expense to the State.

J. A. T. HULL, Assistant Secretary.

Mr. Criss moved that the House do now adjourn.

The motion did not prevail.

The amendment to the amendment did not prevail.

Mr. Wilson of Tama moved to amend section 4 of the substitute as follows: Provided the company accepting the propositions of this act shall at all times be subject to such rules, regulations and rates of tariff for the transportation of freight and passengers as may from time to time be enacted by the General Assembly of the State of Iowa :

Upon the adoption of the amendment to the substitute the yeas and nays were demanded and were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Ellis, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hunter, Johnson of Marshall, Kelley, Knapp, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rohlf, Stanley, Stuart, Traer, Tritz, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—55.

The nays were, Messrs. Ballinger, Criss, Donovan, Johnson of Cherokee, Kasson, Kilburn, Lockwood, McCoun, Rees, Rippey, Rowell, Sanborn, Sheldon, Stone, Trusdell—16.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Burrows, Cramer, Dashiell, Davis, Dudley, Gaylord, Goodspeed, Hatch, Hawthorn, Irish, Longueville, Miller, Murray, Peck, Rector, Smith of Dickinson, Smith of Harrison, Tenney, Tucker, Walling, Werner, Wilcox, Williams and Wilson of Dubuque—28.

So the substitute to the substitute did not prevail.

Leave of absence was granted Mr. Rowell, for one day.

Mr. Donovan moved that the House do now adjourn, which motion did not prevail.

Upon the adoption of the substitute, as amended, the yeas and nays were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donovan, Ellis, Fulton, Garrett, Glasgow, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tillson, Tritz, Wheeler, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—68.

The nays were, Messrs. Grantham, Hawthorn, Rippey, Smith of Harrison and Trusdell.—5.

Absent and not voting, Messrs. Bauder, Bent, Blackwell, Burrows, Cramer, Dashiell, Dudley, Gaylord, Goodspeed, Hatch, Irish, Johnson of Cherokee, Longueville, Miller, Murray, Peck, Rector, Smith of Dickinson, Tenney, Traer, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—26.

So the substitute was adopted.

Mr. Wilson of Tama, moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

Upon the question " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donovan, Ellis, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Johnson of Marshall, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—69.

The nays were, Messrs. Hawthorn, Rippey, and Trusdell—3.

Absent and not voting, Messrs. Bauder, Bent, Blackwell, Burnett, Burrows, Cramer, Dashiell, Dudley, Gaylord, Goodspeed, Hatch, Hunter, Irish, Johnson of Cherokee, Kasson, Kelley, Longueville, Miller, Murray, Peck, Rector, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—27.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Ballinger to offer the following resolution, which was adopted:

*Resolved by the General Assembly of the State of Iowa, That there are hereby appointed, as trustees of the Iowa Reform School the following, viz:*

First Congressional District, Isaac T. Gibson; Second Congressional District, J. A. Parvin; Third Congressional District, Eli O. Clemons; Fourth Congressional District, J. D. Ladd; Fifth Congressional District, Dr. M. A. Dasheill; Sixth Congressional District, William J. Moir.

Mr. Donovan moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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SEVEN THIRTY O'CLOCK P. M.

House convened pursuant to adjournment.  
Speaker in the chair.

BILLS ON SECOND READING.

House File No. 248, A bill for an act to vacate a grave-yard in Jefferson county, was taken up and considered.

On motion of Mr. Hayden, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—70.

The nays were none.

Absent and not voting, Messrs. Adams, Bander, Bent, Blackwell, Bowen, Caldwell, Cramer, Davis, Dudley, Fulton, Goodspeed, Kilburn, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rector, Rippey, Rowell, Stone, Traer, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque.—29.

So the bill passed, and the title was agreed to.



House File No. 204, A bill for an act to legalize the acts of the council of the city of Clinton in levying and collecting a tax for an engine house.

Upon the question of concurring in the Senate amendment the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—72.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Bander, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Fulton, Goodspeed, Kilburn, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rector, Rowell, Stone, Tucker, Walling, Werner, Wilcox, Williams and Wilson of Dubuque—27.

So the bill passed, and title was agreed to.

House File No. 242, A bill for an act to prevent the importation of Texas or Southern cattle into the State of Iowa, was taken up and considered.

Mr. McCoun moved that section 7 of the bill be stricken out, which motion prevailed.

Mr. Rees moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rector, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were, Mr. Rippey—1.

Absent and not voting, Messrs. Adams, Bander, Bent, Blackwell,



Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Leach, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rees, Rowell, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—27.

So the bill passed, and the title was agreed to.

Senate File No. 43, A bill for an act to release to Alfred Heber Reynolds any and all right of the State of Iowa by way of escheat to certain lands in Buchanan county, Iowa, was taken up and considered.

On motion of Mr. Wilson of Tama, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, Mr. Speaker—72.

The nays were none.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Leach, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rector, Rowell, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—27.

So the bill passed, and the title was agreed to.

House File No. 3, A bill for an act to legalize the official acts of Wilson Throckmorton, a justice of the peace of Clarke county, was taken up and considered.

On motion of Mr. Burrows, the rule was suspended, and the bill read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf, and

Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Snart, Tenney, Tillson, Traer, Tritz, Trusdell Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were none.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Leach, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rector, Rippey, Rowell, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—28.

So the bill passed, and the title was agreed to.

Senate File No. 3, A bill for an act in relation school funds and school lands, was taken up and considered.

On motion of Mr. Wright the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsack, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kuapp, Lambert, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—71.

The nays were none.

Absent and not voting, Messrs. Adams, Bander, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Kilburn, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rector, Rowell, Stone, Tucker, Walling, Werner, Wilcox, Williams and Wilson of Dubuque.—25.

So the bill passed, and the title was agreed to.

House File No. 359, A bill for an act to legalize the acts of Thomas Cavanaugh, a notary public of Polk county, was taken up and considered.

On motion of Mr. Grantham, the publication clause was stricken out.

On motion of Mr. Hatch, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were. Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton,

Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Perry, Ramsay, Rees, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—68.

The nays were Messrs. Babbitt, and Lambert.—2.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Lockwood, Miller, Murray, Orr, Parker, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque.—29.

So the bill passed, and the title was agreed to.

House File No. 239, A bill for an act to legalize the official acts of Wm. Tiede, a notary public, in Clayton county, was taken up and considered.

On motion of Mr. Kasson, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Perry, Ramsay, Rees, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker.—68.

The nays were, Messrs. Babbitt and Lambert.—2.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Lockwood, Miller, Murray, Orr, Parker, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Stone, Tucker, Walling, Werner, Wilcox, Williams and Wilson of Dubuque.—29.

So the bill passed, and the title was agreed to.

House File No. 260, A bill for an act to legalize the official acts of Josephus Eastman, a notary public, was taken up and considered.

On motion of Mr. Kasson the rule was suspended, and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Perry, Ramsay, Rees, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—68.

The nays were, Messrs. Babbitt, and Lambert—2.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Lockwood, Miller, Murray, Orr, Parker, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—29.

So the bill passed, and the title was agreed to.

House File No. 263, A bill for an act to legalize the official acts of James Hagerman, notary public of Lee county, Iowa, was taken up and considered.

On motion of Mr. Kasson the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Perry, Ramsay, Rees, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker.—68.

The nays were, Messrs. Babbitt and Lambert—2.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Lockwood, Miller, Murray, Orr, Parker, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque.—29.

So the bill passed, and the title was agreed to.

House File No. 198, A bill for an act to legalize the acts of D. D. Miracle, a notary public, was taken up and considered.

On motion of Mr. Kasson, the rule was suspended, and the bill was read the third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Perry, Ramsay, Rees, Rohlf's, Sanborn, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—68.

The nays were, Messrs. Babbitt and Lambert—2.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Goodspeed, Irish, Kilburn, Lockwood, Miller, Murray, Orr, Parker, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—29.

So the bill passed, and the title was agreed to.

House File No. 241, A bill for an act to legalize certain official acts of Jonathan Oglesbee, recorder of Clayton county, was taken up and considered.

On motion of Mr. Bailey, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leach, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf's, Sanborn, Smith of Harrison, Sheldon, Stanley, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—68.

The nays were Mr. Babbitt.—1.

Absent and not voting, Messrs. Adams, Bauder, Bent, Blackwell, Bolton, Caldwell, Cramer, Davis, Dudley, Goodspeed, Hawthorn, Kilburn, Lockwood, Miller, Murray, Orr, Peck, Phillips,

Rector, Rippey, Rowell, Smith of Dickinson, Stone, Stuart, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque.—30.

So the bill passed, and the title was agreed to.

House File No. 314, A bill for an act to remunerate Dr. Otto Thieme, for labor and expenses incurred by him as Commissioner of Iowa to the Paris Exposition of 1867, was taken up and considered.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 117, A bill for an act making appropriations for two Lawson wood furnaces, pipes and register, furnished and put in the adjutant-general's office and state arsenal, by Fuller, Warren & Co.

House File No. 358, A bill for an act to amend section 3, of chapter 27, of the Acts of the Twelfth General Assembly of Iowa.

H. C. RIPPEY, Chairman.

Mr. Atkins moved to refer the bill to the Committee on Ways and Means.

Mr. Burnett moved to amend the motion to refer, by adding instructions to report Friday evening next.

Mr. Grantham moved to lay the bill upon the table.

Upon this question, the yeas and nays were demanded, and were as follows:

The yeas were, Messrs. Atwood, Bailey, Ballinger, Bolton, Bowen, Browne of Lee, Burnett, Criss, Dashiell, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Johnson of Cherokee, Kelley, Knapp, Lambert, McNutt, Rohlf, Smith of Harrison, Sheldon, Stuart, Wheeler and Mr. Speaker—27.

The nays were, Messrs. Adams, Allen, Atkins, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Chase, Cotton, Craig, Donovan, Eliie, Fulton, Hartsock, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Leach, Leffingwell, Longueville, McKean, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Sanborn, Stanley, Tenney, Tillson, Traer, Tritz, Trusdell, Wilson of Davis, Wilson of Tama and Wright.—42.

Absent and not voting, Messrs. Babbitt, Bander, Bent, Blackwell, Caldwell, Cramer, Davis, Dudley, Garrett, Hawthorn, Goodspeed, Kilburn, Lockwood, McCoun, Miller, Murray, Orr, Rees, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque.—30.

So the motion to lay on the table did not prevail.

The motion to amend the motion to refer prevailed.



The motion to refer to the Committee on Ways and Means, with instructions to report on Friday evening, prevailed.

House File No. 340, A bill for an act to amend chapter 172, section 78, laws of the Ninth General Assembly, was taken up and considered.

Mr. Ordway moved that the bill be referred to the Committee on Schools, with instructions to report next Friday evening.

The motion prevailed.

Mr. Mechem moved that the House do now adjourn.

The motion did not prevail.

Mr. Leach moved a call of the House, which was not ordered.

Mr. Bolton moved that the House do now adjourn.

The motion did not prevail.

Senate File No. 152, A bill for an act for the relief of Barton B. Dunning, of Ringgold county, was taken up and considered.

On motion of Mr. McCoun, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Babbitt, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Knapp, Lambert, Leffingwell, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rippey, Rohlf, Sanborn, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—65.

The nays were none.

Absent and not voting, Messrs. Adams, Allen, Bander, Bent, Blackwell, Browne of Lee, Burnett, Caldwell, Cramer, Davis, Dudley, Goodspeed, Hamilton, Irish, Kasson, Kilburn, Leach, Lockwood, Miller, Murray, Orr, Peck, Phillips, Rector, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Tucker, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—34.

So the bill passed, and the title was agreed to.

Mr. Hawthorn moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 2, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Leunsberry.



On motion of Mr. Lambert, the reading of the journal was dispensed with.

MESSAGE FROM THE SENATE.

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 concurrent resolution, in which the concurrence of the House is asked :

Concurrent resolution fixing the *per diem* of post-master, assistant post-master, and mail-carrier.

J. A. T. HULL, Assistant Secretary.

REPORTS OF COMMITTEES.

Mr. Gaylord from the Committee on Agriculture, submitted the following report :

The Committee on Agriculture, to whom was referred House File No. 334, entitled a bill for an act to amend chapter 109, section 1, of the laws of the Tenth General Assembly, in relation to Agricultural Fairs, have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do not pass, for the reason that agricultural societies whose receipts are over \$500 per annum, are able to take care of themselves without aid from the State.

W. P. GAYLORD, Chairman.

The Committee on Agriculture have instructed me to report the accompanying bill to the House, in relation to the draining of wet, swamp, or overflowed lands, with the recommendation that it do pass.

GAYLORD, Chairman.

The Committee on Agriculture, to whom was referred a communication from the secretary of the State Agricultural Society ; also, a concurrent resolution adopted by the Senate, relating to the distribution of the reports of the transactions of the State Agricultural Society, which are the unclaimed and undistributed accumulations of years, have instructed me to report said resolution back to the House with the following resolution as a substitute therefor, to-wit :

*Resolved by the House of Representatives, the Senate concurring,* That the Secretary of State be requested to distribute among the members of the present General Assembly all copies of the reports of the State Agricultural Society, now in the public warehouse, except so many as he may deem it necessary to retain.

W. P. GAYLORD, Chairman.

Mr. Brown of Howard, from the Committee on the Penitentiary, submitted the following report :

The Committee on the Penitentiary instruct me to report the

following bill, and to recommend that it do pass, it being a bill to reimburse contractors for convict labor for improvements.

BROWN of Howard, for Committee.

House File No. 367, A bill for an act to appropriate money to reimburse the contractors for the convict labor of the State penitentiary for sums expended by them in building and erecting a blacksmith shop on the penitentiary grounds, was read first and second time.

On motion of Mr. McNutt, the bill was indefinitely postponed.

Mr. Grantham, from the Committee on County and Township Organization, submitted the following report:

The Committee on County and Township Organization having examined substitute for Senate File No. 72, A bill for an act in relation to balances due from county treasurers, whose term of office has expired, instruct me to report the same back with a recommendation that it do pass.

JOHN P. GRANTHAM, Chairman.

Mr. Bowen, from the Committee on Incorporations, submitted the following report:

Your Committee on Incorporations beg leave to report the following bill: "A bill for an act to legalize the proceedings had to incorporate the town of Toledo, Tama county, Iowa, and to legalize the acts of the officers of said town," and recommend its passage.

B. G. BOWEN, Chairman.

House File No. 368, A bill for an act to legalize the proceedings had to incorporate the town of Toledo, Tama county, Iowa, and to legalize the acts of the officers of said town, was read first and second time, and passed on file.

Mr. Brown of Van Buren, from the Committee on Roads and Highways, submitted the following report:

Your Committee on Roads and Highways beg leave to report a bill for an act to provide for the compilation and publication of the road laws and the distribution of the same, and they recommend that it do pass.

BROWN of Van Buren, Chairman.

House File No. 369, A bill for an act for the compilation and publication of the road laws, and the distribution of the same, was read first and second time.

On motion of Mr. Brown of Van Buren, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of

Cherokee, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—81.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Burnett, Craig, Cramer, Dudley, Goodspeed, Johnson of Marshall, Knapp, Peck, Rector, Smith of Dickinson, Trusdell, Tucker, Walling, Werner, and Wilcox—18.

So the bill passed, and the title was agreed to.

Mr. McKean from the Committee on Constitutional Amendments submitted the following report:

A majority of your Committee on Constitutional Amendments have instructed me to report to the House the accompanying joint resolution, proposing to strike the word white from section 4, of article 3 of the constitution of the State of Iowa, and recommend the adoption of the same.

JOHN McKEAN, Chairman.

*Be it Resolved by the General Assembly of the State of Iowa,* That the following amendment to the constitution of the State of Iowa, is hereby proposed:

1. Strike the word "white" from section 4, of article 3 thereof.

Upon the adoption of the resolution the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kilburn, Knapp, Lambert, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rhofs, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Mr. Speaker—66.

The nays were Messrs. Babbitt, Bander, Browne of Lee, Caldwell, Donovan, Hawthorn, Irish, Kelley, Lockwood, Longueville, Miller, Rees, Tritz, Wilson of Dubuque, Wright—15.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Cramer, Davis, Dudley, Goodspeed, Kasson, Leach, Peck, Rector, Rippey, Smith of Dickinson, Stuart, Tucker, Walling, Werner, and Wilcox—18.

So the resolution was adopted.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills, have examined the following joint resolution, and report the same as correctly engrossed:

A joint resolution requesting increased mail facilities in Iowa.

A. R. FULTON, Chairman.

Mr. McKean, from the Committee on Constitutional Amendments, submitted the following report:

Your Committee on Constitutional Amendments, to whom was referred a resolution proposing to amend the Constitution of the State of Iowa, in regard to the sale of intoxicating liquors, beer and wine, have had the same under consideration, and have instructed me to report the same back to the House, and recommend that the same lie on the table.

JOHN McKEAN, Chairman.

Mr. Parker, from the Committee on Schools, submitted the following report:

*Resolved by the General Assembly of the State of Iowa, That a committee of three, of which the Superintendent of Public Instruction shall be chairman, be appointed by the present General Assembly, whose duty it shall be to inquire at what points the interests of the State demand the location of a State Normal School; to visit such places as seem to offer special inducements for that institution; to obtain plans for a normal school building and estimates of its cost, and to submit them to the Thirteenth General Assembly with a report of the result, &c.*

*Resolved, That \$2,000, or so much thereof as may be necessary, be and is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, to pay the expenses of the Normal School Committee, allowing them the mileage and *per diem* of members of the General Assembly.*

Mr. McNutt moved to amend by adding the following provision:

*Provided, That the money so appropriated, be given to towns obtaining the location.*

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

Leave was granted Mr. Rees to offer the following resolution, which was adopted:

*Resolved, That Will Porter be employed by this House as Assistant Enrolling Clerk of this House, for the remainder of this session.*

The Chair announced that the hour had arrived for the consideration of the special order, substitute for House File No. 21, A bill for an act authorizing the re-survey of lands in certain cases, and prescribing rules, duties and powers of county surveyors.

On motion of Mr. Wilson of Dubuque, the special order was taken up and considered by sections.

Mr. Cotton moved to amend section 5, as follows: Fifth, sixth

and seventh lines, after the word "established" strike out the words "equi-distant from and on a right line between the original quarter section corners on the east and west side of said section respectively, and shall be first ascertained before making any sub-divisions of such sections," and inserting the words "at the intersection of a straight line extending between the original quarter section corners on the east and west sides of such section with a straight line extending between the original quarter section corners on the north and south sides of said section."

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to return herewith joint resolution instructing attorney-general, as to proceedings touching Chicago, Rock Island and Pacific Railroad, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

Mr. Grantham moved the previous question, which was seconded, and the main question was ordered.

The amendment offered by Mr. Cotton, was adopted.

The substitute as amended did not prevail.

The House refused to order the bill to be engrossed and read a third time.

Mr. Wilson of Dubuque, moved to re-commit the bill to the Committee on Public Lands.

Mr. Traer moved to lay the motion to re-commit on the table, which motion prevailed.

Mr. Hamilton moved that the regular order of business be suspended, and that House File No. 343. A bill for an act to fix the price of State binding, be taken up.

The motion prevailed, and the bill was taken up and considered.

Mr. Babbitt moved to amend by reducing all the rates named in the bill twenty-five per cent.

The motion to amend did not prevail.

On motion of Mr. Hamilton, the rule was suspended, and the bill read a third time.

Upon the question. "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Donavan, Ellis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Sheldon, Stanley,

Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker.—69.

The nays were, Messrs. Babbitt, Bauder, Browne of Lee, Hawthorn, Phillips, and Stuart.—6.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Chase, Cramer, Davis, Dudley, Goodspeed, Irish, Johnson of Cherokee, Leach, Leffingwell, McCoun, McNutt, Peck, Rector, Smith of Dickinson, Smith of Harrison, Stone, Tucker, Walling, Werner, Wilcox, and Wright.—24.

So the bill passed, and the title was agreed to.

Mr. Grantham moved that the House do now adjourn.

The motion prevailed and the House adjourned.

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TWO O'LOOK P. M.

House convened pursuant to adjournment.

Speaker in the chair.

The Chair announced that the hour had arrived for the consideration of the special order, House File No. —, A bill for an act to secure to the settlers upon the odd sections of land within five miles of the Des Moines river, a right to purchase the land occupied by them.

On motion of Mr. Rees, the special order was taken up, and the bill considered by sections.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 229, A bill for an act to regulate the compensation of the trustees of the State institutions.

I am also directed to return herewith the following bill:

Substitute for House File No. 33, A bill for an act to amend section 317 of the Revision of 1860, in relation to compensation of members of the board of supervisors, which has passed the Senate with the following amendment: Strike out in the eighth line of section one the word "one," and insert "two," in which the concurrence of the House is asked.

Also, the following, which has passed the Senate without amendment:

House File No. 360, A bill for an act to amend the act passed

by the Twelfth General Assembly of the State of Iowa, entitled, An act establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof.

J. A. T. HULL, Assistant Secretary.

Leave was granted Mr. Kilburn to submit the following minority report:

The undersigned members of the Judiciary Committee to which was referred the bill entitled "A bill for an act to secure to the settlers upon the odd sections of land lying along and within five miles of the Des Moines River, a right to purchase the lands occupied by them," respectfully report that they have had the same under consideration, and being unable to acquiesce or concur in the conclusions arrived at by the majority of the committee, dissent therefrom and submit the following

#### MINORITY REPORT:

In examination of the questions arising and presented under the bill, your committee find the following facts:

1. That on the 8th day of August 1846, the Congress of the United States passed the act entitled "An act granting certain lands to the State (then Territory) of Iowa to aid in the improvement of the navigation of the Des Moines river in said Territory."
2. That the State of Iowa by joint resolution of its General Assembly, January 9, 1847, accepted said grant; and shortly thereafter agents appointed by the Governor, selected as passing to the State under the grant in said act, contained all the lands lying in the alternate odd numbered sections (then undisposed of) within five miles of the Des Moines river from its mouth to its source.
3. That the State of Iowa uniformly, after the acceptance of said grant, claimed and asserted title to all the lands lying within five miles of the Des Moines river, in such alternate odd numbered sections from the mouth of the said river to the northern boundary of the State.
4. That the Government of the United States recognized such claim so asserted by the State and withdrew, and continued to withhold from sale as public lands, the said lands lying in the said alternate sections from the mouth of said river to the northern limit of the State. That as early as the 23d of February, 1848, the Commissioner of the General Land Office, by direction of the President, withdrew and reserved said lands from the mass of the public lands, and that since that date the same have been continuously and uninterruptedly reserved and withheld from entry and sale by the agents of the United States having the charge and control thereof.
5. That the Secretary of the Interior recognizing the claim of the State of Iowa to the said lands lying between the Raccoon Fork and the northern boundary of the State, in the said alternate odd



sections, and as passing under the said grant in said act of August 8, 1846, contained, approved to the State of Iowa as passing under said grant portions of such lands, as follows:

October 30, 1851.....	81,707, $\frac{92}{100}$ acres.
March 10, 1852.....	143,908, $\frac{37}{100}$ acres.
December 17, 1853.....	33,142, $\frac{43}{100}$ acres.
December 30, 1853.....	12,813, $\frac{1}{100}$ acres.
Making a total of.....	271,572, $\frac{24}{100}$ acres.

That these lands were approved to the State by lists describing the several tracts with certificates of the Commissioner of General Land Office annexed thereto that the lands described passed to the State under the said act of August 8, 1846, and which said lists so certified were approved and indorsed by the Secretary of the Interior.

6. That after the acceptance of the said grant of August 8, 1846, by the State of Iowa as above set forth, and the selection of the said lands by the agents of the State, and after the incorporation of the Des Moines Navigation and Railroad Company and on or about the 10th day of June A. D. 1854, the State of Iowa made and entered into a contract with the said Navigation and Railroad Company for the sale and transfer of the said lands including those above the Raccoon Fork, in consideration of work to be done and money to be expended in the improvement of the navigation of the Des Moines river by said company.

7. That the State, by its legislation subsequent to the making of the said contract between the State and the said Des Moines Navigation and Railroad Company, such improvement directly and expressly recognized the title to the said lands so certified to the State as aforesaid, as being in the Des Moines Navigation and Railroad Company, as will appear by reference to the several acts of the General Assembly, approved January 18, 1855—laws of 1855, p. 181—and the act approved April 2, 1860; special acts and resolutions of the Eighth General Assembly, p. 69.

That prior to the twenty-second day of March, 1858, the said Des Moines Navigation and Railroad Company, under its contract with the State for said improvement, had incurred obligations and expended moneys upon said improvements under such contract to the amount of several hundred thousand dollars, and received from the State certificates entitling said company to portions of the said land lying above the Raccoon Forks, and so certified to the State by the officers of the United States Land Office, as aforesaid.

8. That on the twenty-second of March, 1858, for the purpose of effecting a settlement with the said Des Moines Navigation and Railroad Company, the General Assembly of the State of Iowa passed a joint resolution entitled "joint resolutions containing propositions for a settlement with the Des Moines Navigation and

Railroad Company," which may be found in the laws of 1858, pages 427-8-9.

That by the terms of settlement in said joint resolutions contained, the said company among other things, were to "release all claims they had against the State, to transfer to the State all materials of every description, prepared and provided by said company for the construction of locks or dams on the said improvement, to pay all estimates on work done or materials furnished up to that date, and pay the State the sum of \$20,000, and the State by its proper officers was to certify and convey to the said company all lands granted by an act of Congress approved August 8, 1846, to the then Territory of Iowa, to aid in the improvement of the Des Moines river, which had been approved and certified to the State of Iowa by the General Government saving and excepting all lands sold or conveyed or agreed to be sold or conveyed prior to the 23d of December, 1853, under the said grant, and also excepting 25,487 $\frac{1}{4}$  acres lying immediately above Raccoon Fork, supposed to have been sold by the general government but claimed by the State of Iowa," and "the said company or its assignees should have the right to all of said lands as therein granted to them, as fully as the State of Iowa could have under or by virtue of said grant or in any manner with full power to settle all errors, false locations, omissions or claims in reference to the same, and all pay or compensation therefor by the General Government."

9. That the said company accepted the terms of the settlement in said resolutions, contained, and fully complied with and in all respects performed the conditions thereof on their part; that after the acceptance of said propositions of settlement by the said company, and on the 28th of April, 1858, His Excellency, the Governor of the State of Iowa, certified to the President of the United States that there had been expended on the said improvement under contracts with the said company the sum of \$332,634 $\frac{1}{4}$  and that there would be conveyed to the Des Moines Navigation and Railroad Company 266,107 $\frac{3}{4}$  acres of the land belonging to said grant and which had been certified and approved to the State of Iowa under the act for the prosecution of said improvement.

10. That on or about the month of May, 1858, under and in pursuance of the said joint resolution, and in performance of the conditions and obligations imposed on the State thereby, the State by its deed duly executed, granted, bargained and conveyed to the said company 266,107 $\frac{3}{4}$  acres of these lands, of which about 58,000 lie *below* and the remainder above the Raccoon Forks, and that the bill referred to your committee, now provides for the sale by the State, and the purchase by occupants in possession on the first day of January, 1868, of a large portion of the said 266,107 $\frac{3}{4}$  acres which lie above the Raccoon Fork.

11. That after the conveyance of the said lands by the State to the Des Moines Navigation and Railroad Company, and during the

years 1858 and 1859, the said company sold and conveyed to different purchasers and vendees, for a valuable and adequate consideration parts and portions of the said lands lying above the Raccoon Forks, and so conveyed to the company by the State as aforesaid.

12. The during the December term of the Supreme Court, in the year 1859, and some time in April, 1860, the said court in the case of *Litchfield v. The Dubuque and Pacific Railroad Company* (23 Howard, Rep. 66) decided that the grant contemplated by the act of August 8, 1846, did not extend above the Raccoon Fork.

13. That in order to relieve the State and its grantees in the premises the Congress of the United States, on the 2d of March, 1861, passed a joint resolution, providing that "All the title which the United States still retain in the tracts of land lying along the Des Moines river, and above the mouth of the Raccoon Fork thereof in the State of Iowa, which have been certified to said State improperly by the Department of the Interior as part of the grant by act of Congress approved August 8, 1846, and which is now held by *bona fide* purchasers, under the State of Iowa, be and the same is hereby relinquished to the State of Iowa.

14. That in order still more fully to carry out the understanding which had existed between the United States and the State of Iowa in respect to these lands, the Congress of the United States enacted by an act approved July 12, 1862, "That the grant of lands to the then Territory of Iowa for the improvement of the Des Moines river, made by the act of August 8, 1846, is hereby extended so as to include the alternate sections (designated by odd numbers) lying within five miles of said river, between the Raccoon Fork and the northern boundary of said State. Such lands are to be held unapplied in accordance with the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines and Minnesota Railroad in accordance with the provisions of the act of the General Assembly of the State of Iowa approved March 22, 1868.

15. That the Supreme Court of the United States, in the case of *Walcott vs. Des Moines Navigation and Railroad Company*, decided at the adjourned session of the December Term, 1866, and about the 1st of May, 1867, as we understand their decision, that by virtue of the said joint resolution of March 2, 1861, and the act of July 12, 1862, the title of the United States in said lands passed to the State of Iowa, and inured to the grantees of these lands under the grants and conveyance thereof previously made by the State.

16. That the Supreme Court of the State of Iowa, at the Daventport Argument Term held on the first Monday of April, 1867, in the case of *Stryker against Polk County*, held that the title to these lands under said joint resolution passed to the State of Iowa,

and inured to the grantees of said State, and this decision seems to have been followed by the Federal Court in the Wolcott Case.

17. And your committee further find that prior to December 23, 1853, the State, under the said grant, had sold and conveyed or contracted about 70,000 acres of the land covered by the bill under consideration, to individual citizens of this and other States, and that many of these lands have been sold to innocent purchasers by the persons so receiving their titles from the State.

From this general statement of facts your committee find and report as their conclusions :

*First*—That these lands from 1848 have been withdrawn and withheld from market, and by competent authority, reserved from sale, entry and pre-emption, and being by the United States so withdrawn, withheld, and reserved—the same have not been subject to pre-emption—and settlers thereon could acquire no pre-emption rights therein.

*Second*—That the title to the said lands remained and continued in the United States until the passage of the joint resolution of March 2, 1861, and that by virtue of the said resolution and the act of Congress of July 12, 1862, the title of the United States in the said lands was released, relinquished and granted to the State of Iowa, and that such title, by relating back to the dates of the conveyance by the State, by operation of law, inured and passed to its respective grantees, who now actually and indefeasibly hold the said title.

And your committee most respectfully submit, in the premises, that the State now has no title whatever to or interest in the lands by the bill under consideration proposed to be sold by the State, and that the attempt on the part of the State to re-assert title thereto and recover it, can only operate to cloud and embarrass the title of the owners, without conferring any benefit upon those who are keeping the same from the State.

Even conceding that the State has now the title to the said lands, and full power and authority to grant and convey the same, could she with any semblance of justice or show of propriety, again convey these lands as contemplated by the bill? The State claiming to be the owners of these lands upon a full and fair settlement with the Des Moines Navigation and Railroad Company, by the solemnity of a legislative contract, and by her deeds formally executed thereunder conveyed or assumed to convey these lands to the said company.

If the State, at the time of her deeds to said company, had not in fact the title as she claimed and supposed, and has since acquired one, is she not bound by every consideration of duty, of honor and public faith, to stand by her obligations, and carry out the intent and spirit of her contract? Is she not now in good faith bound to maintain and perfect, as far as possible to her grantees,

the title which she undertook, and assumed to grant and convey to them?

Having received an admitted consideration for her conveyance of these lands, and of which she has had the benefit, any act on her part which would now impair or take from her grantees, the title which she agreed, and designed, and intended to convey to them, would be little less than open and naked repudiation—a violation of that faith upon which the purchaser of these lands relied—a reflection upon her honor and credit—calculated to weaken and destroy confidence in her sense of justice.

In another aspect your committee regard the bill under consideration as objectionable. Upward of 70,000 acres of these lands prior to December 23, 1853, had been by the State sold in comparatively small tracts, to a large number of purchasers, and conveyances given therefor. A large number of these purchasers are residents of this State who have never entered into the actual possession of the lands purchased; but the same have been entered upon by persons claiming to be settlers—who have cut and carried away and converted the timber growing thereon—and these lands this bill proposes the State shall take from those persons holding its deeds, and sell to others. Aside from the obvious injustice of such a course, it would open the door to thousands of wronged and honest claimants upon the public treasury for relief. All these purchasers would have a right to demand, that the State should perform its obligations with them, and if she has assumed to take their lands and sell them, she should restore to them the consideration received therefor.

The undersigned therefore report back the said bill, with the recommendation that it do not pass.

B. F. MURRAY,  
T. S. WILSON,  
G. F. KILBURN.

The amendment recommended by the committee to the 1st section was adopted.

The amendment recommended by the committee to the 2d section was adopted.

Mr. Rees moved to amend section 2, by inserting after the word "person," in the fifth line, the words "the money to be paid into the State Treasury for any use which the General Assembly may hereafter determine."

The motion to amend prevailed.

Mr. Rees moved to amend the 2d section, by inserting after the words "Raccoon Forks," in the third line, the words "south line of township eighty-nine, north on the west side of the Des Moines river, and on the east side of the East Fork of the Des Moines river, south of the south line of township ninety-three, north.

The motion to amend prevailed.

Mr. Rees moved to amend section 3, by striking out the last

sentence proposed by the committee to the second clause thereof, which motion prevailed.

The amendment recommended by the committee as amended was adopted.

The amendment recommended by the committee to section 4 was adopted.

Mr. Rowell moved to amend the 5th section, by adding the words "of 1860."

The motion to amend prevailed.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 355, A bill for an act to legalize certain judgments rendered by Benjamin Furnace, a justice of the peace in and for Louisa county, Iowa.

House File No. 364, A bill for an act to amend an act fixing the time of holding court in the county of Hardin, and State of Iowa, approved March 9, 1868.

House File No. 348, A bill for an act to provide for the payment of salaries of officers, and wages of employes of the penitentiary, and for the general support of the convicts.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bill and joint resolution, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 351, A bill for an act to include the territory known as the Kinkade Addition, in the limits of the town of Corydon, Wayne county, Iowa.

Joint resolution instructing attorney-general as to proceedings touching the Chicago, Rock Island and Pacific Railroad.

H. C. RIPPEY, Chairman.

Mr. Kilburn moved that the House do now adjourn, which motion did not prevail.

Mr. Wilson of Davis, moved a call of the House, which was ordered.

On motion of Mr. Tillson, Mr. Criss was excused on account of sickness.

On motion of Mr. Lambert, leave of absence was granted Mr. Ellis for two days.

Mr. McCoun was excused on account of sickness.

On motion of Mr. Rees, further proceedings under the call were dispensed with.

Mr. Murray moved that the House do now adjourn.

The motion did not prevail.

Mr. Kasson moved to amend by offering a substitute.

The substitute was adopted.



## MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 179, A bill for an act apportioning the State into senatorial districts.

I am also directed to return herewith the following bills:

House File No. 29, A bill for an act changing the time of holding courts in Waverly, Bremer county, in the Twelfth Judicial District, which has passed the Senate with an amendment adding thereto an additional section, and inserting in the title after the words "Bremer county," the words "St. Charles, in Floyd."

Also, House File No. 78, A bill for an act to provide for the adjustment of claims of members of the First Iowa Cavalry, which has passed the Senate without amendment.

JAMES M. WEART, Secretary.

Mr. Rippey moved that the bill be considered engrossed and the rule be suspended, and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Wheeler, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—77.

The nays were Mr. Rector.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Craig, Cramer, Davis, Donovan, Dudley, Ellis, Goodspeed, Johnson of Cherokee, Lockwood, Longueville, McCoun, Peck, Trusdell, Tucker, Walling, Werner Wilcox, and Wilson of Dubuque.—21

So the bill passed, and the title was agreed to.

Leave was granted Mr. Traer to offer the following resolution:

*Resolved*, That this House hold night sessions on Thursday and Saturday evenings of this week, commencing at half-past seven o'clock P. M.

On motion of Mr. Kilburn the resolution was laid on the table.



Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 351, A bill for an act to include the territory known as the Kinkade Addition, in the limits of the town of Corydon, Wayne county, Iowa.

House File No. 364, A bill for an act to amend an act fixing the time of holding court in the county of Hardin, and State of Iowa, approved March 9, 1868.

House File No. 355, A bill for an act to legalize certain judgments rendered by Benjamin Furnace, a justice of the peace, in and for Louisa county, Iowa.

House File No. 348, A bill for an act to provide for the payment of salaries of officers and wages of employes of the penitentiary, and for the general support of the convicts.

Joint resolution instructing the attorney-general as to proceedings touching Chicago, Rock Island and Pacific Railroad.

H. C. RIPPEY, Chairman.

Mr. Murray moved that the House do now adjourn.  
The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 3, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. Geiger.

Journal of yesterday read and approved.

Mr. Cotton moved to reconsider the vote by which House File No. 367, A bill for an act to appropriate money to reimburse the contractors for the convict labor of the State Penitentiary, was indefinitely postponed.

The motion to reconsider prevailed.

The motion to indefinitely postpone prevailed.

On motion of Mr. Wilson of Dubuque, the regular order of business was suspended, and Senate messages taken up.

Substitute for House File No. 33, A bill for an act to amend section 317, chapter 22, of the Revision of 1860 was taken up.

Upon the question of concurring in the Senate amendment the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Traer, Tritz, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—77.

The nays were, Messrs. Babbitt, Stuart, Tillson—3.

Absent and not voting, Messrs. Adams, Atwood, Bent, Blackwell, Cramer, Dudley, Ellis, Goodspeed, Hatch, Kasson, Kelley, Peck, Rohlf, Sanborn, Smith of Dickinson, Tucker, Walling, Werner, and Wilcox—19.

So the amendments were adopted.

Mr. Williams, from the special committee, consisting of the chairmen of the several standing committees, submitted the following report:

The committee appointed by the House, consisting of the chairmen of the several standing committees, have discharged the duties assigned them, and report that they have assorted the bills on file in the House, and have placed those of most importance in the first class; second, in second class; third, in third class; and also made an evening class, and that the bills relating to the charitable institutions—the blind, insane, and deaf and dumb—should be considered first; and by the action of said committee, I am instructed to offer the following resolution:

*Resolved*, That this House will hear an argument of but five minutes length on either side in the advocacy of any bill under consideration by this House, and but one speaker on a side heard.

WILLIAMS, Chairman.

On motion of Mr. Davis, the resolution was laid upon the table.

Mr. Knapp, from the Committee on Public Lands, submitted the following report:

The Committee on Public Lands have had under consideration a bill for an act providing for the survey and preservation of wash or made lands, within the State, and have instructed me to report the same to the House, with the recommendation that it do pass.

T. B. KNAPP, Chairman.

House File No. 370, A bill for an act providing for the survey and preservation of wash or made lands, within the State, was read a first and second time, and passed on file.

The Committee on Public Lands have had under consideration a bill for an act to amend chapter 79, of the acts of the Eleventh

General Assembly, entitled, An act to provide for the adjustment certain land claims with the General Government, and have instructed me to report the same to the House, with the recommendation that it do pass.

T. B. KNAPP, Chairman.

House File No. 371, A bill for an act to amend chapter 79 of the acts of the Eleventh General Assembly, entitled, "An act to provide for the adjustment of certain land claims with the General Government," was read a first and second time, and passed on file.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked :

Senate File No. 175, A bill for an act detaching the county of Webster from the Eleventh Judicial District, and annexing the same to the Fourth Judicial District, fixing the times of holding courts therein, and making said county a part of the Second Circuit in said district.

Also, a joint resolution asking for additional mail facilities in Delaware and Linn counties.

Also, a joint resolution in relation to the trustees of the State Agricultural College and Farm.

J. A. T. HULL, Assistant Secretary.

Mr. McKean, from the Committee on Constitutional Amendments, submitted the following report :

The Committee on Constitutional Amendments, have instructed me to introduce the accompanying bill for an act to provide for due reference and publication of a proposal to amend the Constitution of the State of Iowa, and recommend that the rule be suspended, and the bill be considered engrossed, and read a third time now.

JOHN McKEAN, Chairman.

House File No. 372, A bill for an act to provide for due reference and publication of a proposition to amend the Constitution of the State of Iowa, was read first and second time.

On motion of Mr. McKean, the rule was suspended, and the bill read the third time.

Upon the question " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Dashiell, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson,

Kilburn, Lambert, Leach, Leffingwell, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Trusdell, Wheeler Wilcox, Williams, Wilson of Davis, and Mr. Speaker—62.

The nays were, Messrs. Adams, Babbitt, Bander, Browne of Lee, Caldwell, Davis, Hawthorn, Irish, Kelley, Lockwood, Longueville, Rector, Rees, Stuart, Tritz, Wilson of Dubuque and Wright—17.

Absent and not voting, Messrs. Allen, Atwood, Bailey, Bent, Blackwell, Cramer, Criss, Donovan, Ellis, Dudley, Goodspeed, Hartsock, Knapp, Peck, Smith of Dickinson, Traer, Tucker, Walling, Werner and Wilson of Tama.—20.

So the bill passed, and the title was agreed to.

Mr. Brown of Fayette, from the special committee appointed to consider House File No. 322, asked leave to withdraw said bill from the files of the House, which was granted.

Mr. Williams from the Committee on Railroads submitted the following report:

The Committee on Railroads report to the House the following bill, A bill for an act to authorize the Governor to appoint a board of commissioners to investigate as to whether railroad companies discriminate against the trade and commerce of the State in the adjustment of their tariff of freights, and have instructed me to recommend its passage.

WILLIAMS, Chairman.

House File No. 373, A bill for an act to authorize the Governor to appoint a board of commissioners to investigate as to whether railroad companies discriminate against the trade and commerce of the State in the adjustment of the tariffs of freights, was read first and second time.

Mr. Ordway moved to lay the bill on the table.

Upon this question, to lay on the table, the yeas and nays were demanded, and were as follows:

The yeas were Messrs. Adams, Babbitt, Burrows, Guthrie, Hawthorn, Johnson of Marshall, Morrison, Orr, Ordway, Rector, and Smith of Harrison—11.

The nays were Messrs. Atkins, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Kilburn, Knapp, Lambert, Leach, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis,

Wilson of Dubuque Wilson of Tama, Wright and Mr. Speaker.—68.

Absent and not voting, Messrs. Allen, Atwood, Bent, Blackwell, Cramer, Criss, Donovan, Dudley, Ellis, Goodspeed, Hartsock, Kasson, Kelley, Leffingwell, Peck, Smith of Dickinson, Sheldon, Tucker, Walling, and Werner—20.

So the motion to lay on the table did not prevail.

Mr. Adams moved that the bill be re-committed to the Committee on Railroads, with instructions to print.

Mr. Traer moved the previous question, which was seconded, and the main question ordered.

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

On motion of Mr. McKean, the rule was suspended, and the bill read a third time.

Mr. Wilson of Dubuque, moved to add a publication clause by way of a rider, which motion prevailed.

Mr. Babbitt moved to re-commit to the Committee on Railroads, with instructions to amend by striking out "five" and inserting "three" in the section regulating the *per diem* of commissioners; and that the commissioners be restricted to thirty days in the discharge of their duties.

Mr. Adams moved to amend the instructions by adding the words "and print."

The amendment did not prevail.

Mr. Rowell moved to amend the instructions by adding: Strike out all that portion of the bill which refers to the qualifications of the commissioners, and insert that one of said commissioners shall be a man interested in railroads in this State.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to return to your Honorable Body the following bill:

House File No. 152, A bill for an act to provide for the erection of a State House, which has passed the Senate with amendments as noted therein, in which the concurrence of the House is asked.

JAMES M. WEART, Secretary.

The motion to amend instructions did not prevail.

The motion to refer did not prevail.

Mr. Brown of Van Buren, moved to amend by way of rider, as follows: "The commissioners shall be restricted to a session of sixty days in any one year."

The motion prevailed.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Bailey, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee,

Brown of Van Buren, Barnett, Caldwell, Chase, Cotton, Craig, Criss, Davis, Fulton, Garrett, Glasgow, Grantham, Hamilton, Hart, Hayden, Hawthorn, Hunter, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Sanborn, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—64.

The nays were, Messrs. Adams, Babbitt, Ballinger, Burrows, Dashiell, Hartsock, Johnson of Marshall, Lambert, McCoun, Orr, Ordway, Rector, Rowell, Smith of Harrison, Sheldon, Stanley.—16.

Absent and not voting, Messrs. Atwood, Bent, Blackwell, Cramer, Donovan, Dudley, Ellis, Gaylord, Goodspeed, Guthrie, Hatch, Irish, Johnson of Cherokee, Peck, Smith of Dickinson, Tucker, Walling, Werner, and Wilcox.—19.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills, have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

Senate File No. 85, A bill for an act establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof.

Senate File No. 3, A bill for an act in relation to the school fund and the school lands.

Senate File No. 43, A bill for an act to release to Alfred Heber Reynolds any and all right of the State of Iowa by way of escheat to certain lands in Buchanan county.

Senate File No. 152, A bill for an act for the relief of Barton B. Dunning, of Ringgold county.

Senate File No. 84, A bill for an act to repeal section 898 of the Revision of 1860, and to provide a substitute therefor, in relation to returning non-resident road tax.

Senate File No. 162, A bill for an act making appropriations for the State Agricultural College and Farm.

Senate File No. 127, A bill for an act relating to towns incorporated under the provisions of chapter 42 of the Code of 1851.

House File No. 268, A bill for an act to authorize the correction of errors in the plat of the village of Webster City, in Hamilton county.

Senate File No. 196, A bill for an act relating to real estate sold for taxes unredeemed, and providing that property so sold and unredeemed shall be designated as such on the tax-lists.

Senate File No. 210, A bill for an act fixing the times for holding terms of the District Court in the Fourth Judicial District,



and attaching certain counties to others in said district for judicial purposes.

H. C. RIPPEY, Chairman.

Leave was granted Mr. McNutt to offer the following resolution, which was adopted:

*Resolved by the General Assembly of the State of Iowa, That the Secretary of State is hereby authorized to subscribe for five hundred copies of the Twenty-First Volume of Iowa Reports, as authorized by law, upon receiving the certificate of Justice Wright of the Supreme Court that the volume complies with the requirements of the law.*

Leave was granted Mr. Hatch to offer the following resolution, which was adopted:

*Resolved, That the Committee on Printing be instructed to examine the bills of the State Printer for work done for this House in the manner as provided by section 143 of the Revision of 1860, and if there are accounts for work done by joint orders of the two Houses, said committee be instructed to act jointly with the Senate Committee on Printing in the examination under such joint orders.*

Mr. Murray, from the special committee of the Fifth Judicial District, reported House File No. 374, A bill for an act fixing the time of holding District Court in the Fifth Judicial District, which was read first and second time.

On motion of Mr. Murray, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Garrett, Glasgow, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—74.

The nays were none.

Absent and not voting, Messrs. Adams, Atwood, Bauder, Bent, Blackwell, Bowen, Burnett, Burrows, Cramer, Donavan, Dudley, Ellis, Gaylord, Goodspeed, Guthrie, Irish, Johnson of Cherokee, Kasson, Ordway, Peck, Rowell, Smith of Dickinson, Tucker, Walling, and Werner—25.

So the bill passed, and the title was agreed to.



## MESSAGES ON THE SPEAKER'S TABLE.

Special message from the Governor, relative to railroads, was taken up and ordered printed.

Mr. Brown of Van Buren, moved that the regular order of business be suspended, and substitute for House File No. 200, A bill for an act regulating life insurance companies, be taken up.

The motion prevailed, and the bill was taken up, and on motion of Mr. Kilburn, was considered by sections.

Mr. Kilburn moved to amend the 9th section of the bill, by inserting after the word "rendered," in the eleventh line, the words "but nothing herein shall prevent any company from making said valuation herein contemplated, which shall be received by the auditor upon such proof as he may determine."

The motion to amend prevailed.

Mr. Wheeler moved that the House do now adjourn, which motion did not prevail.

Mr. Kilburn moved to amend section 22, by inserting after the word "State," in the third line, the words "or in which such company is located."

The motion to amend prevailed.

On motion of Mr. Kilburn the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Fulton, Garrett, Gaylord, Glasgow, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlfis, Rowell, Sanborn, Sheldon, Stanley, Stone, Tenney, Traer, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were Messrs. Johnson of Marshall, and Tillson—2.

Absent and not voting, Messrs. Adams, Atwood, Bent, Blackwell, Cramer, Dashiell, Donavan, Dudley, Ellis, Goodspeed, Guthrie, Irish, Johnson of Cherokee, Lockwood, McCoun, Peck, Smith of Dickinson, Smith of Harrison, Stuart, Tucker, Walling, and Werner—22.

So the bill passed, and the title was agreed to.

Mr. Orr, from the Committee on Claims, submitted the following report:

Your Committee on Claims, to whom was referred the memorial

of Joseph A. Stright, asking pay for recruiting Company E, Twenty-Third Iowa Infantry regiment, have had the same under consideration, and instructed the chairman to report the same back to the House, with a recommendation that he be allowed on his claim the sum of three hundred dollars, and that the same be added to the general appropriation bill.

SHELDON, Chairman *pro tem*.

Mr. Brown of Van Buren, moved a call of the House, which was not seconded.

The report of the Committee on Claims was concurred in.

Mr. Kilburn moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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TWO O'CLOCK, P. M.

Mr. Parker moved that the regular order of business be suspended, and Senate File No. 100, A bill for an act to encourage the cultivation of forest-trees be taken up.

Mr. Babbitt moved to amend the motion, that the House proceed to take bills in the order reported by the Sifting Committee.

MESSAGE FROM THE SENATE.

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 resolutions in which the concurrence of the House is asked:

Joint resolution recommending certain changes in the act of Congress approved July 1st, 1862, establishing a Pacific Railroad and branches and amendments thereto.

Joint resolution appointing trustees of the Iowa Soldiers' Orphans Homes.

I am also directed to return herewith the following bills and resolutions which have passed the Senate without amendment.

House File No. 26, A bill for an act to promote the collection of revenue of incorporated cities and towns under special charters.

House File No. 278, A bill for an act to prohibit the laying out or opening of roads across certain reserved lands of the State, and to vacate public roads on the same.

House File No. 279, A bill for an act to provide certain police regulations for the protection of the Iowa State Agricultural College and Farm and of the students therein.

Joint resolution requesting increased mail facilities in Iowa.

Joint resolution in relation to making post-masters distributing agents of revenue stamps.

Joint resolution appointing trustees of the Iowa Reform School.

Joint resolution authorizing the Secretary of State to purchase five hundred copies of Volume Twenty-One of Iowa Reports.

Also, the following: House File No. 326, A bill for an act to destroy Canada thistles, which has passed the Senate with an amendment, striking out all of the bill after the word "offense" in the tenth line of section 1, in which the concurrence of the House is asked.

JAMES M. WEART, Secretary.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills and have directed me to report them as correctly enrolled and to present them for your signature:

Senate File No. 143, A bill for an act to repeal chapter 120 of the Ninth General Assembly approved April 7th, 1862, and to enact instead thereof a substitute having for its object the better protection of fruit.

Senate File No. 145, A bill for an act to amend chapter 169 of the acts of the Ninth General Assembly in relation to the duties of railroad companies.

Senate File No. 107, A bill for an act giving the consent of the Legislature of the State of Iowa to the purchase by the United States of certain real estate.

H. C. RIPPEY, Chairman.

The motion to amend did not prevail.

The motion to take up Senate File No. 100, A bill for an act to encourage the planting of timber, fruit trees, shade trees and hedges, prevailed, and the bill was taken up and considered.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 360, A bill for an act to amend the act passed by the Twelfth General Assembly of the State of Iowa, entitled an act establishing Circuit and General Term Courts, and to define the powers and jurisdiction.

House File No. 204, A bill for an act to legalize the acts of the council of city of Clinton.

Joint resolution ratifying the amendment to the Constitution of the United States, in regard to representation, reconstruction and the national debt.

H. C. RIPPEY, Chairman.

Mr. Kilburn moved to amend by substituting the following:

A bill for an act to encourage the planting of forest trees, fruit trees, grape vines and timber belts.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa*, That there shall be exempt from taxation for a period of ten years of the real or personal property of each tax-payer in this State, who shall plant and suitably cultivate, one or more acres of forest trees for timber, to the amount of fifty dollars for each acre. *Provided*, the trees are not more than ten feet apart, and kept in good growing condition.

SEC. 2. The township assessor shall annually, when making the assessments, examine the condition of said trees and vines, and adjudge whether the provisions of this act have been complied with, and if so, shall make the deduction specified in preceding sections of this act, and may place the applicant for exemption under oath for the purpose of eliciting any required information connected therewith.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa Homestead* and *Weekly State Register*.

The motion to amend did not prevail.

Mr. Wilson of Tama, moved the previous question, which was seconded, and the main question ordered.

On motion of Mr. Tenney, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bander, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Criss, Davis, Donavan, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Lockwood, Longueville, McConn, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Ramsay, Rector, Rees, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Wilcox, Williams, Wilson of Dubuque, Wilson of Tama, and Wright.—67.

The nays were, Messrs. Bowen, Dashiell, Garrett, Kilburn, Lambert, Perry, Sanborn, Traer, Wheeler, and Wilson of Davis.—10.

Absent and not voting, Messrs. Atwood, Bent, Blackwell, Craig, Cramer, Dudley, Ellis, Fulton, Goode, Hamilton, Hawthorn, Johnson of Cherokee, McNutt, Ordway, Peck, Phillips, Rippey, Stanley, Tucker, Walling, Werner, and Mr. Speaker.—22.

So the bill passed, and the title was agreed to.

#### MESSAGES AND COMMUNICATIONS ON THE SPEAKER'S TABLE.

The Senate resolution in relation to the trustees of the Agricultural College and Farm was taken up and adopted.

Senate File No. 229, A bill for an act to regulate the compensation of the trustees of State institutions, was taken up and read first and second time.

Mr. Trusdell moved to lay the bill upon the table, which motion prevailed.

Senate File No. 228, A bill for an act to amend chapter 95, acts of the Eleventh General Assembly, was taken up and read first and second time.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 149, A bill for an act making further appropriation for the Hospital for the Insane.

GEO. P. ABEL, Assistant Secretary.

Mr. Burnett moved to amend section 1 of the bill by striking out the words "five dollars per day" and insert in lieu thereof the word "compensation."

The motion to amend prevailed.

On motion of Mr. Kilburn, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Garrett, Glasgow, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Leach, Leffingwell, McKean, McNutt, Miles, Miller, Morrison, Murray, Newberry, Orr, Parker, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stone, Tenney, Tillson, Trusdell, Wilcox, Williams, Wilson of Tama, and Wright—66.

The nays were Messrs. Browne of Lee, Donovan, Grantham, Kelley, Lambert, Lockwood, Longueville, Mechem, Tritz, Wheeler, and Wilson of Dubuque—11.

Absent and not voting, Messrs. Atwood, Bent, Blackwell, Cramer, Dudley, Ellis, Gaylord, Goodspeed, Hawthorn, Johnson of Cherokee, McCoun, Ordway, Peck, Phillips, Stanley, Stuart, Traer, Tucker, Walling, Werner, Wilson of Davis, and Mr. Speaker—22.

So the bill passed, and the title was agreed to.

Mr. Fulton, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills, have examined the following House File, and report the same as correctly engrossed:

Substitute for House File No. 183, A bill for an act to be entitled, an act to relinquish and secure to the settlers upon the odd sections of land, lying along and within five miles of the Des Moines river, a right to purchase the land occupied by them.

A. R. FULTON, Chairman.

Leave was granted Mr. Wilcox to offer the following resolution: *Resolved*, That the following *per diem* be allowed the officers and employes of the House of Representatives:

Chief Clerk.....	\$6.00
First Assistant Clerk.....	5.00
Second Assistant Clerk.....	5.00
Engrossing Clerk.....	5.00
Enrolling Clerk.....	5.00
Sergeant-at-Arms.....	4.00
Janitor.....	4.00
Door-keeper.....	4.00
Paper-folders, each.....	4.00
Messengers, each.....	2.00

Mr. Murray moved to amend by making the pay of the messengers \$2.50 per day, each.

The motion to amend prevailed.

Leave of absence was granted Mr. Wilcox for two days, or for time sufficient to make a report for the Committee on Ways and Means.

Leave was granted Mr. Burrows to offer the following resolution, which was adopted:

*Resolved, by the House of Representatives, the Senate concurring*, That Geo. F. Work, assistant post-master, be employed to remain one week after the close of the session, in order to remail all matter desired by the members, and that the sum of — dollars be allowed him for this service.

Mr. Murray moved to fill the blank with "thirty," which motion prevailed.

Senate File No. 175, A bill for an act detaching the county of Webster from the Eleventh Judicial District and annexing the same to the Fourth Judicial District, fixing the times of holding courts therein, and making said county a part of the Second Circuit in said judicial district, was taken up and read first and second time and referred to special committee of members from the Fourth and Eleventh Judicial Districts.

Senate concurrent resolution fixing the *per diem* of post-master, assistant post-master, and mail carrier at four dollars each, was taken up and read.

Mr. Burnett moved to amend by striking out the word "four"

and inserting in lieu thereof the word "five," which motion prevailed.

The resolution as amended was adopted.

House File No. 152, A bill for an act to provide for the erection of a State House, was taken up.

Mr. Hatch moved that the House concur in the Senate amendments.

Upon the question to concur in Senate amendments, the yeas and nays were as follows :

The yeas were, Messrs. Adams, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Kasson, Kelley, Kilburn, Knapp, Lambert, Lettingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Newberry, Parker, Perry, Rector, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Sheldon, Stuart, Tenney, Tillson, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Tama, and Wright—59.

The nays Messrs. Atkins, Bauder, Donavan, Johnson of Marshall, Ramsay, and Tritz—6.

Absent and not voting, Messrs. Allen, Atwood, Bent, Blackwell, Brown of Howard, Browne of Lee, Cramer, Dudley, Ellis, Garrett, Gaylord, Goodspeed, Hawthorn, Irish, Johnson of Cherokee, Leach, Miller, Morrison, Murray, Orr, Ordway, Peck, Phillips, Rowell, Smith of Harrison, Stanley, Stone, Traer, Tucker, Walling, Werner, Wilcox, Wilson of Dubuque, and Mr. Speaker—34.

So the amendment was adopted, and the title was agreed to.

Leave of absence was granted Mr. McCoun for two days.

Leave of absence was granted Mr. Leach for the remainder of the session.

Senate substitute for House resolution electing board of trustees for Iowa Soldiers' Orphans Home, was taken up.

*Resolved by the General Assembly of the State of Iowa, That the following-named persons are hereby appointed a board of trustees for the Iowa Soldiers' Orphans Home, to serve for the term of two years from the 1st day of June, 1868, and until their successors are elected and qualified :*

For Trustee at Large, P. P. Ingalls, of Polk county; First Congressional District, William Salter, of Des Moines county; Second Congressional District, John Bell, of Scott county; Third Congressional District, P. G. Wright, of Allamakee county; Fourth Congressional District, John Meyer, of Jasper county; Fifth Congressional District, E. C. Bosbyshell, of Mills county; Sixth Congressional District, J. B. Powers, of Black Hawk county.

Senate joint resolution relative to the Pacific Railroad, was taken up and read.



Mr. Traer moved to refer the resolution to the Committee on Federal Relations, which motion prevailed.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 204, A bill for an act to authorize independent school districts to borrow money, and issue bonds therefor, for the purpose of erecting and completing school-houses, and making school-orders draw six per cent interest in certain cases.

J. A. T. HULL, Assistant Secretary.

MR. SPEAKER:—I am directed to return to your Honorable Body the following bill:

House File No. 349, A bill for an act for the improvement of the penitentiary, which has passed the Senate with an amendment striking out of 4th section "only the same mileage for each member who shall attend, as is now allowed members of the General Assembly," and inserting "their necessary expenses while performing that duty," in which the concurrence of the House is asked.

JAMES M. WEART, Secretary.

Senate File No. 204, A bill for an act to authorize independent school districts to borrow money, and issue bonds therefor, for the purpose of erecting and completing school houses, and making school orders draw six per cent interest in certain cases, was taken up and read first and second time.

Mr. Leach moved to amend section 5 as follows, "All bonds of independent districts heretofore issued in a manner conforming substantially with the provisions of this act are hereby declared to be legal and valid."

The motion to amend prevailed.

Mr. Kilburn moved that the rule be suspended and the bill be read a third time, now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Criss, Dashiell, Donavan, Fulton, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Sanborn,

Smith of Harrison, Sheldon, Stanley, Tenney, Traer, Tritz, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama and Wright—69.

The nays were, Messrs. Davis, Garrett and Tillson—3.

Absent and not voting, Messrs. Atwood, Babbitt, Bander, Bent, Blackwell, Cotton, Cramer, Dudley, Ellis, Gaylord, Goodspeed, Hartsock, Irish, Longueville, McCoun, McNutt, Peck, Phillips, Rowell, Smith of Dickinson, Stone, Stuart, Tucker, Walling, Werner, Wilcox, and Mr. Speaker.—27.

So the bill passed, and the title was agreed to.

Mr. Tillson moved that the House do now adjourn, which motion did not prevail.

House File No. 349, A bill for an act for the improvement of the penitentiary, was taken up.

Upon the concurrence in the Senate amendment, the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Criss, Dashiell, Davis, Fulton, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leftingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rohlf, Rowell, Sauborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Williams, Wilson of Dubuque, Wilson of Tama, and Wright.—71.

The nays were none.

Absent and not voting, Messrs. Adams, Atwood, Bander, Bent, Blackwell, Cotton, Cramer, Donavan, Dudley, Ellis, Garrett, Gaylord, Goodspeed, Hartsock, Leach, Longueville, McCoun, Murray, Peck, Phillips, Rippey, Smith of Dickinson, Tucker, Walling, Werner, Wilcox, Wilson of Davis, and Mr. Speaker.—28.

So the House concurred in Senate amendment.

House File No. 279, A bill for an act to provide for the protection of the Agricultural College and Farm and of the students therein, was taken up.

Upon the question of concurring in the Senate amendment, the yeas and nays were as follows :

The yeas were Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Leftingwell, Lockwood, McKean, McNutt, Mechem, Miles, Morrison, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rohlf, and

Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Wheeler, Williams, Wilson of Davis, and Wilson of Tama—65.

The nays were Messrs. Wilson of Dubuque and Wright—2.

Absent and not voting, Messrs. Adams, Atwood, Bent, Blackwell, Cotton, Cramer, Donovan, Dudley, Ellis, Garrett, Gaylord, Goodspeed, Hartsock, Irish, Kilburn, Knapp, Leach, Longueville, McCoun, Miller, Murray, Peck, Perry, Phillips, Rippey, Smith of Dickinson, Stuart, Tucker, Walling, Werner, Wilcox, and Mr. Speaker—32.

So the House concurred in the Senate amendment.

Mr. McNutt moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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SEVEN THIRTY O'CLOCK P. M.

Mr. McNutt from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to which was referred House File No. 314, A bill for an act to remunerate Dr. Otto Thieme for labor and expenses incurred by him as commissioner of Iowa to the Paris Exposition of 1867, having considered the same instruct me to report the bill back with a substitute, and recommend the passage of the substitute.

SAMUEL McNUTT, for Committee.

BILLS ON SECOND READING.

House File No. 185, A bill for an act making appropriations for payment of sundry bills and accounts contracted by the commissioners in the erection of the building for the adjutant-general's and quartermaster-general's office, and for storage of arms, was taken up and considered.

On motion of Mr. Hatch, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Burrows, Chase, Craig, Criss, Dashiell, Donovan, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood,

Longueville, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Parker, Perry, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—69.

The nays were, Messrs. Browne of Lee, Smith of Harrison.—2.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Brown of Van Buren, Burnett, Caldwell, Cotton, Cramer, Davis, Dudley, Ellis, Fulton, Goodspeed, Hayden, Johnson of Cherokee, Knapp, McCoun, Miller, Orr, Ordway, Peck, Phillips, Rippey, Stone, Stuart, Walling, Werner, and Wilcox.—28.

So the bill passed, and the title was agreed to.

House File No. 314, A bill for an act to reimburse Dr. Otto Theime for labor and expenses incurred by him as commissioner of Iowa to the Paris Exposition of 1867, was taken up and considered.

The substitute recommended by the committee was adopted.

Mr. Wilson of Davis moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Babbitt, Ballinger, Bauder, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Craig, Cries, Dashiell, Garrett, Gaylord, Hartcock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Leach, Leffingwell, Longueville, McKean, Mechem, Miles, Murray, Parker, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Stone, Tritz, Williams, Wilson of Davis, and Wilson of Tama—43.

The nays were, Messrs. Atkins, Atwood, Bailey, Chase, Donovan, Glasgow, Grantham, Guthrie, Hart, Hawthorn, Kelley, Lambert, Lockwood, McCoun, McNutt, Newberry, Perry, Ramsay, Rippey, Smith of Harrison, Sheldon, Stanley, Tenney, Tillson, Traer, Wilson of Dubuque and Mr. Speaker—27.

Absent and not voting, Messrs. Bent, Blackwell, Bowen, Browne of Lee, Burnett, Cotton, Cramer, Davis, Dudley, Ellis, Fulton, Goodspeed, Hamilton, Johnson of Cherokee, Knapp, Miller, Morrison, Orr, Ordway, Peck, Phillips, Stuart, Trusdell, Tucker, Walling, Werner, Wheeler, Wilcox and Wright—29.

So the bill not receiving a constitutional majority was lost.

House File No. 213, A bill for an act to legalize the official acts of Jno. R. Nisley, notary public, was taken up and considered.

On motion of Mr. Rees, the rule was suspended, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Browne of Lee, Burnett, Cramer, Davis, Dudley, Ellis, Fulton, Goodspeed, Irish, Knapp, Orr, Ordway, Parker, Peck, Rees, Rippey, Walling, Werner, Wilcox, and Williams—24.

So the bill passed, and the title was agreed to.

House File No. 162, A bill for an act for the acknowledgment and recording of deeds in certain cases, was taken up and considered.

On motion of Mr. Cotton the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McCoun, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—78.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Burnett, Cramer, Davis, Dudley, Ellis, Fulton, Goodspeed, Irish, Knapp, McNutt, Orr, Ordway, Peck, Rees, Rippey, Walling, Werner, and Wilcox—21.

So the bill passed, and the title was agreed to.

House File No. 111, A bill for an act to make all public streets in towns and villages not incorporated a part of the public highway, was taken up and considered.

The substitute recommended by the committee was adopted.

On motion of Mr. Brown of Van Buren, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartssock, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Leach, Leffingwell, Lockwood, Longueville, McConn, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were, Messrs. Atkins, Babbitt, Lambert—3.

Absent and not voting, Messrs. Bent, Blackwell, Burnett, Caldwell, Cramer, Davis, Dudley, Ellis, Fulton, Goodspeed, Hayden, Irish, Knapp, Orr, Ordway, Peck, Rippey, Traer, Walling, Werner, and Wilcox—21.

So the bill passed, and the title was agreed to.

House File No. 363, A bill for an act supplemental to an act passed by the Twelfth General Assembly entitled "An act establishing Circuit and General Term Courts and to define the powers and jurisdiction thereof," was taken up and considered.

On motion of Mr. Murray, the bill was laid on the table.

House File No. 46, A bill for an act to legalize the official acts of Samuel R. Coons, a notary public in Clayton county, was taken up and considered.

The amendment recommended by the committee was adopted.

On motion of Mr. Atkins, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Donavan, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartssock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker,



Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—77.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Burnett, Cramer, Davis, Dudley, Ellis, Goodspeed, Hamilton, Hayden, Knapp, McCoun, Orr, Ordway, Peck, Rippey, Traer, Walling, Werner, and Wilcox—22.

So the bill passed, and the title was agreed to.

House File No. 309, A bill for an act to amend section 642 of the Revision of 1860, was taken up and considered.

On motion of Mr. Parker, the rule was suspended, and the bill read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hunter, Irish, Johnson of Cherokee, Johnson, of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, Mecuein, Miles, Miller, Morrison, Murray, Newberry, Parker, Phillips, Ramsay, Rector, Rees, Rohlf, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Trusdell, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—69.

The nays were, Messrs. Bauder, Donavan, Hawthorn, Lambert, McConn, McNutt, Perry, Rowell, Tillson, Tritz, and Tucker—11.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Burnett, Cramer, Davis, Dudley, Ellis, Goodspeed, Hamilton, Hayden, Orr, Ordway, Peck, Rippey, Traer, Walling, Werner, and Wilcox—19.

So the bill passed, and the title was agreed to.

House File No. 190, A bill for an act to legalize the acts of the board of supervisors of Ida county in conveying certain lands to soldiers as bounties, was taken up and considered.

On motion of Mr. Criss, the rule was suspended, and the bill read a third time.

Upon the question. "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McKean, McNutt, Meekem, Miles, Miller,



Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—81.

The nays were none.

Absent and not voting, Messrs. Atwood, Bent, Blackwell, Burnett, Caldwell, Cramer, Dudley, Ellis, Goodspeed, Irish, Longueville, McCoun, Orr, Ordway, Peck, Walling, Werner, and Wilcox.—18.

So the bill passed, and the title was agreed to.

Senate File No. 51, A bill for an act to amend section 2, chapter 114, of the Acts of the Tenth General Assembly, was taken up and considered.

The amendment recommended by the committee was adopted.

On motion of Mr. Cotton the rule was suspended, and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Burnett, Cramer, Dudley, Ellis, Goodspeed, Irish, Longueville, McCoun, Orr, Ordway, Peck, Walling, Werner, and Wilcox—16.

So the bill passed, and the title was agreed to.

House File No. 88, A bill for an act to authorize the board of supervisors of Van Buren county to appropriate money for a soldiers' monument was taken up and considered.

On motion of Mr. Craig the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette,

Brown of Howard, Browne of Lee, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Trutz, Trusdell, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—83.

The nays were, none.

Absent and not voting, Messrs. Bent, Blackwell, Barnett, Cramer, Dudley, Ellis, Goodspeed, Leffingwell, Longueville, McCoun, Orr, Ordway, Peck, Walling, Werner, and Wilcox—16.

So the bill passed, and the title was agreed to.

House File No. 99, A bill for an act to legalize the sale of indemnity swamp lands in Chickasaw county, Iowa, by board of supervisors, was taken up and considered.

On motion of Mr. Irish, the bill was laid on the table.

On motion of Mr. Irish, the regular order of business was suspended, and House File No. 365, A bill for an act for the relief of Jacob Reichard, and to enable him to complete the Iowa State Agricultural College building, was taken up and considered.

On motion of Mr. Rector, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atwood, Babbitt, Bailey, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Fulton, Garrett, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McNutt, Miles, Miller, Murray, Newberry, Orr, Parker, Perry, Rector, Rees, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Tucker, Wilson of Davis, Wilson of Dubuque, Wright, and Mr. Speaker.—65.

The nays were, Messrs. Adams, Atkins, Bauder, Bolton, Burrows, Criss, Glasgow, Johnson of Cherokee, Kelley, McKean, Morrison, Phillips, Ramsay, Rohlf, Sanborn, Trutz, Wheeler, and Wilson of Tama.—18.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Cramer, Dudley, Ellis, Gaylord, Goodspeed, McCoun, Mechem, Ordway, Peck, Walling, Werner, Wilcox, and Williams.—16.

Not receiving a constitutional majority did not pass.

Mr. Caldwell moved to reconsider the vote by which the bill passed.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Atwood, Babbitt, Bailey, Ballinger, Bauder, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Fulton, Garrett, Gaylord, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Murray, Newberry, Orr, Parker, Perry, Rector, Rees, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Trusdell, Tucker, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—70.

The nays were Messrs. Adams, Atkins, Bolton, Burrows, Criss, Glasgow, Johnson of Cherokee, McKean, Morrison, Phillips, Ramsay, Rohlf, Sanborn, Traer, Tritz, and Wheeler—16.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Cramer, Dudley, Ellis, Goodspeed, McConn, Ordway, Peck, Walling, Werner, and Wilcox—13.

So the bill passed, and the title was agreed to.

Mr. Caldwell moved to reconsider the vote by which House File No. 373, A bill for an act to authorize the Governor to appoint a commissioner to investigate railroad tariffs in relation to discriminations against the trade and commerce of the State, passed the House.

Mr. Rowell moved to lay the motion to reconsider on the table.

Upon this question Mr. Caldwell demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Burnett, Burrows, Chase, Cotton, Davis, Donovan, Glasgow, Hunter, Irish, Kasson, Kilburn, Knapp, Lockwood, Longueville, Murray, Phillips, Rector, Rees, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Williams, Wilson of Dubuque, Wright and Mr. Speaker—33.

The nays were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Caldwell, Craig, Dashiell, Garrett, Gaylord, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Hawthorn, Johnson, of Marshall, Kelley, Lambert, Leach, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Parker, Perry, Ramsay, Rees, Rippey, Sanborn, Sheldon, Stanley, Stone, Stuart, Wilson of Davis and Wilson of Tama—51.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Cramer,

Criss, Dudley, Ellis, Goodspeed, Hatch, McConn, Ordway, Peck, Walling, Werner and Wilcox—15.

So the motion to lay on the table did not prevail.

Mr. Dashiell moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF HOUSE OF REPRESENTATIVES,  
DES MOINES, Iowa, April 4, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Ingalls.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

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 and resolution, in which the concurrence of the House is asked:

Senate File No. 183, A bill for an act authorizing the Register of the State Land Office to issue a new deed for certain lands, to James Bones, in lieu of one issued to him January 29, 1851, in the name of James Bowen, and to correct certain errors on the books of his office.

Senate File No. 198, A bill for an act supplementary to article 1 of chapter 55 of the Revision of 1860, relating to taking private property for works of internal improvement.

Senate File No. 203, A bill for an act fixing the compensation of members of future General Assemblies.

Joint resolution appointing Trustees of the Institution for the Blind.

J. A. T. HULL, Assistant Secretary.

PETITIONS.

Mr. Brown of Howard, presented a petition from the citizens of Howard county, Iowa, asking that the State remit the amount of money belonging to the State which was stolen out of the Howard county safe, which was referred to the Committee on Ways and Means.

Leave of absence was granted Mr. Orr for the remainder of the session.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives, and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor.

House File No. 268, A bill for an act to authorize the correction of errors in the plat of the village of Webster City, in Hamilton county.

House File No. 204, A bill for an act to legalize the acts of the council of the city of Clinton.

House File No. 360, A bill for an act to amend the act by the Twelfth General Assembly of the State of Iowa, entitled, An act establishing Circuit and General Term Courts, and to define the powers and jurisdiction thereof.

Joint resolution ratifying the amendment to the Constitution of the United States, in regard to representation, reconstruction and the national debt.

H. C. RIPPEY, Chairman.

Leave was granted Mr. McNutt to offer the following resolution, which was adopted:

*Resolved by the House of Representatives, the Senate concurring,* That both houses of the General Assembly adjourn *sine die* on the morning of Wednesday, April 8th inst.

The question recurred on the motion of Mr. Caldwell to reconsider the vote by which House File No. 373, A bill for an act to authorize the Governor to appoint a commission to investigate railroad tariffs in relation to discriminations against the trade and commerce of the State, passed the House.

Mr. Mechem moved the previous question, which was seconded and the main question was ordered.

Upon the question to reconsider the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Van Buren, Burrows, Caldwell, Chase, Craig, Dashiell, Dudley, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Lambert, Leffingwell, McKean, Mechem, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rippey, Sanborn, Sheldon, Stanley, Stuart, Traer, Trusdell, Wilson of Davis, and Wilson of Tama—47.

The nays were, Messrs. Atkins, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Cotton, Oriss, Davis, Donovan, Hatch, Hunter, Kasson, Kelley, Kilburn, Lockwood, Longueville, McNutt, Miles, Miller, Morrison, Murray, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Harrison, Tenney, Tillson, Tritz,

Tucker, Wheeler, Williams, Wilson of Dubuque, Wright and Mr. Speaker—36.

Absent and not voting, Messrs. Bent, Blackwell, Cramer, Ellis, Goodspeed, Irish, Knapp, Leach, McCoun, Orr, Peck, Smith of Dickinson, Stone, Walling, Werner and Wilcox—16.

So the motion to reconsider prevailed.

Mr. Caldwell moved that the Clerk be instructed to inform the Senate that the House has reconsidered the vote by which House File No. 373 passed the House, and request the return of the same to this House.

The motion prevailed.

Leave was granted Mr. Brown of Fayette, to offer the following resolution, which was adopted:

*Resolved by the House of Representatives, the Senate concurring,* That the post-master, assistant post-master and door-keeper, be allowed a complete set of the reports of the Adjutant-General, and also a copy of the journals.

Mr. Kasson, from the Committee on Federal Relations, submitted a favorable report upon a memorial and joint resolution, recommending certain changes in the act of Congress, approved July 1, 1862, establishing a Pacific railroad, and branches and amendments thereto.

Mr. Rees moved to amend by inserting the following: "by way of Yankton, in Dakota Territory."

The motion to amend did not prevail.

The resolution was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed, in pursuance of the request of the House, to herewith return House File No. 373.

J. A. T. HULL, Assistant Secretary.

Mr. Wilson of Dubuque, from the Special Committee on Game Law, submitted the following report:

The Special Committee on the Game Law, to whom was referred Senate File No. 147, A bill for an act for the protection of game, have had the same under consideration, and instructed me to report the same back to the House, with the recommendation that the same do not pass.

WILSON of Dubuque, Chairman.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate refuses to concur in House amendments to the following bill:

Senate File No. 228, a bill for an act to amend chapter 95, of the Acts of the Eleventh General Assembly, entitled an act to provide for the settlement of certain claims against the General Government.

J. A. T. HULL, Assistant Secretary.

Mr. McKean, from the Committee on Constitutional Amendments, submitted the following report :

MR. SPEAKER:—Your Committee on Constitutional Amendments to whom was referred the accompanying resolution in regard to female suffrage, have had the same under consideration, and a majority of those present have instructed me to report the same to the House and recommend the adoption of the resolution.

JOHN McKEAN, Chairman.

Your Committee on Constitutional Amendments to whom was referred the accompanying resolution respecting an amendment to the Constitution so as to give aliens the right of suffrage who can read a write, and have declared their intentions to become citizens of the United States, have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be not adopted.

JOHN McKEAN, Chairman.

Mr. Johnson of Marshall, from the committee consisting of the members of the Fourth and Eleventh Judicial Districts, submitted the following report :

Your committee have examined Senate File No. 175, and report the same back and recommend that it do not pass.

JOHNSON of Marshall, for Committee.

Mr. Rees submitted the following minority report :

The undersigned, a member of the committee to whom was referred Senate File No. 175, reports that in his opinion the same should pass. The Fourth Judicial District to which it is proposed to attach said county, though large territorially—embracing, as it does, several counties which are yet unorganized for judicial purposes—in business and population is much the smallest district in the State. It embraces territorially twenty-two counties, in fifteen of which courts are held; and in twelve of which there is but one term a year, averaging not to exceed three days each. Supposing the others to average a week each, then the judge of that district is occupied in the discharge of his official duties not to exceed ten weeks.

In the Second Circuit of said district as now organized there are ten counties, containing as will be found by reference to the last census report a population of six thousand seven hundred and twelve, being less than one-sixth of the average population of circuits throughout the State. For the judicial business of these ten counties, with their population of six thousand, we have a district judge holding one term of court in seven of them of an average, perhaps, of three days each; and a circuit judge holding as many



terms as may be necessary for the proper discharge of the business of his circuit. In the remaining portion of the district there are but six counties in which courts are required to be held. Their population (including the unorganized counties attached to them) is ten thousand five hundred and thirty-six, making the entire population of the Fourth Judicial District, twenty-seven thousand two hundred and forty-eight; being about one-third the average population of the districts of the State, with probably a much less ratio of business.

The Eleventh Judicial District from which the county of Webster is proposed to be detached, embraces eight counties with a population of fifty thousand nine hundred and forty-four, and the district judge is engaged in holding court twenty-four weeks, with a much larger relative proportion of business.

The comparison now stands:

Eleventh District.....	50,944
Fourth District.....	27,248

Eleventh District, courts.....	24 weeks.
Fourth District, courts.....	10 weeks.

Attaching the county of Webster to the Second Circuit of the Fourth District, and the circuit will then have less than one-third of the average population of the circuits of the State, with a still less ratio of business.

By a reference to their maps, members will find that the county of Webster is so situated as to properly belong to the Fourth District. The business relations of the people of every county in the circuit, with perhaps the exception of the county of Sac, are with Fort Dodge. In matters of legal convenience as well as general business their dependence is almost entirely upon that village.

There are three resident lawyers in the Second Circuit of the Fourth District, one of whom is district attorney, and the others are engaged almost exclusively in other than professional business.

The attorneys of Fort Dodge have professional business in the courts of that circuit, and have heretofore been required to attend the terms of the District Court, of the adjoining counties, as regularly as those of their own.

If the inconveniences were limited to the attorneys alone, it would perhaps not be very great, but it is to the people, their clients, for if the attorney is engaged in Webster county, the business of his client in Humboldt or Pocahontas must go undone. Nor is it adding really anything to the labors of the judge of the Fourth District, in traveling from Calhoun to Humboldt. He passes through Fort Dodge, and in the arrangement of the terms for his district, for the coming two years, in a bill prepared by himself, and which has already passed this house, he has so arranged his terms as to include the county of Webster, the result of which is, we must either make an entire new arrangement of terms, or the judge will

remain a week at Fort Dodge unoccupied, while waiting for the Humboldt term of his court.

We are assured too, that the change has been very earnestly demanded, and was fully expected by the people of that portion of the Fourth Judicial District, and that no opposition was heard from any source until the recent passage of the Circuit Court bill.

The change in the opinion of the undersigned is not only demanded by a fair division of judicial labor, but still more for the convenience of the people, and should be made unless some better reason to the contrary can be given than has yet been assigned, and the undersigned ask the passage of the bill, Senate File No. 175.

SAM'L. REES.

Moved to lay the bill and reports on the table, which motion prevailed.

Mr. Rees moved that the regular order of business be suspended, and Senate messages be taken up.

The motion prevailed.

Senate File No. 228, A bill for an act to amend chapter 95, acts of the Eleventh General Assembly, was taken up.

House refused to recede from its amendments to the bill.

Mr. Kasson moved that a committee of conference be appointed to confer with a like committee of the Senate.

The motion prevailed.

Chair announced Messrs. Kasson and Burnett as such committee.

Senate File No. 230, A bill for an act to legalize the acts of certain cities and towns in their attempts to amend and abandon their special charters, and to legalize elections held, ordinances enacted, and other proceedings had by said cities and towns, was taken up and read a first and second time.

On motion of Mr. Irish, the bill was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Knapp, Leach, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rohlf, Rowell, Sanborn, Stanley, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—68.

The nays were, Messrs. Chase, Johnson of Marshall, Lambert, Sheldon, and Stone.—5.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Brown

of Lee, Burnett, Cramer, Ellis, Goodspeed, Hartsock, Hayden, Kelley, Kilburn, Leffingwell, McCoun, McNutt, Orr, Peck, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Walling, Werner, and Williams.—26.

So the bill passed, and the title was agreed to.

Mr. Trusdell moved that bills relating to charitable institutions, be taken up and considered.

The motion prevailed.

Leave was granted Mr. Parker, from the Committee on Schools, to submit the following report :

Your Committee on Schools beg leave to introduce the accompanying bill, and recommend its passage.

PARKER, Chairman.

House File No. 375, A bill for an act to amend sections 11, 41, 49 and 50, of chapter 1, of the School Laws of Iowa, was read a first and second time, and passed on file.

Your Committee on Schools, to whom was recommitted House File No. 340, would recommend that the bill be so amended as to provide for striking out all between the word "directors," in the twentieth line, and the word "and," in the twenty-fourth line of section 78, of chapter 172, of the Acts of the Ninth General Assembly, and for inserting the words "or when said territory has become uninhabited, it shall remain under the jurisdiction of the district township to which it geographically belongs, and form a part of it." As thus amended your committee recommend the passage of the bill.

PARKER, Chairman.

On motion of Mr. Wilson of Tama, House File No. 373 was taken up.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Cotton, Criss, Davis, Donavan, Dudley, Hamilton, Hunter, Kasson, Kelley, Kilburn, Knapp, Leach, Lockwood, Longneville, McNutt, Miles, Miller, Morrison, Murray, Orr, Rector, Rees, Rohlf's, Sanborn, Smith of Harrison, Tenney, Tillson, Traer, Trietz, Tucker, Wheeler, Williams, Wilson of Dubuque, Wright, and Mr. Speaker—40.

The nays were, Messrs. Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Van Buren, Burrows, Caldwell, Chase, Craig, Dashiell, Fulton, Garrett, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Lambert, Leffingwell, McKean, Mechem, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rippey, Rowell, Sheldon, Stanley, Stuart, Trusdell, Wilson of Davis, and Wilson of Tama—44.

Absent and not voting, Messrs. Adams, Allen, Bent, Blackwell,

Cramer, Ellis, Goodspeed, Irish, McCoun, Peck, Smith of Dickinson, Stone, Walling, Werner, and Wilcox—15.

So the bill not receiving a constitutional majority, failed to pass.

BILLS ON SECOND READING.

Senate File No. 215, A bill for an act to permanently locate and to provide for the erection of an additional Institution for the Insane, was taken up and considered.

Mr. Lambert moved to amend by substitute.

MESSAGE FROM THE SENATE.

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. 224, A bill for an act to amend chapter 79 of the acts of the Eleventh General Assembly, entitled an act providing for the adjustment of certain land claims with the General Government.

Senate File No. 233, A bill for an act to repeal section 16 of chapter 173, laws of the Ninth General Assembly, regulating the levy and collection of taxes on gross receipts of railroad companies, and to enact a substitute therefor.

I am also directed to inform the House that the Senate has concurred in House amendments to Senate concurrent resolution, fixing the *per diem* of post-master, assistant post-master, and mail carrier.

J. A. T. HULL, Assistant 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. 169, A bill for an act to provide for the election of county auditors, and to define their powers and duties, and making county judges *ex officio* county auditors.

J. A. T. HULL, Assistant Secretary.

Mr. Mechem moved the previous question, which was seconded, and the main question was ordered.

Question recurred upon the adoption of the substitute.

Upon this question, the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atwood, Bowen, Brown of Van Buren, Burrows, Caldwell, Davis, Dudley, Grantham, Hart, Hawthorn, Johnson of Cherokee, Kilburn, Lambert, Mechem, Murray, Parker, Perry, Phillips, Ramsay, Rippey, Tenney, Tillson, and Wheeler.—24.

The nays were, Messrs. Adams, Atkins, Babbitt, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Fulton,

Gaylord, Glasgow, Guthrie, Hamilton, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Miles, Miller, Morrison, Newberry, Orr, Ordway, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stanley, Stone, Stuart, Traer, Tritz, Trusdell, Tucker, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—61.

Absent and not voting, Messrs. Bander, Bent, Blackwell, Cramer, Ellis, Garrett, Goodspeed, Hatch, McCoun, Peck, Smith of Dickinson, Walling, Werner, and Hartsock.—14.

So the substitute was not adopted.

The bill was ordered to be engrossed, and read the third time.

Mr. Wilcox moved that the rule be suspended, and the bill be read the third time now.

Mr. Rippey moved that the bill be re-committed to the Committee on Charitable Institutions.

The motion did not prevail.

The motion to suspend the rule prevailed, and the bill was read the third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atwood, Babbitt, Bailey, Balinger, Bolton, Brown of Fayette, Brown of Howard, Burnett, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Gaylord, Glasgow, Guthrie, Hamilton, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Leach, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Orr, Ordway, Perry, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Harrison, Sheldon, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—63.

The nays were, Messrs. Bowen, Brown of Van Buren, Caldwell, Dudley, Grantham, Hart, Hartsock, Hawthorn, Kilburn, Lambert, Leffingwell, Murray, Parker, Phillips, Rippey, Stanley, Tillson, and Wheeler—18.

Absent and not voting, Messrs. Allen, Atkins, Bander, Bent, Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Garrett, Goodspeed, Johnson of Cherokee, Knapp, McCoun, Peck, Smith of Dickinson, Walling, and Werner—18.

So the bill passed, and the title was agreed to.

Mr. Wilson of Dubuque, moved that Senate File No. 169, A bill for an act to provide for the election of county auditors, and to define their powers and duties, and making county judges *ex-officio* county auditors, be made the special order for this afternoon at five o'clock.

The motion prevailed.

Mr. Rohlf moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Speaker in the chair.

Mr. Dudley moved that the House hold an evening session on Monday evening next, to commence at half-past seven o'clock, for the consideration of House File No. 312, Senate File No. 52, Senate File No. 136, House File No. 344, Senate File No. 42, and House File No. 328.

Mr. Parker moved to amend by adding House File Nos. 254 and 288.

The motion to amend did not prevail.

The motion of Mr. Dudley prevailed.

## MESSAGE FROM THE SENATE.

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 bill and resolution, in which the concurrence of the House is asked:

Senate File No. 199, A bill for an act granting the right of way for the construction of bridges.

Concurrent resolution relative to the distribution of the reports of the State Geologist.

I am also directed to return herewith the following bills, which have passed the Senate without amendment:

House File No. 319, A bill for an act to provide for the relief of certain classes of indigent persons.

House File No. 343, A bill for an act to fix the price of state binding.

Also, to inform your Honorable Body that the Senate has concurred in the House amendments to the following bills and resolution:

Senate File No. 51, A bill for an act to amend section 2, chapter 114 of the acts of the Tenth General Assembly.

Senate File No. 204, A bill for an act to authorize independent school districts to borrow money and issue bonds therefor for the purpose of erecting and completing school houses, legalizing bonds heretofore issued, and making school orders negotiable.

Concurrent resolution providing for the *per diem* of post-master, assistant post-master and mail carrier.

Also, that the Senate agrees to a committee of conference on the disagreeing votes of the two houses on Senate File No. 228, and has appointed Senators Moore and Bulis managers on the part of the Senate.

JAMES M. WEART, Secretary.

Mr. McNutt moved to take up Senate resolution in relation to



the distribution of the report of the State Geologist, which was adopted as follows:

*Be it Resolved by the Senate the House concurring,* That the report of the State Geologist which the Committee on Commerce ordered to be printed be distributed as follows:

To each member of the General Assembly ten copies; to the Governor, fifty copies; to each state officer, ten copies; to each of the five clerks of the House, and each of the five secretaries of the Senate, three copies; to the State Geologist, three hundred copies; to the State Library, one hundred copies.

#### BILLS ON SECOND READING.

Senate File No. 139, A bill for an act to constitute the principal a member of the board of trustees; enlarge and furnish the buildings, and support the Institution for the Education of the Blind, was taken up and considered.

On motion of Mr. Brown of Van Buren the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Grantam, Guthrie, Hart, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Knapp, Lambert, Lockwood, McKean, McNutt, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Phillips, Ramsey, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—73.

The nays were none.

Absent and not voting, Messrs. Atwood, Bander, Bont, Blackwell, Bowen, Browne of Lee, Cramer, Cries, Ellis, Gaylord, Goodspeed, Hamilton, Hayden, Kelley, Kilburn, Leach, Leffingwell, Longueville, McCoun, Mechem, Peck, Rippey, Stone, Tenney, Walling, and Werner—26.

So the bill passed, and the title was agreed to.

Senate File No. 13, A bill for an act providing for the erection of buildings for a deaf and dumb asylum, was taken up and considered.

Mr. Lambert moved to amend the 1st section, by striking out all after the enacting clause, and insert as follows:

That Thomas Officer, Caleb Baldwin and Dr. E. Honn, commissioners appointed by an act of the General Assembly of the State



of Iowa, approved April 3, 1866, are hereby directed to procure, by donation or otherwise, without expense to the State, forty acres of land, at or near the city of Des Moines, Iowa, for a site for a deaf and dumb asylum, to be erected thereon as hereinafter provided in this act.

Mr. Wilson of Dubuque, moved the previous question, which was seconded, and the main question was ordered.

Upon the adoption of the amendment, the yeas and nays were as follows:

The yeas were, Messrs. Allen, Bailey, Dashiell, Garrett, Grantham, Hatch, Kasson, Lambert, McNutt, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Sanborn, Sheldon, Stanley, Wheeler, and Wilson of Davis—23.

The nays were, Messrs. Atkins, Babbitt, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donavan, Dudley, Fulton, Glasgow, Guthrie, Hamilton, Hart, Hartsock, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Leach, Leffingwell, Lockwood, McKean, Miles, Miller, Orr, Ordway, Rector, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Wilcox, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—52.

Absent and not voting, Messrs. Adams, Atwood, Bauder, Bent, Blackwell, Bowen, Burrows, Cramer, Ellis, Gaylord, Goodspeed, Hayden, Johnson of Cherokee, Kilburn, Knapp, Longueville, McCoun, Mechem, Peck, Stone, Tenney, Walling, Werner, and Williams—24.

So the motion to amend did not prevail.

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

On motion of Mr. Smith of Harrison, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Babbitt, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Glasgow, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson Marshall, Kasson, Knapp, Leach, Leffingwell, Lockwood, McKean, McNutt, Miles, Miller, Morrison, Murray, Newberry, Orr, Ordway, Parker, Perry, Rector, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Wilcox, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—64.

The nays were, Messrs. Brown of Van Buren, Garrett, Grantham, Lambert, Phillips, Ramsay, Sanborn, Sheldon, Stanley, Wheeler and Wilson of Davis.—11.

Absent and not voting, Messrs. Adams, Allen, Atwood, Bauder,

Bent, Blackwell, Bowen, Cramer, Ellis, Gaylord, Goodspeed, Hartsock, Hayden, Kelley, Kilburn, Longueville, McCoun, Mechem, Peck, Stone, Tenney, Walling, Werner and Williams—24.

So the bill was agreed to.

Mr. Dudley moved to reconsider the vote by which the bill passed the House.

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

House File No. 131, A bill for an act in addition to an act entitled an act for the incorporation and government of the Hospital for the Insane, was taken up and considered.

The amendment recommended by the committee to the first section, was adopted.

Mr. Rippey moved to amend the fourth section by striking out the words "county judge," and insert in lieu thereof the words, "clerk of the District Court."

The amendment prevailed.

Mr. Rowell moved to amend the fifth section by striking out the words "county judge," and insert in lieu thereof the words "clerk of the district court."

The motion did not prevail.

Mr. Rippey moved to reconsider the vote by which the amendment to the fourth section was adopted.

The motion to reconsider prevailed.

The question recurred upon the adoption of the amendment.

The motion to amend did not prevail.

Mr. Rippey moved to amend the bill by inserting after the words "county judge," wherever they occur, the words "or circuit judge."

The motion to amend prevailed.

#### MESSAGE FROM THE SENATE.

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 bill:

House File No 271, A bill for an act to legalize, confirm and carry out a contract between the Dubuque and Sioux City Railroad and the Iowa Falls and Sioux City Railroad, and to extend the time for completing said railroad from Dubuque to Sioux City; to grant certain lands to the Dubuque, Bellevue and Sabula Railroad Company, Tete des Morts Branch, and for other purposes, with amendments as noted in the bill in which the concurrence of the House is asked.

J. A. T. HULL, Ass't. Secretary.

Mr. Rowell moved that the bill be laid upon the table.

The motion did not prevail.

The bill was ordered to be engrossed, and read the third time.

On motion of Mr. Miles, the rule was suspended, and the bill read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Dashiell, Davis, Dudley, Fulton, Garrett, Grantham, Guthrie, Hamilton, Hart, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Kasson, Kilburn, Lambert, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Perry, Ramsay, Rector, Rees, Sanborn, Smith of Harrison, Stanley, Tucker, Wheeler, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—55.

The nays were Messrs. Criss, Donovan, Glasgow, Hartsock, McKean, Miller, Rippey, Rohlf, Rowell, Sheldon, Tillson, and Tritz—12.

Absent and not voting, Messrs. Adams, Atwood, Bauder, Bent, Blackwell, Brown of Howard, Caldwell, Cramer, Ellis, Gaylord, Goodspeed, Hayden, Johnson of Marshall, Kelley, Knapp, Leach, McCoun, Orr, Ordway, Parker, Peck, Phillips, Smith of Dickinson, Stone, Stuart, Tenney, Traer, Trusdell, Walling, Werner, Wilcox, and Mr. Speaker—32.

So the bill passed, and the title was agreed to.

On motion of Mr. Wilson of Dubuque, the regular order of business was suspended, and House File No. 271, A bill for an act to legalize, confirm and carry out a contract between the Dubuque and Sioux City Railroad Company and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said railroad from Dubuque to Sioux City, was taken up.

Upon the concurrence in the Senate amendment, the yeas and nays were as follows:

The yeas were Messrs. Allen, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—72.

The nays were Messrs. Brown of Fayette, Criss, and Tillson—3.

Absent and not voting, Messrs. Adams, Atkins, Bander, Bent, Blackwell, Brown of Howard, Cramer, Dashiell, Ellis, Gaylord,

Goodspeed, Kelley, Knapp, McConn, Orr, Parker, Peck, Rippey, Stone, Stuart, Tenney, Walling, Werner, and Mr. Speaker—24.

So the amendments were concurred in.

Mr. Kasson, from the committee of conference, submitted the following report:

The committee of conference upon the disagreeing votes of the two Houses upon the amendment made by the House of Representatives to Senate File No. 228, A bill for an act to amend chapter 95 of the acts of the Eleventh General Assembly, entitled "An act to provide for the settlement of certain claims against the General Government," have met, and after full and free conference have agreed to recommend, and do recommend, to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendment, and agree to the same with an amendment as follows: Strike out all after the word "Iowa" in the twelfth line of section 1, down to and including the word "repealed" in the seventeenth line thereof; and that the House agree to the same.

JOHN A. KASSON,  
R. M. BURNETT,

Committee on the part of the House.

N. B. MOORE,  
H. C. BULIS,

Committee on the part of the Senate.

Mr. Kasson moved that the report be adopted.

Upon this question the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bauder, Bolton, Brown of Fayette, Browne of Lee, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Leach, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Tillson, Tritz, Trudell, Tucker, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—73.

The nays were Messrs. Bowen, Lambert, and Wheeler—3.

Absent and not voting, Messrs. Atwood, Bent, Blackwell, Brown of Howard, Cramer, Ellis, Gaylord, Goodspeed, Hayden, Kelley, Knapp, McConn, McNutt, Orr, Parker, Peck, Rippey, Stone, Stuart, Tenney, Traer, Walling, and Werner—23.

So the report of the conference committee was adopted.

Mr. Irish moved that the regular order of business be suspended, and House File No. 345, A bill for an act in relation to the State Historical Society, be taken up.

Leave of absence was granted Mr. Browne of Lee, for the remainder of the session.

Leave of absence was granted Mr. Peck, for the remainder of the session.

Leave of absence was granted Mr. Williams, for the remainder of the session.

The motion of Mr. Irish did not prevail.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 208, A bill for an act legalizing the organization of the Independent District of Montezuma, and the election and acts of the officers thereof.

House File No. 95, A bill for an act to legalize the election held by the voters in Burlington township, Des Moines county, Iowa, to form an independent school-district, and the official acts of the officers of said district.

House File No. 194, A bill for an act to legalize the acts of William Van Asch and Koenraad DeYong, of Marion county, Iowa, attorneys of Johanna J. Zeelt.

H. C. RIPPEY, Chairman.

House File No. 287, A bill for an act making appropriations for the improvement of the State Arsenal and Adjutant-General's office, and a new building in connection therewith, was taken up and considered.

On motion of Mr. Hatch the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Howard, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Fulton, Grantham, Hart, Hatch, Hayden, Hawthorn Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leach, Lockwood, Longueville, McKean, McNutt, Miles, Miller, Morrison, Murray, Perry, Phillips, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, and Mr. Speaker—54.

The nays were, Messrs. Atkins, Brown of Fayette, Brown of Van Buren, Dudley, Leffingwell, Newberry, Ramsay, Smith of Harrison, Sheldon, Stanley, and Wilson of Tama—11.

Absent and not voting, Messrs. Adams, Atwood, Bent, Blackwell, Browne of Lee, Chase, Cramer, Ellis, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hartsock, Irish, Kelley,

Knapp, McCann, Mechem, Orr, Ordway, Parker, Peck, Rector, Rippey, Stone, Stuart, Tenney, Tillson, Walling, Werner, Williams, and Wright—31

So the bill passed, and the title was agreed to.

Leave was granted Mr. Wilcox to offer the following resolution, which was adopted.

*Resolved*, That claims for requisitions of fugitives from justice heretofore allowed by this House, be referred to the Census Board for settlement, under chapter 39 of the laws of the Twelfth General Assembly.

Senate File No. 18, A bill for an act to provide for the appointment of official reporters of legal proceedings, and preservation of evidence, was taken up and considered.

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

Mr. Rippey moved a call of the House, which was seconded.

Mr. Stanley moved that Mr. Ballinger be excused.

The motion did not prevail.

On motion of Mr. Brown of Van Buren, the vote by which the House refused to excuse Mr. Ballinger, was re-considered, and Mr. Ballinger was excused.

Mr. Wilson of Dubuque, moved that Mr. Wright be excused.

The motion did not prevail.

Mr. Wilson of Dubuque, moved that further proceedings under the call be dispensed with, which motion did not prevail.

Mr. Caldwell moved that the House do now adjourn.

The motion did not prevail.

Mr. Kilburn moved that further proceedings under the call be dispensed with, which motion prevailed.

Mr. Wilson of Tama, moved that the regular order of business be suspended, and Senate File No. —, be taken up, which motion prevailed.

Mr. Wilson of Tama, moved to reconsider the vote by which Senate File No. —, was ordered to be taken up.

The motion prevailed, and the motion to suspend the regular order of business and take up Senate File No. —, was withdrawn.

Mr. Rippey moved that the special order, Senate File No. 169, A bill for an act to provide for the election of county auditors, and to define their powers and duties, and making county judges *ex officio* county auditors, was taken up.

The motion prevailed, and the bill was taken up and considered.

Mr. Traer moved to amend section 1, by striking out all after the enacting clause and insert the following: "That at the next general election, and every two years thereafter, there shall be elected in each organized county in this State, a county auditor, whose term of office shall commence on the first of January following his election, who shall hold his office for two years, and until his successor is elected and qualified, after which time the



office of county judge shall cease. Said auditor shall act as clerk of the board of supervisors, and shall perform all the duties required by law to be performed by the clerk of the board of supervisors and such other duties as may be required of him by the board of supervisors. He shall perform all the duties in respect to the school fund and school lands now performed by the clerk of the district court, and for a failure or neglect to discharge any of the duties hereby or by law conferred on him shall be liable to the same penalties, and in the same manner and to the same extent as the clerk of the board of supervisors or clerk of the district court are liable for like failure or neglect."

Mr. Mechem moved the previous question, which was seconded, and the main question ordered.

Question recurred upon the amendment proposed to the first section.

Upon this question the yeas and nays were demanded, and were as follows :

The yeas were, Messrs. Atwood, Bauder, Bolton, Bowen, Burrows, Cotton, Dudley, Grantham, Hart, Hayden, Lambert, Leffingwell, McNutt, Mechem, Miles, Traer, Trusdell, Wheeler, Wilson of Tama, and Mr. Speaker.—20.

The nays were, Messrs. Adams, Atkins, Babbitt, Bailey, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Craig, Criss, Dashiell, Davis, Donovan, Fulton, Garrett, Gaylord, Glasgow, Hartssock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Leach, Lockwood, Longueville, McKean, Miller, Murray, Newberry, Orr, Ordway, Parker, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tritz, Tucker, Wilson of Davis, Wilson of Dubuque, and Wright.—55.

Absent and not voting, Messrs. Allen, Ballinger, Bent, Blackwell, Browne of Lee, Cramer, Ellis, Goodspeed, Guthrie, Hamilton, Kelley, McCoun, Morrison, Peck, Perry, Smith of Harrison, Stone, Tenney, Tillson, Walling, Werner, Wilcox, Williams, and Johnson of Cherokee.—24.

So the amendment did not prevail.

The bill was ordered to be engrossed and read the third time.

Mr. Wilson of Tama, moved to re-commit the bill to the Committee on Roads and Highways.

Upon the question, the yeas and nays were demanded, and were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Bailey, Bauder, Bolton, Bowen, Burrows, Donovan, Dudley, Glasgow, Grantham, Hart, Lambert, Longueville, McNutt, Mechem, Miles, Newberry, Parker, Perry, Ramsay, Sheldon, Stuart, Tillson, Traer, Tritz, Wheeler, Wilson of Davis, Wilson of Tama, and Mr. Speaker—31.

The nays were Messrs. Atwood, Babbitt, Brown of Fayette,



Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Guthrie, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McKean, Miller, Morrison, Murray, Orr, Ordway, Phillips, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Stanley, Tenney, Trusdell, Tucker, Wilson of Dubuque, and Wright—47.

Absent and not voting, Messrs. Ballinger, Bent, Blackwell, Browne of Lee, Cramer, Ellis, Garrett, Gaylord, Goodspeed, Hamilton, Johnson of Cherokee, Kelley, McConn, Peck, Rector, Smith of Harrison, Stone, Walling, Werner, Wilcox, and Williams—21.

So the motion to refer did not prevail.

Mr. Hawthorn moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atwood, Babbitt, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McKean, Miller, Morrison, Murray, Orr, Ordway, Phillips, Rees, Rippey, Rohlf, Rowell, Smith of Dickinson, Stanley, Tenney, Trusdell, and Wright—43.

The nays were Messrs. Allen, Atkins, Bailey, Bowen, Burrows, Donavan, Dudley, Glasgow, Grantham, Guthrie, Hart, Hayden, Lambert, Longueville, McNutt, Mechem, Miles, Newberry, Parker, Perry, Sanborn, Sheldon, Stuart, Tillson, Traer, Tritz, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker.—32.

Absent and not voting, Messrs. Ballinger, Bauder, Bent, Blackwell, Bolton, Browne of Lee, Cramer, Ellis, Garrett, Gaylord, Goodspeed, Hamilton, Johnson of Cherokee, Kelley, McCoun, Peck, Ramsay, Rector, Smith of Harrison, Stone, Walling, Werner, Wilcox and Williams—24.

So the bill not receiving a constitutional majority failed to pass.

Mr. Kilburn moved that the House do now adjourn.

The motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 6, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Trusdell.

Journal of Saturday read and approved.

## MESSAGE FROM THE SENATE.

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. 112, A bill for an act to provide for taking lands for school-house sites.

Senate File No. 231, A bill for an act to provide for the compensation of clerks of the District and Circuit Courts, and to allow the deputy clerk to act as clerk of the Circuit Court.

Senate File No. 164, A bill for an act authorizing the County Court to render judgment in certain cases.

Senate File No. 165, A bill for an act to amend section 3851 of the Revision of 1860, allowing suits to be brought in the township where the plaintiff resides.

Senate File No. 211, A bill for an act to authorize the Sioux City and Saint Paul Railroad Company to transfer their rights and privileges to the Sioux City and Pacific Railroad Company, and to facilitate the construction of said road.

I am also directed to return herewith the following bill, which has passed the Senate without amendment :

House File No. 297, A bill for an an act for the relief of William Binnaman.

Also, substitute for House File Nos. 110 and 149, A bill for an act to protect game, which has passed the Senate with the following amendments: Strike out in the twelfth and thirteenth lines of section 5 the words, "one moiety to the complainant, and one moiety." Strike cut the eighth section.

In which the concurrence of the House is asked.

Also, that the Senate has passed a substitute for the following bill, in which the concurrence of the House is asked :

House File No. 49, A bill for an act to amend an act entitled, An act to prevent the unlawful driving away of cattle or other stock by drovers and others, approved March 17, 1862.

J. A. T. HULL, Assistant Secretary.

## REPORTS OF COMMITTEES.

Mr. Brown of Howard from the committee appointed to visit the State Penitentiary, submitted the following report :

*To the General Assembly of the State of Iowa :*

The undersigned, one of your committee appointed to visit the State Penitentiary at Fort Madison, Lee county, Iowa, submits the following as his views on the question of the purchase of the land lying between that owned by the State and the Mississippi river:

The land consists of about thirteen acres with a river front to the same, improved by three frame dwelling houses and a mill and distillery combined, situated on the same. The mill and distillery improvements to be removed by the owner if the land is purchased by the State.

The whole can be bought for \$12,500, which is probably cheaper than it could be got hereafter, should other improvements be made thereon.

The dwelling houses could be rented to the guards and would do well for such purpose.

This ground should be owned by the State in my opinion if the penitentiary is to be continued at that point, for the following among other reasons, to wit :

1. Because large appropriations are asked and needed at this time, which if made are calculated to make the same a permanent location for said institution.

2. Because the State is at any time liable to have their communication with the river cut off, and are now at the mercy of the owner of said land for access to the river across the same, and now have the engine and pipes which supply the water for said institution located on said land and will have to be still further dependent on his sufferance if a reservoir is built on the hill as recommended.

3. To enable the State to have a river front upon which to land and store, and from which they could transport such articles of commerce as are consumed and used about said building, and in their various manufactories.

4. Because there is a distillery and stock pens located on said land the stench from which when running may affect the health of the prisoners, and both philanthropy and humanity require that the health of men in confinement, although criminals, should be carefully guarded, and they should have pure air to breathe and wholesome food and drink.

5. Because the privy and vaults of the penitentiary find an outlet through said land and heavy expenditures have had to be made by the State to prevent litigation with its contractors, and the owner of said land; and the dignity of a great State requires that it should not be dependent on the will of its citizen for a way of ingress and egress to a state institution.

6. Because an appropriation for the purchase of said land has been recommended by the two last wardens of the said institution.

J. H. BROWN.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

**MR. SPEAKER:**—The Committee on Enrolled Bills have examined the following joint resolution, and have directed me to report it as correctly enrolled, and to present it for your signature:

Joint resolution requesting increased mail facilities in Iowa.

H. C. RIPPEY, Chairman.

Mr. Hunter from the Committee on Printing, submitted the following report:

Your Committee on Printing to whom was assigned the duty of examining the accounts of the State Printer for work done for the present General Assembly, as provided for by section 143 of the Revision of 1860, have performed that duty, and find said accounts correct.

J. D. HUNTER, Chairman.

Mr. Wilson of Dubuque moved to reconsider the vote by which Senate File No. 169, A bill for an act to provide for the election of county auditor, failed to pass the House.

The motion prevailed.

Mr. Wilson of Dubuque moved to reconsider the vote by which Senate File No. 169, was ordered to be engrossed, and read a third time.

The motion prevailed.

Mr. Grantham moved to amend by substituting House File No. 11, A bill for an act for the creation of the office of county auditor.

Mr. Murray moved to amend the amendment by striking out the last section.

The amendment to the amendment did not prevail.

Mr. Wilson of Tama moved to amend the amendment by substituting A bill for the appointment of a clerk of the board of supervisors by the several boards in the State, which motion did not prevail.

The amendment to the amendment did not prevail.

The substitute offered by Mr. Grantham was not adopted.

Mr. McNutt moved to amend by striking out the second section of the bill, and inserting as follows:

“SEC. 2. The auditor shall have power to exercise all the duties now performed by the clerk of the board of supervisors in relation to the establishment, alteration and vacation of roads within his county, and for that purpose shall have power and jurisdiction to receive petitions, issue notices, appoint commissioners, and to hear and determine all matters in relation to the vacation, establishment or alteration of roads, and to make all orders relating to the same, subject, however, in all cases, to final review and approval by the board of supervisors.”

The motion to amend prevailed.

Mr. Kilburn moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Blackwell, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Cotton, Craig, Criss, Davis, Fulton, Hamilton, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longueville, McKean, Miller, Morrison, Murray, Newberry, Ordway, Parker, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Tenney, Trusdell, Wilcox, Wilson of Dubuque, Wright, and Mr. Speaker.—57.

The nays were, Messrs. Bauder, Bolton, Bowen, Burrows, Donavan, Dudley, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Lambert, McNutt, Mechem, Miles, Perry, Stuart, Tilleon, Traer, Tritz, Tucker, Wilson of Davis, and Wilson of Tama.—24.

Absent and not voting, Messrs. Allen, Bent, Browne of Lee, Chase, Cramer, Dashiell, Ellis, Gaylord, Hayden, McCoun, Orr, Peck, Smith of Dickinson, Smith of Harrison, Walling, Werner, Wheeler, and Williams.—18.

So the bill passed, and the title was agreed to.

Mr. Ballinger, from the Committee on State Reform School, submitted the following report:

The Committee on Reform School have had under consideration the supplemental act to amend section 2 of an act of the Twelfth General Assembly, and recommend that the same do pass.

T. BALLINGER, Chairman.

House File No. 376, A bill for an act supplemental to an act of the Twelfth General Assembly to amend section 2 of said act so as to create a trustee at large for the Reform School, was read first and second time.

Mr. Ballinger moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atwood, Ballinger, Blackwell, Bolton, Brown of Fayette, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Davis, Dudley, Fulton, Glasgow, Goodspeed, Guthrie, Hartsock, Hatch, Hayden, Hunter, Johnson of Marshall, Kelley, Kilburn, McKean, Mechem, Miles, Murray, Parker, Phillips, Rector, Rees, Sanborn, Sheldon, Stanley, Tenney, Trusdell, Tucker, Wilson of Davis, and Mr. Speaker—41.

The nays were Messrs. Adams, Atkins, Babbitt, Bauder, Brown of Howard, Brown of Van Buren, Donavan, Garrett, Grantham, Hamilton, Hart, Hawthorn, Irish, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, Miller, Perry, Ramsay,

Ripsey, Smith of Dickinson, Stuart, Tillson, Tritz, Wilson of Tama, and Wright—29.

Absent and not voting, Messrs. Bailey, Bent, Bowen, Browne of Lee, Chase, Cramer, Dashiell, Ellis, Gaylord, Johnson of Cherokee, Kasson, McConn, Morrison, McNutt, Newberry, Orr, Ordway, Peck, Rohlf, Rowell, Smith of Harrison, Stone, Traer, Walling, Werner, Wheeler, Wilcox, Williams, and Wilson of Dubuque—29.

So the bill, not receiving a constitutional majority, failed to pass the House.

Mr. Brown of Van Buren, from the Committee on Roads and Highways, submitted the following report:

Your Committee on Roads and Highways, to whom was referred Senate File 220, A bill for an act to repeal chapter 163 of the laws of the Ninth General Assembly; also, chapter 76 of the laws of the Tenth General Assembly, and to revise act of law prescribing the duties of township trustees, and road supervisors in certain cases, have had the same under consideration, and recommend that the bill do pass.

BROWN of Van Buren, Chairman.

Mr. Brown of Van Buren, moved that the rule be suspended, and the bill be read the third time now.

The motion prevailed, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donovan, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Ramsay, Rector, Rees, Rohlf, Rowell, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wright, and Mr. Speaker—66.

The nays were, Messrs. Adams, Babbitt, Blackwell, Grant-ham, Lambert, Perry, Phillips, Tillson, and Tritz—9.

Absent and not voting, Messrs. Bent, Bolton, Browne of Lee, Cramer, Dashiell, Ellis, Garrett, Kasson, McCoun, Murray, Orr, Peck, Ripsey, Sanborn, Smith of Harrison, Stone, Traer, Walling, Werner, Wilcox, Williams, Wilson of Tama, Johnson of Cherokee, and Longueville—24.

So the bill passed, and the title was agreed to.

Mr. Brown of Van Buren from the Committee on Roads and Highways submitted the following report:

Your Committee on Roads and Highways beg leave to report a

bill for an act in relation to county roads and recommend that it pass.

JOEL BROWN, Chairman.

House File No. 377, A bill for an act entitled an act in relation to county roads, was read a first and second time.

Mr. Babbitt moved to amend the bill by inserting in the fourth section after the word "consent" the words "in writing."

The motion to amend prevailed.

Mr. Criss moved that the bill be laid upon the table, which motion prevailed.

Leave was granted Mr. Burnett to offer the following resolution :

*Resolved*, That the compensation of the door-keeper of this House be five dollars per day.

Mr. Newberry moved to amend by inserting after the word "door-keeper" the words "sergeant-at-arms."

Mr. Bander moved to amend the amendment by inserting after the words "sergeant-at-arms" the words "janitor."

The amendment to the amendment did not prevail.

The amendment did not prevail.

The resolution was adopted.

Leave was granted Mr. Murray to offer the following resolution, which was adopted :

*Resolved by the House, the Senate concurring*, That the Secretary of State be and is hereby instructed to furnish each member of this General Assembly with one copy each of the Eighteenth, Nineteenth and Twentieth Iowa Reports and Hammond's Digest.

Mr. Johnson of Marshall from the Committee on Charitable Institutions, submitted the following report :

Your committee to whom was referred Senate File No. 148, have examined the bill, and the committee have ordered me to report the same back, and recommend that it do pass.

B. W. JOHNSON, Chairman.

Mr. Rohlf's moved that the regular order of business be suspended and House File No. 98, A bill for an act to encourage emigration to the State of Iowa be taken up.

The motion did not prevail.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 208, A bill for an act legalizing the organization of the independent district of Montezuma, and the election and acts of the officers thereof.

House File No. 194, A bill for an act to legalize the acts of



Wm. Van Asch and Koenraad De Yong, of Marion county, Iowa, attorneys of Johanda J. Zeelt.

House File No. 95, A bill for an act to legalize the election held by the voters in Burlington Township, Des Moines county, Iowa, to form an independent school district, and the official acts of the officers of said district.

H. C. RIPPEY, Chairman.

MESSAGES ON THE SPEAKER'S TABLE.

House File No. 110, A bill for an act to amend section 2, of chapter 115, of the acts of the Ninth General Assembly, relative to game, was taken up.

Upon the concurrence in the Senate amendments, the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Blackwell, Bowen, Brown of Fayette, Brown of Howard, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donavan, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hartsock, Hatch, Hayden, Hawthorn, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, McKean, McNutt, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Tenney, Traer, Tritz, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama and Mr. Speaker—67.

The nays were, Messrs. Brown of Van Buren, Dudley, Mechem, Phillips, Ramsay, Wheeler and Wright—7.

Absent and not voting, Messrs. Babbitt, Bent, Bolton, Browne of Lee, Cramer, Dashiell, Ellis, Gaylord, Hamilton, Hart, Hunter, Irish, Johnson of Cherokee, Leach, McCoun, Orr, Peck, Smith of Harrison, Longueville, Stone, Stuart, Tillson, Walling, Werner, and Williams—25.

So the amendments were concurred in.

Senate File No. 203, A bill for an act fixing the compensation of members of future General Assemblies, was taken up and read a first and second time.

Mr. Murray 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Brown of Fayette, Brown of Howard, Burrows, Caldwell, Criss, Davis, Donavan, Dudley, Hatch, Hunter, Johnson of Cherokee, Kasson, Kelley, Kilburn, Lockwood, Murray, Ordway, Parker, Rees, Rippey, Rohlf, Smith of Dickinson, Stone, Tenney, Traer, Tucker, Wilson of Davis, and Wilson of Dubuque.—28.

The nays were, Messrs. Adams, Allen, Atkins, Bailey, Ballinger, Bauder, Blackwell, Bowen, Brown of Van Buren, Burnett, Cotton, Craig, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hawthorn, Irish, Johnson of Marshall, Knapp, Lambert, Leach, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Newberry, Perry, Phillips, Ramsay, Rector, Rowell, Sanborn, Sheldon, Stanley, Tritz, Trusdell, Wilcox, Wilson of Tama, Wright, and Mr. Speaker.—48.

Absent and not voting, Messrs. Atwood, Babbitt, Bent, Bolton, Browne of Lee, Chase, Cramer, Dashiell, Ellis, Gaylord, Hayden, McCoun, Miller, Morrison, Orr, Peck, Smith of Harrison, Stuart, Tillson, Walling, Werner, Wheeler, and Williams.—23.

So the bill, not receiving a constitutional majority, failed to pass the House.

Mr. Kasson moved to reconsider the vote by which the bill failed to pass the House, which motion prevailed.

Mr. Murray moved to reconsider the vote by which the bill was ordered to be engrossed and read a third time, which motion prevailed.

Mr. Rowell moved to amend by substituting House File No. 172, A bill for an act to increase the compensation of members of the legislature, and to regulate the election of the officers of the General Assembly.

The motion to amend did not prevail.

Mr. Kasson moved to amend by adding at the end of section 1, the following proviso: "*Provided*, that the amount allowed to each member for postage, shall not exceed three dollars per week, and for stationery two dollars per week."

Mr. Rippey moved to amend the amendment by adding the following: "That no member shall take more than five daily papers or their equivalent in weeklies, at the expense of the State."

Mr. Rippey moved a call of the House, which was not seconded.

The amendment to the amendment did not prevail.

The amendment prevailed.

On motion of Mr. Rohlf's the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Babbitt, Bailey, Ballinger, Blackwell, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Criss, Davis, Donovan, Dudley, Fulton, Glasgow, Grantham, Guthrie, Hamilton, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Leffingwell, Lockwood, McKean, McNutt, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Rector, Rees, Rippey, Rohlf's, Rowell, Sanborn, Smith of Dickinson, Stone, Tenney, Tillson, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, and Wilson of Dubuque—59.

The nays were, Messrs. Adams, Allen, Bauder, Bolton, Bowen, Cotton, Garrett, Goodspeed, Hart, Hartsock, Hawthorn, Lambert, Leach, Longueville, Mechem, Miles, Ramsay, Sheldon, Stanley, Stuart, Wilson of Tama, Wright, and Mr. Speaker—23.

Absent and not voting, Messrs. Bent, Brown of Howard, Browne of Lee, Cramer, Dashiell, Ellis, Gaylord, Knapp, McCoun, Orr, Peck, Smith of Harrison, Traer, Walling, Werner, Wilcox, and Williams—17.

So the bill passed, and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 148, A bill for an act to provide for the support of the deaf and dumb, was taken up and considered.

On motion of Mr. Blackwell, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donovan, Dudley, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—69.

The nays were none.

Absent and not voting, Messrs. Allen, Bent, Bolton, Bowen, Brown of Howard, Browne of Lee, Cramer, Dashiell, Ellis, Fulton, Gaylord, Hart, Irish, Johnson of Cherokee, Knapp, Leach, Longueville, McCoun, McNutt, Orr, Peck, Rector, Smith of Harrison, Stone, Traer, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—30.

So the bill passed, and the title was agreed to.

Senate joint resolution was taken up and read as follows :

*Resolved by the General Assembly of the State of Iowa, That James Chapin of Benton county, John Hodgdon of Dubuque county and Charles G. Trusdell of Clinton county be and are hereby appointed trustees of the Institution for the Blind for four years from February 1st, 1868, and until their successors are elected and qualified.*

The resolution was adopted.

Mr. Babbitt moved to reconsider the vote by which House File No. 377 failed to pass the House, which motion did not prevail.

House File No. 49, A bill for an act entitled an act to prevent the driving away of cattle and other stock, was taken up.

Upon the concurrence in the Senate substitute the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Brown of Howard, Browne of Lee, Cotton, Cramer, Dashiell, Ellis, Gaylord, Knapp, Johnson of Cherokee, Longueville, McCoun, Orr, Peck, Rector, Rippey, Smith of Harrison, Traer, Walling, Werner, Wilcox, Williams—24.

So the Senate substitute for House File No. 49 was adopted.

Senate File No. 149, A bill for an act making further appropriations for the Hospital for the Insane, was taken up and considered.

On motion of Mr. Grantham, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Babbitt, Bailey, Ballinger, Bauder, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leach, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wright, and Mr. Speaker—73.

The nays were, Messrs. Atkins, Tillson, and Wilson of Tama—3.

Absent and not voting, Messrs. Bent, Browne of Lee, Cotton, Cramer, Dashiell, Ellis, Gaylord, Johnson of Cherokee, Knapp, Rippey, Longueville, McCoun, Orr, Ordway, Peck, Rector, Smith

of Dickinson, Smith of Harrison, Traer, Walling, Werner, Wilcox, and Williams—23.

So the bill passed, and the tit'e was agreed to.

Mr. Mechem moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

TWO O'CLOCK, P. M.

House convened pursuant to adjournment.

Speaker in the chair.

Mr. Wilson of Tama, moved that the regular order of business be suspended, and House File No. 368, A bill for an act to legalize the proceedings had to incorporate the town of Toledo, Tama county, Iowa, be taken up.

The motion prevailed, and the bill was taken up and considered.

Mr. Wilson of Tama, moved that the rule be suspended, and the bill read the third time now.

The motion prevailed, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kelley, Knapp, Lambert, Leach, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rector, Sanborn, Sheldon, Stone, Stuart, Tillson, Tritz, Trusdell, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—65.

The nays were, Mr. Rippey—1.

Absent and not voting, Messrs. Allen, Babbitt, Bander, Bent, Bowen, Browne of Lee, Caldwell, Cramer, Dashiell, Ellis, Fulton, Hamilton, Johnson of Cherokee, Kasson, Kilburn, Lockwood, McCoun, Miller, Orr, Peck, Phillips, Rees, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Tenney, Traer, Tucker, Walling, Werner, and Wilson of Dubuque—33.

The bill, having had a constitutional majority, passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

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. 195, A bill for an act to amend chapter 12 of the Revision of 1860, and to regulate the price of the state printing.

Senate File No. 212, A bill for an act to regulate the planting of hedge fences, and establishing lines thereto.

Senate File No. 236, A bill for an act to amend chapter 169 of the laws of the Ninth General Assembly of the State of Iowa, in relation to notice of injury and destruction of stock, and to strike out certain words therein.

Substitute for Senate File No. 172, A bill for an act transferring the county of Tama from the Eighth Judicial District to the Eleventh Judicial District, and assigning the same to a circuit therein, and fixing the time of holding courts therein.

Senate File No. 171, A bill for an act to amend section 2710, of the Revision of 1860, relating to the limitation of actions against public officers.

Senate File No. 234, A bill for an act to amend section 17, chapter 172, of the Laws of the Ninth General Assembly.

Substitute for Senate File No. 115, A bill for an act to repeal sections 3323, 3324, 3325 and 3326, of the Revision of 1860, in relation to subjecting real estate of decedents to sale on execution, and to enact a substitute therefor.

Also, to return herewith the following bills, which have passed the Senate without amendment :

House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate, for the purpose of constructing and maintaining dams, &c.

House File No. 262, A bill for an act to amend section 430, of the Revision of 1860.

House File No. 374, A bill for an act fixing the time of holding District Courts in the Fifth Judicial District.

House File No. 112, A bill for an act to amend section 58, of chapter 172, of the Laws of the Ninth General Assembly.

Also, the following, which have passed the Senate, with amendments as noted therein, in which the concurrence of the House is asked :

House File No. 247, A bill for an act to protect crops against the invasions of stock.

House File No. 300, A bill for an act requiring county treasurers to insert in tax-receipts the valuation of each piece of real estate.

House File No. 156, A bill for an act to amend article 2, chapter 64, of the Revision of 1860, relating to the sale of intoxicating liquors, by the passage of a substitute therefor.

House File No. 60, A bill for an act to provide for the payment of witness-fees and juror-fees in State cases.



Concurrent resolution requiring the assistant post-master to remain after the close of the session and forward mail matter, with an amendment, filling blank therein with the words "thirty-five."

Also, that the Senate has concurred in the House resolution, relative to final adjournment of the General Assembly.

Also, that the Senate has concurred in the report of the Committee on Conference, on the disagreeing votes of the two Houses on Senate File No. 228, A bill for an act to amend chapter 95, of the Acts of the Eleventh General Assembly, entitled an act to provide for the settlement of certain claims against the General Government.

JAMES M. WEART, Secretary.

Mr. Chase moved that the regular order of business be suspended and House File No. 306, A bill for an act apportioning the State of Iowa into representative districts, be taken up.

The motion prevailed, and the bill was taken up and considered.

Mr. Chase moved to amend by striking out of the first section the words "a fraction thereof equal to one-half."

The motion prevailed.

Mr. Chase 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rector, Rippey, Rohlfis, Rowell, Sanborn, Sheldon, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—77.

The nays were, Mr. Babbitt—1.

Absent and not voting, Messrs. Allen, Bander, Bent, Browne of Lee, Cramer, Ellis, Fulton, Johnson of Cherokee, Leach, McCoun, Miller, Orr, Peck, Phillips, Rees, Smith of Dickinson, Smith of Harrison, Stanley, Tillson, Walling, and Werner—21.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Enrolled Bills have examined the following bills, and have directed me to report the same as correctly enrolled, and to present them for your signature:



House File No. 319, A bill for an act to provide for the relief of certain classes of indigent persons.

House File No. 343, A bill for an act fixing the price of the state binding.

House File No. 152, A bill for an act authorizing the census board to procure plans and specifications for a State House, and making appropriation for repairs on the capitol building.

H. C. RIPPEY, Chairman.

Mr. Wilson of Davis moved that the regular order of business be suspended and House File No. 340, A bill to amend chapter 172, section 78 laws of the Ninth General Assembly be taken up.

The motion prevailed and the bill was taken up and considered.

The substitute recommended by the committee was adopted.

On motion of Mr. Wilson of Davis, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leach, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Parker, Peck, Perry, Ramsay, Rector, Rippey, Rohlf, Rowell, Sanborn, Sheldon, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—80.

The nays were none.

Absent and not voting, Messrs. Bander, Bent, Browne of Lee, Cramer, Ellis, Fulton, McCoun, Miller, Orr, Ordway, Phillips, Reese, Smith of Harrison, Smith of Dickinson, Stanley, Tillson, Walling, Werner, Wright—19.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed a memorial to the Senate and House of Representatives of the United States relative to water communication between the Atlantic and Mississippi, which is herewith transmitted, and in which the concurrence of the House is asked.

GEORGE P. ABEL, Assistant Secretary.

Mr. Williams moved that the regular order of business be suspended and substitute for Senate File No. 4, A bill for an act to

provide for the election of township collectors and to define their duties and powers, be taken up.

The motion prevailed and the bill was taken up and considered.

Mr. Kilburn moved that the rule be suspended and the bill be read a third time now.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 189, A bill for an act to constitute the principal a member of the board of trustees, enlarge and furnish the buildings, and support the Institution for the Education of the Blind.

Senate File No. 215, A bill for an act to permanently locate, and to provide for the erection of an additional institution for the insane.

Senate File No. 230, A bill for an act to legalize the acts of certain cities and towns in their attempts to amend and abandon their special charters, and to legalize elections, ordinances enacted, and other proceedings had by said cities and towns.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 100, A bill to encourage the planting and growing of timber, fruit trees, shade trees and hedges.

Senate File No. 51, A bill for an act to amend section 2 chapter 114, of the acts of the Tenth General Assembly of the State of Iowa.

A joint resolution in relation to the trustees of the Agricultural College.

Senate File No. 20, A bill for an act to authorize independent school districts to borrow money and issue bonds therefor, for the purpose of erecting and completing school houses, legalizing bonds heretofore issued, and making school orders draw six per cent. interest in certain cases.

H. C. RIPPEY, Chairman.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Brown of Fayette, Brown of Howard, Caldwell, Chase, Cotton, Davis, Donovan, Dudley, Gaylord, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Leach, Leffingwell, Lockwood, Longneville, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Ordway, Parker, Perry, Rector, Rees, Rohlfs, Sanborn, Sheldon, Stone, Stuart, Wheeler, Wilcox,

Williams, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—60.

The nays were, Messrs. Adams, Blackwell, Bowen, Brown of Van Buren, Burnett, Burrows, Craig, Dashiell, Fulton, Garrett, Glasgow, Goodspeed, Hayden, Lambert, Morrison, Ramsay, Rippey, Stanley, Tenney, Tillson, Traer, and Wilson of Davis—22.

Absent and not voting, Messrs. Babbitt, Bent, Browne of Lee, Cramer, Criss, Ellis, Grantham, Irish, Kasson, McCoun, Orr, Peck, Phillips, Smith of Dickinson, Smith of Harrison, Walling, and Werner—17.

So the bill passed, and the title was agreed to.

Mr. Kilburn moved that the regular order of business be suspended, and House File No. 193, A bill for an act regulating the election and duties of State Librarian, be taken up.

The motion prevailed.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 291, A bill for an act to provide for compensation of clerks of the District and Circuit Courts, was taken up and considered.

Mr. Irish moved that the rule be suspended, and the bill be read a third time now.

Mr. McNutt moved that the bill be referred to the Committee on Judiciary.

The motion prevailed.

Mr. Irish moved to instruct the committee to report at 8 o'clock this evening.

Mr. McNutt moved to amend by striking out "8 o'clock this evening" and insert "9 o'clock to-morrow morning."

The amendment prevailed.

The motion as amended prevailed.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked.

Substitute for Senate File No. 193, A bill for an act relating to the publication of notices and proceeding in newspapers published in foreign languages.

I am also directed to return herewith the following bills, which have passed the Senate without amendment.

House File No. 185, A bill for an act making appropriations for payment of sundry bills and accounts contracted by the commissioners in the erection of the building for adjutant-general's and quartermaster-general's office, and for storage of arms.

House File No. 287, A bill for an act making appropriations for the improvement of the state arsenal and adjutant-general's office, and for a new building in connection therewith.

J. A. T. HULL, Assistant Secretary.

Mr. Wilcox from the Committee on Ways and Means, reported House File No. 378, A bill for an act making appropriations for the payment of the salaries of state and judicial officers, interest on the state bonds, and for other purposes therein designated, which was read a first and second time.

On motion of Mr. Wilcox, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Harisock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rippey, Rohlf's, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Trusdell, Wheeler, Wilcox, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—77.

The yeas were none.

Absent and not voting, Messrs. Allen, Babbitt, Bauder, Bent, Blackwell, Browne of Lee, Cramer, Ellis, Leach, McCoun, Miller, Orr, Phillips, Peck, Rector, Smith of Harrison, Tritz, Tucker, Walling, Werner, Williams, and Wilson of Davis.—22.

So the bill passed, and the title was agreed to.

Mr. Davis asked leave of absence for Mr. Johnson of Cherokee until 9 o'clock to-morrow morning, which was granted.

Leave of absence was granted Mr. Lambert until to-morrow morning.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 216, A bill for an act to annex certain lands to sub-district Number One in Center township, Wapello county, Iowa, for all school and school-house purposes.

J. A. T. HULL, Assistant Secretary.

Senate File No. 199, A bill for an act granting the right of way

for the construction of bridges, was taken up and read first and second time.

On motion of Mr. Caldwell, the rule was suspended and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Blackwell, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartssock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—72.

The nays were Messrs. Babbitt, Brown of Fayette, and Tillson—3.

Absent and not voting, Messrs. Bauder, Bent, Browne of Lee, Cramer, Criss, Dudley, Ellis, Irish, Leach, McCoun, Orr, Peck, Phillips, Rector, Rippey, Rowell, Smith of Harrison, Stone, Traer, Walling, Werner, Wilcox, Williams, and Mr. Speaker—24.

So the bill passed, and the title was agreed to.

Senate File No. 224, A bill for an act to amend chapter 79, of the acts of the Eleventh General Assembly, entitled an act providing for the adjustment of certain land-claims with the General Government, was taken up and read a first and second time.

On motion of Mr. Hunter the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Blackwell, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Dashiell, Davis, Donovan, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Ramsay, Rector, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Wright—66.

The nays were, Messrs. Rees, and Tillson—2.

Absent and not voting, Messrs. Adams, Babbitt, Bauder, Bent, Brown of Lee, Cotton, Cramer, Criss, Dudley, Ellis, Gaylord,

Guthrie, Hartsock, Johnson of Cherokee, Lambert, Leach, McCoun, McKean, Orr, Peck, Perry, Phillips, Rippey, Rohlf, Smith of Harrison, Traer, Walling, Werner, Wilcox, Williams, and Mr. Speaker—31.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 152, A bill for an act authorizing the Census Board to procure plans and specifications for a State House, and making appropriations for repairs on the capitol building.

House File No. 319, A bill for an act to provide for the relief of certain classes of indigent persons.

House File No. 343, A bill for an act fixing the price of the state binding.

H. C. RIPPEY, Chairman.

On motion of Mr. Trusdell, the regular order of business was suspended, and House File No. 345, A bill for an act in relation to the State Historical Society, was taken up and considered by sections.

Mr. Mechem moved to amend the first section by striking out "\$3,000.00" and inserting in lieu thereof "\$1,500.00."

The motion to amend did not prevail.

Mr. Irish moved that the rule be suspended, and the bill be read the third time now.

Mr. Wilson of Tama, moved to amend the first section of the bill by striking out "\$3,000.00" and inserting in lieu thereof "\$2,000.00."

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 49, A bill for an act to amend an act entitled, an act to prevent the driving away of cattle and other stock.

House File No. 33, A bill for an act to amend section 317 of the Revision of 1860, in relation to compensation of members of the board of supervisors.

H. C. RIPPEY, Chairman.

The motion to amend did not prevail.

Mr. Dudley moved to amend section 3 by adding the following proviso:

*Provided* that all such papers, manuscripts and all other property of said society shall be deposited at the capitol at Des Moines.



The motion to suspend the rule prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Babbitt, Bailey, Ballinger, Bander, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Dudley, Fulton, Goodspeed, Grantham, Guthrie, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Leffingwell, Lockwood, McKean, McNutt, Miles, Miller, Murray, Newberry, Ordway, Parker, Perry, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Tenney, Traer, Trusdell, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, and Wright—57.

The nays were, Messrs. Adams, Atkins, Garrett, Glasgow, Hart, Hayden, Mechem, Morrison, Phillips, Ramsay, Stanley, Tillson, and Wilson of Tama—13.

Absent and not voting, Messrs. Atwood, Bent, Bowen, Browne of Lee, Burrows, Cramer, Criss, Donavan, Ellis, Gaylord, Hamilton, Johnson of Cherokee, Kelley, Lambert, Leach, Longueville, McCoun, Orr, Peck, Rector, Rippey, Smith of Harrison, Stuart, Tritz, Tucker, Walling, Werner, Williams and Mr. Speaker—29.

Leave was granted Mr. Parker to offer the following resolution:

*Resolved*, That the *per diem* of the Sergeant-at-Arms be and is hereby increased to five dollars, which was adopted.

Leave was granted Mr. Ballinger to offer the following resolution, which was referred to a select committee.

WHEREAS, The Chief Clerk of this House was for sometime rendered unfit for duty on account of sickness, thereby making the labors of the Enrolling and First Assistant Clerks unusually hard, therefore,

*Resolved, by this House*, That the compensation of said clerks be and are hereby raised to the same as received by the Chief Clerk.

The Chair announced special committee: Messrs. Ballinger, Dudley, and Brown of Van Buren.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 279, A bill for an act to provide certain police regulations for the protection of the Iowa State Agricultural College and Farm, and the students therein.

House File No. 349, A bill for an act for the improvement of the penitentiary.

House File No. 278, A bill for an act to prohibit the laying out



or opening of roads across certain reserved lands of the State, and to vacate public roads on the same.

H. C. RIPPEY, Chairman.

Mr. Wilson of Davis, moved that the House do now adjourn until half-past seven o'clock this evening.

The motion prevailed, and the House adjourned.

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SEVEN THIRTY O'CLOCK P. M.

On motion of Mr. Dudley the House proceeded to the consideration of the special order, House File No. 312, A bill for an act for the relief of Silas Perkins.

MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Substitute for Senate File Nos. 55, 113 and 125, A bill for an act to legalize the acts of W. Moershall and others, notaries public of the State of Iowa.

Also, to return herewith the following bill, which has passed the Senate without amendment:

House File No. 309, A bill for an act to amend section 642, of the Revision of 1860.

Also, the following, which has passed the Senate with amendments as noted therein, in which the concurrence of the House is asked:

House File No. 131, A bill for an act in addition to an act, entitled an act for the incorporation and government of the Hospital for the Insane.

House File No. 162, A bill for an act relating to the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing.

J. A. T. HULL, Assistant Secretary.

On motion of Mr. Murray the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham,

Guthrie, Hart, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Phillips, Ramsay, Rees, Rohlf's, Rowell, Sanborn, Sheldon, Stone, Stuart, Tenney, Traer, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—67.

The nays were none.

Absent and not voting, Messrs. Allen, Atwood, Bauder, Bent, Blackwell, Browne of Lee, Burnett, Craig, Cramer, Donavan, Ellie, Fulton, Hamilton, Hayden, Johnson of Cherokee, Leach, Longueville, McCoan, Orr, Peck, Perry, Rector, Rippey, Smith of Dickinson, Smith of Harrison, Stanley, Tillson, Tritz, Walling, Werner, Wheeler, and Williams—32.

So the bill passed, and the title was agreed to.

Mr. Babbitt, from the Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills report that they find correctly enrolled the following bills, which have passed both branches of the General Assembly:

House File No. 185, An act making appropriations for the payment of sundry bills and accounts contracted by the commissioners in the erection of the building for adjutant-general's and quartermaster-general's office and for storage of arms; also, House File No. 287, An act making appropriations for the improvements of the state arsenal and adjutant-general's office, and for a new building in connection therewith; and that the same are ready for the signature of the Speaker.

BABBITT, for Committee.

Senate File No. 52, A bill for an act for the encouragement of agriculture and to provide for the distribution of the reports of the State Agricultural Society, was taken up and considered.

On motion of Mr. Dudley, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Dudley, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf's, Rowell, Sanborn, Sheldon, Stone, Stuart, Tenney, Traer, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—69.

The nays were none.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Bolton, Browne of Lee, Burnett, Craig, Cramer, Donovan, Ellis, Fulton, Gaylord, Hayden, Johnson of Cherokee, Knapp, Leach, Longueville, McCoun, Orr, Peck, Rector, Smith of Dickinson, Smith of Harrison, Stanley, Tillson, Tritz, Walling, Werner, Wheeler, and Williams—30.

So the bill passed, and the title was agreed to.

Senate File No. 136, A bill for an act in relation to the sale of intoxicating liquors, in incorporated towns and cities, was taken up and considered.

On motion of Mr. Trusdell, the rule was suspended, and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Caldwell, Chase, Criss, Dudley, Fulton, Garrett, Gaylord, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hayden, Johnson of Marshall, Kilburn, Knapp, Lambert, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rowell, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Traer, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama and Mr. Speaker—51.

The nays were, Messrs. Adams, Allen, Bauder, Bowen, Burrows, Cotton, Dashiell, Davis, Glasgow, Hatch, Hawthorn, Hunter, Irish, Kasson, Kelley, Leffingwell, Lockwood, Miller, Rees, Rippey, Rohlf, Stuart, Wilson of Dubuque and Wright—24.

Absent and not voting Messrs. Babbit, Bent, Blackwell, Browne of Lee, Burnett, Craig, Cramer, Donovan, Ellis, Johnson of Cherokee, Leach, Longueville, McCoun, Orr, Peck, Rector, Sanborn, Smith of Dickinson, Tillson, Tritz, Walling, Werner and Williams—23.

House File No. 344, A bill for an act to amend chapter 12 of the Revision of 1860, and to regulate the price of state printing, was taken up and considered.

Mr. Irish moved to re commit the bill to the Committee on Printing.

The motion prevailed.

Senate File No. 42, A bill for an act for the registry of electors, and to prevent fraudulent voting, was taken up and considered.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor.

House File No. 287, A bill for an act making appropriations for

the improvements of the state arsenal and adjutant-general's office, and for a new building in connection therewith.

House File No. 185, A bill for an act making appropriations for payment of sundry bills and accounts contracted by the commissioners in the erection of the building for adjutant-general's and quartermaster-general's office and for storage of arms.

Joint resolution requesting increased mail facilities.

H. C. RIPPEY, Chairman,

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled and to present them for your signature:

Senate File No. 220, A bill for an act to repeal chapter 163 of the laws of the Ninth General Assembly. Also, chapter 76 of the laws of the Tenth General Assembly and to enact a law prescribing the duties of township trustees and road supervisors in certain cases, &c.

Senate File No. 13, A bill for an act providing for the erection of buildings for a deaf and dumb asylum.

Senate File No. 149, A bill for an act making further appropriations for the Hospital for the Insane.

Senate File No. 228, A bill for an act to amend chapter 95 of the acts of the Eleventh General Assembly entitled an act to provide for the settlement of certain claims against the General Government.

Senate File No. 148, A bill to provide for the education and support of the deaf and dumb.

Joint resolution appointing trustees for the Blind Institution.

H. C. RIPPEY, Chairman.

Mr. Irish moved to amend the fourth section by striking out the figure "5" and inserting in lieu thereof the figure "7."

The motion to amend did not prevail.

Mr. Babbitt moved to amend the first section by adding the following:

The office of the township clerk shall at all times be open for the registration of the names of voters, and any voter at any time prior to the first day of September in each year may register his name, if qualified to vote at the general election next ensuing. The books of registry shall be open to the inspection of voters at all times.

Mr. Atkins moved the previous question, which was seconded, and the main question ordered.

The question recurred upon the amendment offered by Mr. Babbitt.

Upon this question, Mr. Babbitt demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Babbitt, Bauder, Davis, Hawthorn, Irish, Kelley, Lockwood, Longneville, Miller, Rector, Rees, Stuart, Tritz, Wilson of Dubuque, and Wright—15.

The nays were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Traer, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Mr. Speaker—63.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burnett, Craig, Cramer, Donavan, Ellis, Hunter, Johnson of Cherokee, Leach, McCoun, Orr, Peck, Rippey, Rohlf, Smith of Harrison, Tillson, Walling, Werner, and Williams—21.

So the amendment did not prevail.

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

Mr. Wilson of Tama, 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Traer, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—65.

The nays were, Messrs. Babbitt, Bauder, Davis, Donavan, Hawthorn, Irish, Kelley, Leffingwell, Lockwood, Longueville, Miller, Rector, Rees, Stuart, Tritz, Wilson of Dubuque, and Wright.—17.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burnett, Cramer, Ellis, Johnson of Cherokee, Leach, McCoun, Orr, Peck, Rippey, Smith of Harrison, Tillson, Walling, Werner, and Williams.—17.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to return to your Honorable Body the following bills which have passed the Senate without amendments:

House File No. 198, A bill for an act to legalize the acts of D. D. Miracle, a notary public in and for Hamilton county, Iowa.

House File No. 241, A bill for an act to legalize certain official acts of Jonathan Oglesbee, recorder of Clayton county, Iowa.

House File No. 239, A bill for an act providing for the legalization of certain official acts of William Tiede, a notary public of Clayton county, Iowa.

House File No. 3, A bill for an act to legalize the acts of Wilson Throckmorton, lately a justice of the peace in Clarke county, Iowa.

House File No. 361, A bill for an act supplemental to an act entitled "An act for establishing Circuit and General Term Courts and to define the powers and jurisdiction thereof."

Senate File No. 260, A bill for an act to legalize the notarial acts of Josephus Eastman, a notary public of Poweshiek county, Iowa.

House File No. 263, A bill for an act to legalize the official acts of James Hagerman, a notary public in Lee county, Iowa.

House File No. 190, A bill for an act to legalize the acts of the board of supervisors of Ida county, in conveying certain lands to soldiers as bounties.

J. A. T. HULL, Assistant Secretary.

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

Joint resolution in regard to notaries public.

Senate File No. 236, A bill for an act to legalize the acts of Charles Hall, a justice of the peace of Webster county, Iowa.

I am also directed to return herewith the following bills, which have passed the Senate with amendments as noted therein, in which the concurrence of the House is asked:

House File No. 323, A bill for an act to legalize the acts of the Northwestern Mining Company.

House File No. 353, A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, in the levy of a town tax on the property of said town.

JAMES M. WEART, Secretary.

House File No. 328, A bill for an act to require land-grant railroads to record the title to their lands, was taken up and considered.

Mr. Cotton moved to lay the bill on the table.

The motion prevailed.

Mr. Ordway moved that the regular order of business be suspended, and House File No. 163, A bill for an act to amend section 3304 of the Revision of 1860, exempting property from execution, be considered.

The motion did not prevail.

House File No. 267, A bill for an act to legalize the acts of

Thomas M. Atherton, a notary public, was taken up and considered.

On motion of Mr. Rowell, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Cotton, Craig, Dashiell, Davis, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—68.

The nays were Messrs. Criss, Donavan, Hawthorn, and Rippey—4.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Barnett, Browne of Lee, Caldwell, Chase, Cramer, Ellis, Grantham, Hamilton, Hart, Johnson of Cherokee, Kelley, Leach, McCoun, Orr, Peck, Rector, Smith of Harrison, Stanley, Tillson, Walling, Werner, Williams, and Wright—27.

So the bill passed, and the title was agreed to.

House File No. 196, A bill for an act to increase the duties of the Superintendent of Public Instruction, and to provide additional compensation therefor, was taken up and considered.

Mr. Sanborn moved to amend the second section by adding the following: It is hereby made the duty of the Superintendent of Public Instruction to revise and codify all school laws which may be in force after the adjournment of the regular session of each General Assembly, before printing a new edition of said laws, as now required by statute.

The motion to amend prevailed.

Mr. Babbitt moved to amend by adding an additional section, as follows:

SECTION 4. That all acts and parts of acts which confer power upon the Superintendent of Public Instruction, the right to select or direct what kind of books shall be used in common schools, be and the same are hereby repealed.

The motion to amend prevailed.

Mr. Dudley moved to amend the third section by striking out the words "one thousand" and insert in lieu thereof "five hundred."

Mr. Atkins moved to amend the amendment by striking out the words "five hundred."



Mr. Murray moved the previous question, which was seconded, and the main question was ordered.

The amendment to the amendment did not prevail.

The amendment prevailed.

The bill was ordered to be engrossed and read the third time.

Mr. Murray moved that the rule be suspended, and the bill be read the third time now.

The motion prevailed, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Lambert, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, and Wilson of Tama—73.

The nays were Messrs. Allen, Donavan, Kelley, Kilburn, and Rippey—5.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burnett, Cramer, Ellis, Gaylord, Knapp, Leach, Leffingwell, McCoun, Orr, Peck, Smith of Harrison, Tillson, Walling, Werner, Williams, Wilson of Dubuque, Wright, and Mr. Speaker—21.

So the bill passed, and the title was agreed to.

Mr. Dudley moved that the House do now adjourn, which motion did not prevail.

Mr. Rippey from the Committees on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor.

House File No. 49, A bill for an act to amend an act entitled an act to prevent the driving away of cattle and other stock.

House File No. 33, A bill for an act to amend section 317 of the Revision of 1860 in relation to the compensation of members of the board of supervisors.

House File No. 349, A bill for an act for the improvement of the penitentiary.

House File No. 278, An act to prohibit the laying out and opening of roads across certain reserved lands of the State and to vacate public roads on the same.

H. C. RIPPEY, Chairman.

Mr. Irish moved that the regular order of business be suspended and Senate File No. 195, A bill for an act to regulate the price of state printing be taken up and referred to the committee on printing.

The motion prevailed.

Mr. Brown of Van Buren moved to suspend the regular order of business and to take up House File No. 291, A bill for an act fixing the salary of the Treasurer of State.

The motion prevailed, and the bill was taken up and considered.

On motion of Mr. Wilcox the amendment recommended by the committee was adopted.

Mr. Criss moved a call of the House, which was not seconded.

On motion of Mr. Kilburn the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atwood, Bailey, Balingier, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tenney, Traer, Tritz, Trudell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama—71.

The nays were Messrs. Atkins, Babbitt, Donavan, Hawthorn—4.

Absent and not voting, Messrs. Bander, Bent, Blackwell, Brown of Howard, Browne of Lee, Burnett, Burrows, Cramer, Dudley, Ellis, Hayden, Knapp, Leach, McCoun, Orr, Peck, Smith of Harrison, Stanley, Tillson, Walling, Werner, Williams, Wright, and Mr. Speaker.—24.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 174, A bill for an act to legalize the action of Mitchell county, providing for the equalization of bounty of soldiers in said county, and authorizing the levy of a tax to pay the same.

Also to return herewith, the following bills which have passed the Senate without amendment.

House File No. 225, A bill for an act to legalize the notarial acts of certain notaries public of Polk county.

House File No. 359, A bill for an act to legalize the notarial acts of Thomas Cavanaugh, of Polk county.

House File No. 28, A bill for an act to legalize the acts of E. Kinley, a notary public of Lee county.

House File No. 46, A bill for an act to legalize the official acts of Samuel R. Coons, a notary public in Clayton county.

House File No. 213, A bill for an act legalizing the official acts of John K. Nisley, a notary public of Muscatine county.

House File No. 248, A bill for an act to vacate a grave-yard in Jefferson county.

JAMES M. WEART, Secretary.

Senate joint resolution in regard to notaries public, was taken up and adopted.

*Resolved by the General Assembly of the State of Iowa,* That the Secretary of State is hereby authorized to charge one dollar and twenty-five cents for each commission issued by him to a notary public. It shall be the duty of the Secretary of State, sixty days before the expiration of the commission, to notify each notary of the time his commission will expire. Such notice may be served by mail, by letter directed to such notary at his place of residence, as shown in the application for the commission. The Secretary shall deliver to the attorney-general, once in each year, a list of all notaries who have failed to renew their commissions, and it shall be the duty of the attorney-general to enforce the law in regard to notaries public exercising the duties of their office, after the expiration of their commission.

Mr. Rippey moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 7, 1868.

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Dinsmore.

Mr. Murray moved that the reading of the journal be dispensed with, which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body

that the Senate has passed a substitute for the following bill, in which the concurrence of the House is asked :

House File No. 20, A bill for an act to legalize the acts of James Foster, justice of the peace of Orange township, Guthrie county, Iowa.

JAMES M. WEART, Secretary.

On motion of Mr. Brown of Fayette, the regular order of business was suspended, and House File No. 261, A bill for an act to amend section 13 of chapter 172 of the acts of the Ninth General Assembly, was taken up and considered.

Mr. Stanley moved to amend the first section of the bill by inserting after the word "township" in the twelfth line the words "*Provided*, the board of directors of the township in which the children reside shall be notified in writing."

The motion to amend prevailed.

On motion of Mr. Murray, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Brown of Fayette, Brown of Howard, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Fulton, Garrett, Gaylord, Glasgow, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillippe, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Stanley, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Werner, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—71.

The nays were, Messrs. Chase, and Sheldon.—2.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Bowen, Browne of Lee, Brown of Van Buren, Cramer, Donovan, Ellis, Guthrie, Hunter, Kelley, Lambert, Leach, McCoun, McNutt, Orr, Peck, Rippey, Smith of Harrison, Stone, Traer, Walling, Wheeler, Wilcox, and Williams.—26.

So the bill passed, and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Cotton, from the Committee on Judiciary, reported House File No. 379, A bill for an act abolishing distinctions between foreigners and citizens, as to the acquisition, enjoyment, and transfer of property, which was read a first and second time.

On motion of Mr. Cotton the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Hamilton, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sheldon, Stanley, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Werner, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—70.

The nays were none.

Absent and not voting, Messrs. Adams, Allen, Bent, Blackwell, Brown of Howard, Browne of Lee, Burnett, Cramer, Ellis, Guthrie, Hart, Hartsock, Hunter, Irish, Lambert, Leach, McCoun, McNutt, Orr, Peck, Sanborn, Smith of Dickinson, Smith of Harrison, Stone, Traer, Walling, Wheeler, Wilcox, and Williams—29.

So the bill passed, and the title was agreed to.

Mr. Cotton, from the Committee on Judiciary, submitted the following:

The Judiciary Committee having considered Senate File No. 231, A bill for an act to provide additional compensation for clerks of District Court, and to allow deputies to act as clerk of Circuit Court, recommend that it do pass.

AYLETT R. COTTON, Chairman.

The Judiciary Committee recommend that Senate File No. 93, A bill for an act to authorize the Register of the State Land Office to deliver patents to parties who purchased land of the Commissioner of the Des Moines River Improvement, where the original certificates of purchase have been lost or destroyed, be amended by inserting in section 1, line eleven, after the word "oath," the words "and upon such other evidence as such register may require," and by adding at the end of section 1, the words "and that the same was not sold, assigned, or otherwise alienated prior to said loss or destruction," and that as then amended it be passed.

COTTON, Chairman.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 260, A bill for an act to legalize the notarial acts of Josephus Eastman, notary public of Powesheik county, Iowa.

House File No. 271, A bill for an act to legalize, confirm and

carry out a contract between the Dubuque and Sioux City Railroad Company and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said railroad from Dubuque to Sioux City, to grant certain lands to the Dubuque, Bellevue and Sabula Railroad Company for the building of the Tete des Morts Branch, and for other purposes.

H. C. RIPPEY, Chairman.

The special order, Senate File No. 231, A bill for an act to provide for the compensation of clerks of the District and Circuit Courts and to allow deputies to act as clerk of the District Court, was taken up and considered.

On motion of Mr. Cotton the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Bailey, Ballinger, Bolton, Brown of Fayette, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wilson of Tama, Wright and Mr. Speaker—67.

The nays were, Mr. Atwood—1.

Absent and not voting, Messrs. Adams, Babbitt, Bauder, Bent, Blackwell, Bowen, Brown of Howard, Browne of Lee, Burnett, Cramer, Criss, Dudley, Ellis, Garrett, Hartsock, Hunter, Irish, Kasson, Lambert, Leach, McCoun, McNutt, Miles, Orr, Peck, Smith of Harrison, Stone, Walling, Wheeler, Wilcox, Williams—31.

So the bill passed, and the title was agreed to.

On motion of Mr. Rowell, the regular order of business was suspended, and House File No. 289, A bill for an act to authorize the Secretary of State to exchange copies of the Supreme Court Reports for other books of law and equity, was taken up and considered.

On motion of Mr. Rowell, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie,

Hamilton, Hart, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McKean, Mechem, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Hartssock, Hunter, Kasson, Lambert, Leach, McCoun, McNutt, Miles, Orr, Peck, Rohlf, Smith of Dickinson, Smith of Harrison, Tucker, Walling, Wheeler, Wilcox, and Williams—24.

So the bill passed, and the title was agreed to.

Mr. Craig moved that the regular order of business be suspended and House File No. 207, A bill for an act for ascertaining damages caused by dams erected on the Des Moines river in Lee and Van Buren counties, be considered.

Mr. Brown of Van Buren moved to amend section 9, by adding as follows: "*Provided*, Such commissioners shall be paid without expense to the State."

Mr. Rowell moved that the bill be laid upon the table, which motion prevailed.

Mr. Craig moved a call of the House, which was seconded.

Mr. Murray moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Cotton moved that the regular order of business be suspended, and House File No. 206, A bill for an act repealing section 7, chapter 129, of the laws of the Ninth General Assembly, and to provide for the recovery and payment of certain claims for military supplies furnished the troops raised in the State for the service of the United States, by any county, city, town, or other corporation, be taken up.

The motion prevailed, and the bill was taken up and considered.

Mr. Cotton moved to amend by adding to section 2, "said five per cent shall be paid the said commissioner in full for his services under this act."

The motion to amend prevailed.

On motion of Mr. Cotton, the rule was suspended, and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett,



Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Leffingwell, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf's, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright and Mr. Speaker—72.

The nays were Mr. Bowen—1.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Gaylord, Guthrie, Hamilton, Hawthorn, Kasson, Knapp, Lambert, Leach, Lockwood, Longueville, McConn, McNutt, Orr, Peck, Rippey, Smith of Harrison, Tillson, Walling, Werner, and Williams—26.

So the bill passed, and the title was agreed to.

On motion of Mr. Wilcox, the regular order of business was suspended, and House File No. 290, A bill for an act in relation to revenue, and taxing the property of express companies and telegraph companies, was taken up and considered.

The amendment recommended by the committee was adopted.

On motion of Mr. Wilcox, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf's, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker.—78.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Gaylord, Guthrie, Kasson, Knapp, Leach, McCoun, Miller, Orr, Peck, Rector, Smith of Harrison, Tillson, Walling, Williams, and Wilson of Dubuque.—21.

So the bill passed, and the title was agreed to.

Mr. Parker moved that the regular order of business be suspended, and House File No. 254, A bill for an act to provide for the greater security of the permanent school-fund, and to increase its productiveness, be taken up.

The motion prevailed, and the bill was taken up and considered by sections.

On motion of Mr. Parker the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf's, Rowell, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—70.

The nays were, Messrs. Babbitt, Donavan, Werner, and Wilson of Dubuque—4.

Absent and not voting, Messrs. Bander, Bent, Blackwell, Browne of Lee, Burrows, Craig, Cramer, Ellis, Gaylord, Guthrie, Hamilton, Kelley, Knapp, Leach, McCoun, Orr, Peck, Rippey, Sanborn, Smith of Dickinson, Smith of Harrison, Tillson, Walling, Wilcox, and Williams—25.

So the bill passed, and the title was agreed to.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing, and maintaining dams and reservoirs to hold and accumulate water to supply engines, and for the purpose of laying down pipes to supply water for the use of engines used in operating such railroad.

House File No. 190, A bill for an act to legalize the acts of the board of supervisors of Ida county, in conveying certain swamp lands to soldiers for bounties.

House File No. 78, A bill for an act to provide for the adjustment of claims of the members of the First Iowa Cavalry.

House File No. 198, A bill for an act to legalize the acts of D. D. Miracle, a notary public in and for Hamilton county, Iowa.

House File No. 309, A bill for an act to amend section 642 of the Revision of 1860.

House File No. 239, A bill for an act to legalize certain official acts of Wm. Tiede, a notary public of Clayton county.

House File Nos. 110 and 114, A bill for an act to protect game.

House File No. 241, A bill for an act to legalize certain official acts of Jonathan Oglesbee, recorder of Clayton county.

House File No. 263, An act to legalize the official acts of James Hagerman, a notary public of Lee county, Iowa.

House File No. 26, A bill for an act to promote the collection of revenue of incorporated cities and towns acting under special charters.

House File No. 262, A bill for an act to amend section 430 of the Revision of 1860.

H. C. RIPPEY, Chairman.

Mr. Glasgow moved that the regular order of business be suspended, and House File No. 353, A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, be taken up.

The motion did not prevail.

#### SENATE MESSAGES.

House File No. 353, A bill for an act to legalize the acts of the council of the town of Corydon, Wayne county, Iowa, was taken up.

Upon the concurrence in the Senate amendments, the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlfis, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—75.

The nays were Mr. Rippey—1.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burnett, Cramer, Ellis, Gaylord, Guthrie, Hamilton, Kelley, Knapp, Leach, McCoun, Murray, Orr, Peck, Smith of Dickinson, Smith of Harrison, Tillson, Traer, Walling, Wilcox, and Williams—23.

So the bill passed, and the title was agreed to.

House File No. 323, A bill for an act to legalize the acts of the Northwestern Mining Company, was taken up.

Upon the concurrence in the Senate amendment, the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donavan, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Lambert, Lef-fingwell, Lockwood, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf's, Rowell, Sanborn, Sheldon, Stanley, Stone, Stuart, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker.—67.

The nays were, Messrs. Criss, and Rippey.—2.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Browne of Lee, Brown of Van Buren, Cramer, Dudley, Ellis, Gaylord, Guthrie, Hamilton, Kelley, Knapp, Leach, Longueville, McCoun, Murray, Orr, Peck, Rector, Smith of Dickinson, Smith of Harrison, Tenney, Tillson, Traer, Tritz, Walling, Wilcox, and Williams.—30.

So the bill passed, and the title was agreed to.

House File No. 247, A bill for act to protect crops against the invasion of stock was taken up.

Upon the concurrence in the Senate amendment the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Lef-fingwell, Lockwood, Longueville, McKean, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf's, Rowell, Sheldon, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—68.

The nays were none.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Brown of Howard, Browne of Lee, Cramer, Dudley, Ellis, Gaylord, Guthrie, Hamilton, Irish, Knapp, Leech, McCoun, McNutt, Murray, Perry, Peck, Rector, Rippey, Sanborn, Smith of Dickinson, Smith of Harrison, Stanley, Stone, Tillson, Walling, Wilcox, Williams—31.

So the bill passed, and the title agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 112, A bill for an act to amend section 58, of chapter 172, of the laws of the Ninth General Assembly.

House File No. 374, A bill for an act fixing the time of holding District Courts in the Fifth Judicial District.

House File No. 3, A bill for an act to legalize the acts of Wilson Throckmorton, lately a justice of the peace in Clarke county, Iowa.

House File No. 361, A bill for an act supplemental to an act, entitled an act for establishing Circuit and General Term Courts, and define the power and jurisdiction thereof.

A memorial to Congress in relation to the project of connecting by navigable channels through the Wisconsin and Fox rivers, the waters of the Mississippi river with the waters of Lake Michigan.

Joint resolution in relation to the trustees of the Iowa Reform School.

H. C. RIPPEY, Chairman.

Senate File No. 174, A bill for an act to legalize the acts of Mitchell county, providing for equalizing the bounty of soldiers in said county, and authorizing the levy of a tax to pay the same, was taken up and read a first and second time.

On motion of Mr. Wright the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Garrett, Grantham, Hart, Harsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Lambert, Leffingwell, Lockwood, McKean, McNutt, Mechem, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Tenney, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—64.

The yeas were none.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Browne of Lee, Chase, Cramer, Ellis, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Irish, Johnson of Cherokee, Kilburn, Knapp, Leach, Longueville, McCoun, Miles, Orr, Peck, Phillips, Rector, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Stuart, Tillson, Walling, Wilcox, Williams, and Wilson of Dubuque.—35.

So the bill passed, and the title was agreed to.

House File No. 248, A bill for an act to vacate a grave-yard in Jefferson county, was taken up, and on motion of Mr. Hayden, it was laid on the table.

House File No. 20, A bill for an act to legalize the acts of

James Foster, a justice of the peace of Orange township, Guthrie county, Iowa, with Senate substitute, was taken up.

Upon the adoption of the Senate substitute, the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Tama, and Mr. Speaker—67.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Browne of Lee, Burrows, Cramer, Dudley, Ellis, Gaylord, Guthrie, Hamilton, Irish, Kasson, Leach, McCoun, Orr, Ordway, Peck, Ramsay, Rees, Rippey, Rector, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Walling, Wilcox, Williams, Wilson of Dubuque, and Wright—32.

So the Senate amendment was adopted.

House File No. 162, A bill for an act for the acknowledgment and recording of deeds in certain cases, was taken up.

Upon the concurrence in the Senate amendments, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Davis, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stone, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burrows, Cramer, Dashiell, Donovan, Ellis, Gaylord, Guthrie, Irish, Johnson of Cherokee, Leach, McCoun, Orr, Ordway, Peck, Rector, Rees, Rippey, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Walling, Wilcox, and Williams—28.

So the bill passed, and the title was agreed to.

House File No. 156, A bill for an act to amend article 2, chapter 64, of the Revision of 1860, relating to the sale of intoxicating liquors, with Senate substitute, was taken up.



Upon the adoption of the Senate substitute, the yeas and nays were as follows :

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Dudley, Fulton, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Johnson of Marshall, Kilburn, Knapp, Lambert, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Perry, Phillips, Ramsay, Rees, Sheldon, Stanley, Stone, Traer, Trusdell, Tucker, Wheeler, Wilson of Tama, and Mr. Speaker.—51.

The nays were, Messrs. Bauder, Brown of Fayette, Davis, Donovan, Hawthorn, Hunter, Kelley, Leffingwell, Lockwood, Longueville, Miller, Ordway, Rippey, Rohlf, Rowell, Sanborn, Tritz, Werner, and Wilson of Dubuque.—19.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Garrett, Gaylord, Hamilton, Irish, Johnson of Cherokee, Kasson, Leach, McCoun, Orr, Parker, Peck, Rector, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Walling, Wilcox, Williams, Wilson of Davis, and Wright.—29.

So the substitute was adopted.

House File No. 326, A bill for an act to destroy Canada Thistles was taken up.

Upon the concurrence in the Senate amendment the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hunter, Johnson of Marshall, Kelley, Kilburn, Knapp, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rowell, Sanborn, Sheldon, Stanley, Stone, Traer, Trusdell, Tucker, Wheeler, Wilcox, and Mr. Speaker—64.

The nays were, Messrs. Babbitt, Donovan, Hawthorn, Johnson of Cherokee, Lambert, Werner, and Wright—7.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burrows, Cramer, Ellis, Gaylord, Irish, Kasson, Leach, McCoun, Orr, Ordway, Peck, Rector, Rippey, Rohlf, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Tritz, Walling, Wilson of Davis, Wilson of Dubuque, Williams, and Wilson of Tama—28.

So the amendment was concurred in.

House File No. 29, A bill for an act to change time of holding courts in Waverly, Bremer county, was taken up.

Upon the concurrence in the Senate amendment, the yeas and nays were as follows :



The yeas were Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rohlf, Sanborn, Sheldon, Stanley, Traer, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Tama, Wright, and Mr. Speaker—66.

The nays were, Mr. Criss—1.

Absent and not voting, Messrs. Adams, Babbitt, Bent, Blackwell, Browne of Lee, Burrows, Craig, Cramer, Ellis, Kasson, Leach, Lockwood, Longueville, McCoun, Orr, Ordway, Peck, Rector, Rees, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Stone, Stuart, Tenney, Tillson, Tritz, Walling, Williams, Wilson of Davis, and Wilson of Dubuque—32.

So the amendment was concurred in.

The concurrent resolution in relation to the assistant post-master was taken up, and the Senate amendment striking out "\$30" and inserting in lieu thereof "\$35," was concurred in.

House File No. 300, A bill for an act defining the duties of county treasurers, was taken up.

Upon the concurrence in the Senate amendment, the yeas and nays were as follows:

The yeas were Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Craig, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Knapp, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rowell, Sanborn, Sheldon, Stone, Traer, Tucker, Werner, Wheeler, Wilcox, Wilson of Tama, Wright, and Mr. Speaker—63.

The nays were Messrs. Grantham, Lambert, Rippey, and Stanley—4.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Browne of Lee, Burrows, Cramer, Dashiell, Ellis, Guthrie, Kasson, Kilburn, Leach, Lockwood, Longueville, McCoun, Murray, Orr, Ordway, Peck, Rector, Rohlf, Smith of Dickinson, Smith of Harrison, Stuart, Tenney, Tillson, Tritz, Trusdell, Walling, Williams, Wilson of Davis, and Wilson of Dubuque—32.

So the amendment was concurred in.

Substitute for House File No. 60, A bill for an act providing for

the payment of witness-fees in certain cases by the State, was taken up.

Upon the concurrence in the Senate amendment the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Fulton, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartssock, Hatch, Hayden, Irish, Johnson of Cherokee, Johnson of Marshall, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Sheldon, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Tama, Wright, and Mr. Speaker—60.

The nays were, Messrs. Babbitt, Bauder, and Werner—3.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Browne of Lee, Burnett, Burrows, Caldwell, Cramer, Dudley, Ellis, Garrett, Gaylord, Guthrie, Hawthorn, Hunter, Kasson, Leach, Lockwood, Longueville, McCoun, Orr, Ordway, Peck, Rector, Rippey, Smith of Dickinson, Smith of Harrison, Stanley, Stone, Stuart, Tenney, Tillson, Walling, Williams, Wilson of Davis, and Wilson of Dubuque—36.

So the amendment was concurred in.

Substitute for Senate File No. 55, A bill for an act to legalize the acts of W. Moershell and others, notaries public of the State of Iowa, was taken up and read first and second time.

On motion of Mr. Goodspeed, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Donovan, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hatch, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rector, Rees, Sanborn, Sheldon, Stone, Stuart, Traer, Tritz, Trusdell, Wheeler, Wilcox, Wilson of Tama, and Mr. Speaker.—60.

The nays were, Messrs. Babbitt, Criss, Hartssock, Rohlf, Werner, and Wright.—6.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Browne of Lee, Cramer, Dudley, Ellis, Gaylord, Guthrie, Hayden, Hawthorn, Hunter, Leach, Leffingwell, Lockwood, Longueville, McCoun, Miller, Orr, Ordway, Peck, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Tenney, Tillson, Tucker,

Walling, Williams, Wilson of Davis, and Wilson of Dubuque.  
—33.

So the bill passed, and the title was agreed to.  
Mr. Rippey moved that the House do now adjourn.  
The motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.  
Speaker in the chair.

MESSAGE FROM THE SENATE.

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. 239, A bill for an act making appropriations for the *per diem* and expenses of the Twelfth General Assembly, and for other purposes.

Senate File No. 240, A bill for an act constituting mayors of cities of the second class, presiding officers of the city councils thereof.

JAMES M. WEART, Secretary.

On motion of Mr. Kasson, the regular order of business was suspended, and House File No. 106, A bill for an act to amend section 1055 of the Revision of 1860, was taken up and considered.

Mr. Murray moved a call of the House, which was seconded.

Mr. Kasson moved that further proceedings under the call be dispensed with, which motion prevailed.

On motion of Mr. Kasson, the rule was suspended, and the bill read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Cotton, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hatch, Hawthorn, Irish, Johnson of Marshall, Kasson, Kilburn, Knapp, Lambert, Leffingwell, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stuart, Tenney, Tillson, Tritz, Tucker, Wilcox, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—60.

The nays were none.

Absent and not voting, Messrs. Allen, Bauder, Bent, Blackwell, Brown of Fayette, Browne of Lee, Burrows, Chase, Craig, Cramer, Ellis, Garrett, Hamilton, Hart, Hartsock, Hayden, Hunter, Johnson of Cherokee, Kelley, Leach, Lockwood, Longueville, McCoun, McKean, Miller, Orr, Peck, Rector, Rohlf, Smith of Harrison, Stanley, Stone, Traer, Trusdell, Walling, Werner, Wheeler, Williams, and Wilson of Dubuque—39.

So the bill passed, and the title was agreed to.

Mr. Adams moved that the regular order of business be suspended, and House File No 274, A bill for an act enabling associations of persons to raise funds and loan the same for the building of homesteads, be taken up.

The motion did not prevail.

Senate File No. 236, A bill for an act to legalize the acts of Charles Hall, a justice of the peace of Webster county, Iowa, was taken up and read a first and second time.

On motion of Mr. Rees the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McNutt, Mechem, Miles, Murray, Newberry, Ordway, Perry, Phillips, Ramsay, Rees, Rowell, Sanborn, Sheldon, Stone, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—60.

The nays were Mr. Babbitt—1.

Absent and not voting, Messrs. Adams, Allen, Bauder, Bent, Blackwell, Brown of Fayette, Browne of Lee, Burrows, Craig, Cramer, Ellis, Garrett, Hamilton, Hartsock, Hayden, Johnson of Cherokee, Leach, Lockwood, Longueville, McCoun, McKean, Miller, Morrison, Orr, Parker, Peck, Rector, Rippey, Rohlf, Smith of Dickinson, Smith of Harrison, Stanley, Stuart, Walling, Werner, Wheeler, Williams, and Wilson of Dubuque—38.

So the bill passed, and the title was agreed to.

Senate File No. 216, A bill for an act to annex certain lands to sub-district No. 1 in Centre township, Wapello county, Iowa, for school and school house purposes.

On motion of Mr. Caldwell the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Atkins, Atwood, Bailey, Ballinger,

Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Criss, Davis, Donavan, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—64.

The nays were none.

Absent and not voting, Messrs. Adams, Allen, Babbitt, Bauder, Bent, Blackwell, Browne of Fayette, Browne of Lee, Burrows, Craig, Cramer, Dashiell, Ellis, Garrett, Hamilton, Hartsock, Hayden, Johnson of Cherokee, Leach, Lockwood, Longueville, McCoun, Miller, Orr, Peck, Rector, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Walling, Werner, Wheeler, Williams, and Wilson of Dubuque—35.

So the bill passed, and the title was agreed to.

Senate File No. 238, A bill for an act to repeal section 16, of chapter 173 laws of the Ninth General Assembly, regulating the levy and collection of tax on gross receipts of railroad companies, and to enact a substitute therefor, was taken up and read a first and second time.

On motion of Mr. Goodspeed, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Dashiell, Donavan, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rohlf, Sanborn, Smith of Dickinson, Sheldon, Stone, Tenney, Traer, Tritz, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—62.

The nays were, Messrs. Criss, Johnson of Marshall, Rees, Rippey, and Tillson—5.

Absent and not voting, Messrs. Allen, Babbitt, Bent, Blackwell, Brown of Fayette, Brown of Lee, Caldwell, Cramer, Davis, Ellis, Garrett, Hamilton, Hartsock, Johnson of Cherokee, Kasson, Leach, Lockwood, Longueville, McCoun, Miller, Orr, Peck, Rector, Rowell, Smith of Harrison, Stanley, Stuart, Walling, Werner, Wheeler, Williams, and Wilson of Dubuque—32.

So the bill passed, and the title was agreed to.

Senate File No. 193, A bill for an act relating to the publication

of notices and proceedings in newspapers published in foreign languages, was taken up and read first and second time.

On motion of Mr. Rohlf's the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Atkins, Atwood, Bailey, Bander, Ballinger, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rohlf's, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wilcox, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—68.

The nays were, Mr. Rippey—1.

Absent and not voting, Messrs. Allen, Babbitt, Bent, Blackwell, Brown of Fayette, Browne of Lee, Cramer, Criss, Dashiell, Ellis, Gaylord, Hamilton, Hartscock, Johnson of Cherokee, Leach, Lockwood, Longueville, McCoun, Miller, Orr, Peck, Rector, Rees, Rowell, Smith of Harrison, Stanley, Walling, Wheeler, Williams, and Wilson of Dubuque—30.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 323, A bill for an act to legalize the acts of the Northwestern Mining Company.

House File No. 213, A bill for an act to legalize the official acts of John Nisley, a notary public of Muscatine county, Iowa.

House File No. 359, A bill for an act to legalize the notarial acts of Thomas Cavanagh, of Polk county.

House File No. 46, A bill for an act to legalize the official acts of Samuel R. Coons, a notary public in Clayton county.

House File No. 156, A bill for an act to amend sections 1575 and 1576 of the Revision of 1860, in relation to permits for the sale of intoxicating liquors.

House File No. 353, A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, in the levy of a town tax on the property of said town of Corydon.

H. C. RIPPEY, Chairman.

Senate File No. 239, A bill for an act making appropriations for the *per diem* and expenses of the Twelfth General Assembly, and for other purposes, was taken up and considered by sections.



Mr. Wilcox moved to amend section 6, by striking out "ten dollars each," and insert "sixty dollars each," which motion prevailed.

Mr. Wilcox moved to amend the 7th section, by striking out "forty dollars each," and inserting "sixty-two dollars each."

The motion prevailed.

Mr. Stone moved to amend the 8th section, by striking out "thirty dollars each," and inserting "sixty-six dollars each," which motion prevailed.

Mr. Kilburn moved to strike out "fifty dollars each," and insert "eighty dollars each," in the 9th section, which motion prevailed.

Mr. Irish moved to amend the 10th section of the bill, by striking out "fifteen dollars each," and inserting "forty-eight dollars each."

The motion to amend prevailed.

Mr. Kasson moved to amend the 11th section, by striking out "twenty dollars each," and inserting "forty-three dollars each," which motion prevailed.

Mr. Murray moved to amend section 12, by striking out "ten dollars each," and inserting "thirty-nine dollars each," which motion prevailed.

Mr. Dudley moved to amend by inserting a section as follows:

SEC. 15. For Jonathan C. Mitchell for services in recruiting Company C, Seventh Regiment Iowa Cavalry, from November 5, 1862, to April 28, 1863, six hundred and seven dollars and fifty cents.

The motion to amend prevailed.

Mr. Dudley moved to amend by inserting a section as follows:

SEC. 16. To Dennis P. Greeley for services as commissioner appointed by Governor R. P. Lowe, in the year 1858, to select swamp lands in Clay and Buena Vista counties, seven hundred and two dollars and fifty cents.

The motion to amend prevailed.

Mr. Dudley moved to amend by inserting an additional section as follows:

SEC. 17. To George Cowie for services as agent appointed by the Governor to attend to the interests of sick and wounded soldiers, and to obtain payments of balances of back pay and bounties due to Iowa soldiers, the sum of nine hundred dollars, in full payment thereof.

The motion to amend prevailed.

Mr. Kasson moved to amend by inserting a section as follows:

SEC. 48. To James A. Stright for services and expenses in recruiting Company E, Twenty-Third Iowa Infantry, the sum of three hundred dollars.

The motion to amend prevailed.

Mr. Wilcox moved to amend by inserting an additional section, as follows:



SECTION 50. For the relief of John Crew, who, in the state service, lost his arm while in the Southern Border Brigade, thus incapacitating him for self-support, five hundred dollars.

The motion to amend prevailed.

Mr. Wilcox moved to amend by inserting an additional section, as follows:

SECTION 44. For the purchase or erection of a suitable residence at Des Moines and furnishing the same for the Governor of this State, to be expended under the direction of the Census Board, there is hereby appropriated the sum of thirty thousand dollars, or so much thereof as shall be necessary, which motion did not prevail.

Mr. Lambert moved to reconsider the vote by which the House refused to adopt the amendment, which motion prevailed.

Upon the adoption of the amendment, the yeas and nays were as follows:

The yeas were, Messrs. Atwood, Babbitt, Bailey, Ballinger, Brown of Van Buren, Burnett, Burrows, Craig, Dashiell, Fulton, Gaylord, Hatch, Hunter, Irish, Johnson of Cherokee, Kasson, Lambert, Miles, Murray, Ordway, Ramsay, Rohlf, Tenney, and Wilcox.—24.

The nays were, Messrs. Adams, Atkins, Bauder, Bowen, Brown of Howard, Caldwell, Chase, Cotton, Davis, Donavan, Garrett, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hawthorn, Kelley, Kilburn, Knapp, Leffingwell, McKean, Mechem, Miller, Morrison, Parker, Perry, Rippey, Sanborn, Smith of Dickinson, Sheldon, Stone, Stuart, Tillson, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Tama, and Wright.—43.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Bolton, Brown of Fayette, Browne of Lee, Cramer, Criss, Dudley, Ellis, Hamilton, Hayden, Johnson of Marshall, Leach, Lockwood, Longueville, McCoun, McNutt, Newberry, Orr, Peck, Phillips, Rector, Rees, Rowell, Smith of Harrison, Stanley, Traer, Walling, Williams, Wilson of Dubuque, and Mr. Speaker.—32.

So the amendment was lost.

Mr. Kilburn moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Babbitt, Bailey, Ballinger, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Dudley, Fulton, Gaylord, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, McKean, McNutt, Mechem, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf, Sanborn,

Smith of Dickinson, Sheldon, Stone, Tenney, Traer, Trusdell, Tucker, Wilcox, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—61.

The nays were, Messrs. Bander, Bowen, Glasgow, Hart, Hatch, Hayden, Lambert, Rippey, Tillson, Tritz, Werner, Wheeler—13,

Absent and not voting, Messrs. Allen, Bent, Blackwell, Bolton, Browne of Lee, Caldwell, Cramer, Ellis, Garrett, Leach, Leffingwell, Lockwood, Longueville, McCoun, Orr, Peck, Phillips, Rector, Rowell, Smith of Harrison, Stanley, Stuart, Walling, Williams, Wilson of Dubuque—25.

So the bill passed, and the title was agreed to.

Leave of absence was granted Mr. Lockwood for the remainder of the session.

Leave of absence was granted Mr. Tritz for the remainder of the session.

Mr. Sanborn moved that the regular order of business be suspended, and Senate File No. 24 be taken up.

The motion did not prevail.

Senate File No. 240, A bill for an act constituting mayors of cities of the second class presiding officers of the city council thereof, was taken up and read first and second time.

Mr. Grantham moved that the rule be suspended, and the bill read a third time now.

Mr. Trusdell moved that the bill be laid upon the table.

The motion prevailed.

Senate File No. 198, A bill for an act supplementary to article 1, chapter 55, of the Revision of 1860, in relation to taking private property for public use, was taken up and read first and second time.

On motion of Mr. McNutt, the rule was suspended, and the bill was read the third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Bander, Bent, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Davis, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Rees, Rohlf's, Sanborn, Sheldon, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Tama, and Wright—62.

The nays were, Messrs. Criss, Garrett, and Ramsay—3.

Absent and not voting, Messrs. Allen, Babbitt, Blackwell, Bolton, Browne of Lee, Burnett, Burrows, Cramer, Dashiell, Donavan, Ellis, Guthrie, Leach, Lockwood, Longueville, McCoun,

Miles, Orr, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Stuart, Tillson, Tritz, Walling, Werner, Wilcox, Williams, and Wilson of Dubuque—34.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Hunter from the Committee on Printing to submit the following report :

The Committee on Printing to whom was referred House File No. 344 and Senate File No. 195, A bill for an act to amend chapter 12 of the Revision of 1860, to regulate the price of the state printing, have had the same under consideration, and unanimously recommend the passage of the accompanying substitute.

J. D. HUNTER, Chairman.

House File No. 131, A bill for an act in addition to an act entitled an act for the incorporation and government of the Hospital for the Insane was taken up.

Upon the concurrence in the Senate amendments the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Atwood, Bailey, Ballinger, Bauder, Bowen, Brown of Fayette, Brown of Howard, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Smith of Dickinson, Sheldon, Stone, Tenney, Tillson, Traer, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Wright—64.

The nays were Mr. Babbitt.—1.

Absent and not voting, Messrs. Adams, Allen, Bent, Blackwell, Bolton, Browne of Lee, Brown of Van Buren, Caldwell, Cramer, Davis, Donavan, Ellis, Kilburn, Leach, Lockwood, Longueville, McConn, Murray, Orr, Peck, Phillips, Rector, Rippey, Rohlf, Rowell, Sanborn, Smith of Harrison, Stanley, Stuart, Tritz, Walling, Williams, Wilson of Dubuque and Mr. Speaker 34.

Mr. Trusdell moved to reconsider the vote by which Senate File No. 240, A bill for an act constituting mayors of cities presiding officers of the city council thereof, was laid on the table.

The motion to reconsider prevailed.

Mr. Grantham moved that the rule be suspended and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Bailey, Ballinger, Bauder, Bowen, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Dashiell, Davis, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hayden, Hawthorn, Hunter,

Irish, Johnson of Cherokee, Kasson, Kelley, Kilburn, Knapp, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf, Sanborn, Sheldon, Tenney, Tillson, Traer, Tritz, Truedell, Tucker, Walling, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama and Wright—61.

The nays were, Mr. Johnson of Marshall—1.

Absent and not voting, Messrs. Adams, Allen, Atwood, Babbitt, Bent, Blackwell, Bolton, Brown of Fayette, Brown of Howard, Browne of Lee, Caldwell, Cramer, Donavan, Ellis, Garrett, Hamilton, Hartsock, Hatch, Lambert, Leach, Lockwood, McCoun, Orr, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Stone, Stuart, Werner, Williams, Wilson of Dubuque and Mr. Speaker—37.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has refused to concur in House amendments to Senate File No. 239, A bill for an act making appropriations for the *per diem* and expenses of the Twelfth General Assembly, and for other purposes.

GEO. P. ABEL, Assistant Secretary.

Senate File No. 165, A bill for an act to amend section 3851 of the Revision of 1860, allowing suits to be brought in the township where the plaintiff or defendant or one of said parties reside, was taken up and read first and second time.

Mr. Goodspeed moved that the bill be laid on the table, which motion did not prevail.

On motion of Mr. Hunter, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Babbitt, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Craig, Oriss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leffingwell, Longueville, McKean, Miles, Miller, Murray, Ordway, Perry, Ramsay, Rector, Rees, Rohlf, Sanborn, Stone, Tenney, Traer, Tritz, Truedell, Tucker, Wilcox, Wilson of Davis, and Wright—57.

The nays were Messrs. Atkins, Atwood, Bailey, Brown of Howard, Glasgow, Goodspeed, Lambert, McNutt, Morrison, Newberry, Rippey, Sheldon, Tillson, Wheeler, and Wilson of Tama—15.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Browne

of Lee, Cotton, Cramer, Ellis, Gaylord, Hamilton, Leach, Lockwood, McCoun, Mechem, Orr, Parker, Peck, Phillips, Rowell, Smith of Dickinson, Smith of Harrison, Stanley, Stuart, Walling, Werner, Williams, Wilson of Dubuque, and Mr. Speaker—27.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE SENATE.

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 bill without amendment.

House File No. 306, A bill for an act apportioning the State of Iowa into representative districts, and declaring the ratio of representation.

J. A. T. HULL, Assistant Secretary.

Senate File No. 239, A bill for an act making appropriations for the *per diem* and expenses of the Twelfth General Assembly, and for other purposes, was taken up.

Mr. Dudley moved that the House refuse to recede from its amendments, and ask for a committee of conference, which motion prevailed.

On motion of Mr. Burrows, the regular order of business was suspended, and House File No. 362, A bill for an act to amend section 901 of the Revision of 1860, was taken up and considered.

Mr. Burrows moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leffingwell, Longueville, McKean, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Ramsay, Rees, Rohlf, Sanborn, Sheldon, Stanley, Stone, Stuart, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilson of Davis, Wilson of Tama, and Wright.—66.

The nays were, Mr. McNutt.—1.

Absent and not voting, Messrs. Adams, Bent, Babbitt, Blackwell, Browne of Lee, Caldwell, Cramer, Donovan, Ellis, Hamilton, Kilburn, Leach, Lockwood, McCoun, Mechem, Orr, Ordway, Peck, Phillips, Rector, Rippey, Rowell, Smith of Dickinson, Smith of Harrison, Tenney, Tillson, Walling, Werner, Wilcox, Williams, Wilson of Dubuque, and Mr. Speaker.—32.

So the bill passed, and the title was agreed to.

Senate File No. 179, A bill for an act apportioning the State into senatorial districts, was taken up and read first and second time.

Mr. Kilburn moved to amend by transferring Adair county from the Ninth to the Twelfth District, which motion prevailed.

Mr. Stone moved to amend by transferring Montgomery county from the Eighth to the Ninth District.

The motion to amend prevailed.

On motion of Mr. Rees, the rule was suspended, and the bill was read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Fulton, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Perry, Ramsay, Rees, Sanborn, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, and Mr. Speaker—66.

The nays were Mr. Bauder—1.

Absent and not voting, Messrs. Allen, Babbitt, Bent, Blackwell, Bolton, Brown of Lee, Burnett, Burrows, Cramer, Donovan, Ellis, Garrett, Leach, Lockwood, Longueville, McCoun, Orr, Parker, Peck, Phillips, Rector, Rippey, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Traer, Tucker, Walling, Werner, Williams, and Wright—32.

So the bill passed, and the title was agreed to.

Senate File No. 27, A bill for an act to amend section 4296 of the Revision of 1860, in relation to resisting officers, was taken up and read a first and second time.

On motion of Mr. Rees the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Atkins, Atwood, Bailey, Ballinger, Bauder, Bent, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Grantham, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz,



Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wright and Mr. Speaker.—70.

The nays were none.

Absent and not voting, Messrs. Allen, Babbitt, Blackwell, Bolton, Browne of Lee, Cramer, Criss, Donovan, Ellis, Gaylord, Guthrie, Irish, Leach, Lockwood, Longneville, McCoun, McNutt, Orr, Peck, Rector, Rippey, Smith of Dickinson, Smith of Harrison, Stone, Walling, Werner, Williams, Wilson of Dubuque, and Wilson of Tama—29.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE SENATE.

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 bill, without amendments:

Substitute for House File No. 111, A bill for an act making all public streets in towns and villages not incorporated, a part of the public highway.

Also, that the Senate has concurred in House amendments to the following bills:

Substitute for Senate File Nos. 68 and 69, A bill for an act to repeal chapter 76, of the laws of the Tenth General Assembly, and to enact a law to determine the *per diem* of road supervisors, and *per diem* for labor on roads.

Senate File No. 203, A bill for an act fixing the compensation of future general assemblies.

J. A. T. HULL, Assistant Secretary.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following bill without amendment:

House File No. 378, A bill for an act making appropriation for the payment of the salaries of the state and judicial officers, interest on the state bonds, and for other purposes.

J. A. T. HULL, Assistant Secretary.

Chair announced committee of conference managers on the part of the House, Messrs. Dudley, Wilcox, and McNutt.

Mr. Wheeler moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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SEVEN THIRTY O'CLOCK P. M.

House convened pursuant to adjournment.  
Speaker in the chair.



Mr. Babbitt from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 28, A bill to legalize the acts of E. Kinley, a notary public of Lee county, and find the same correctly enrolled.  
H. C. RIPPEY, Chairman, per Irish.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to return to your Honorable Body the following bills which have passed the Senate without amendments:

House File No. 272, A bill for an act to provide for the taxation of national banks.

House File No. 345, A bill in relation to the State Historical Society.

Also, that the Senate agrees to the request of the House for a committee of conference on the disagreeing votes of the two Houses on Senate File No. 239, A bill for an act making appropriations for the *per diem* and expenses of the Twelfth General Assembly, and for other purposes, and has appointed Senators Cattell, Woolson and Smyth managers on the part of the Senate at said conference.

JAMES M. WEART, Secretary.

#### BILLS ON SECOND READING.

House File No. 160, A bill for an act to amend chapter 102 of the Revision of 1860, entitled "marriages," was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House Resolution in regard to employing a post-master to remain one week after the close of the session, in order to re-mail all matters desired by the members.

House File No. 247, A bill for an act to protect crops against the invasion of stock.

House File No. 326, A bill for an act to destroy Canada thistles.

House File No. 300, A bill for an act requiring county treasurers to insert in tax receipts, the valuation of each piece of real estate.

House File No. 60, A bill for an act to provide for the payment of witness fees and jurors fees in state cases.

House File No. 46, A bill for an act to legalize the official acts of Samuel R. Coons, a notary public in Clayton county.

House File No. 156, A bill for an act to amend section 1575 of the Revision of 1860, in relation to permits for the sale of intoxicating liquors.

House File No. 112, A bill for an act to amend section 58 of chapter 172 of the laws of the Ninth General Assembly.

House File No. 374, A bill for an act fixing the time of holding District Courts in the Fifth Judicial District.

House File No. 3, A bill for an act to legalize the acts of Wilson Throckmorton, lately a justice of the peace in Clarke county, Iowa.

House File No. 26, A bill for an act to promote the collection of revenue of incorporated cities and towns acting under special charters.

House File No. 262, A bill for an act to amend section 430 of the Revision of 1860.

House File Nos. 110 and 149, A bill for an act to protect game.

House File No. 309, A bill for an act to amend section 642 of the Revision of 1860.

House File No. 198, A bill for an act to legalize the act of D. D. Miracle, a notary public in and for Hamilton county, Iowa.

House File No. 190, A bill for an act to legalize the acts of the board of supervisors of Ida county, in conveying certain swamp lands to soldiers as bounties.

House File No. 138, A bill for an act to enable railroad corporations to take and hold real estate for the purpose of constructing and maintaining dams and reservoirs to hold and accumulate water to supply engines, and for the purpose of laying down pipes to supply water for the use of engines used in operating such railroads.

House File No. 260, A bill for an act to legalize the notarial acts of Josephus Eastman, a notary public of Poweshiek county, Iowa.

House File No. 112, A bill for an act to amend section 58, of chapter 172, of the laws of the Ninth General Assembly.

House File No. 361, A bill for an act supplemental to an act entitled "An act for establishing Circuit and General Term Courts and to define the powers and jurisdiction thereof."

House File No. 239, A bill for an act providing for the legalizing of certain official acts of William Tiede, a notary public of Clayton county, Iowa.

House File No. 241, A bill for an act to legalize certain official acts of Jonathan Oglesbee, recorder of Clayton county, Iowa.

House File No. 263, A bill for an act to legalize the official acts of James Hagerman, notary public of Lee county, Iowa.

House File No. 271, A bill for an act to legalize, confirm and carry out a contract between the Dubuque and Sioux City Railroad Company and the Iowa Falls and Sioux City Railroad Company, and to extend the time for completing said railroad from Dubuque to Sioux City, to grant certain lands to the Dubuque, Bellevue and Sabula Railroad Company for the building of the Tete des Morts Branch, and for other purposes.

House File No. 78, A bill for an act to provide for the adjustment of claims of members of the First Iowa Cavalry.

Joint resolution appointing trustees of the Iowa Reform School.

A memorial to Congress in relation to the project of connecting by navigable channels through the Wisconsin and Fox rivers, the waters of the Mississippi river with the waters of Lake Michigan.

House File No. 353, A bill for an act to legalize certain acts of the council of the town of Corydon, Wayne county, Iowa, in the levy of a town tax on the property in said town of Corydon.

House File No. 359, A bill for an act to legalize the notarial acts of Thomas Cavanagh of Polk county.

House File No. 213, A bill for an act to legalize the official acts of John R. Nisley, a notary public of Muscatine county, Iowa.

House File No. 323, A bill for an act to legalize the acts of the North-Western Mining Company.

H. C. RIPPEY, Chairman.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate substitute for House File No. 20, A bill for an act to legalize certain acts of James Foster, a justice of the peace in Guthrie county, Iowa.

Also a substitute for House File No. 225, A bill for an act to legalize the notarial acts of certain notaries public of Polk county, Iowa.

House File No. 129, A bill for an act to regulate insurance companies.

Senate File No. 136, A bill for an act in relation to the sale of intoxicating liquors in incorporated cities and towns.

Senate File No. 82, A bill for an act for the encouragement of agriculture, and to provide for the distribution of reports of the State Agricultural Society.

Senate File No. 224, A bill for an act to amend chapter 79 of the acts of the Eleventh General Assembly, entitled an act providing for the adjustment of certain land claims with the General Government.

Senate joint resolution in regard to notaries public.

Senate File No. 174, A bill for an act to legalize the acts of Mitchell county, providing for equalizing the bounty of soldiers, in said county, and to authorize the levying of a tax to pay the same.

Senate File No. 42, A bill for an act for the registry of electors and to prevent fraudulent voting.

Senate File No. 199, A bill for an act granting the right of way for the construction of bridges.

Senate File No. 231, A bill for an act to provide for the compensation of clerks of the District and Circuit Courts, and to allow the deputy clerk to act as clerk of the Circuit Court.

Senate File No. 4, A bill for an act to provide for the election of township collectors, and to define their powers and duties.

H. C. RIPPEY, Chairman.

On motion of Mr. Grantham, the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Craig, Dashiell, Davis, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Kasson, Kelley, Knapp, Lambert, Leffingwell, Longueville, Mechem, Miles, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Smith of Harrison, Sheldon, Stanley, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wilson of Davis, Wilson of Tama, and Mr. Speaker.—66.

The nays were none.

Absent and not voting, Messrs. Bander, Bent, Blackwell, Bolton, Browne of Lee, Burnett, Cramer, Criss, Donovan, Dudley, Ellis, Fulton, Hartsock, Johnson of Cherokee, Johnson of Marshall, Kilburn, Leach, Lockwood, McCoun, McKean, Miller, McNutt, Orr, Peck, Phillips, Rippey, Stone, Walling, Wheeler, Wilcox, Williams, Wilson of Dubuque, and Wright.—33.

So the bill passed, and the title was agreed to.

#### MESSAGES ON THE SPEAKER'S TABLE.

Memorial and joint resolution relative to water communication between the Atlantic ocean and the Mississippi river, was taken up, and the joint resolution adopted as follows:

*Resolved by the General Assembly of the State of Iowa, That the great rivers on our Eastern and Western borders are the natural highways for the trade and commerce of our State, and any measures that will add to their efficiency and importance, as*

channels of communication will increase the value of all our productions; add to the price of all real property, and contribute to the prosperity of all our people.

2. That the line of water communication between the valley of the Mississippi and the Atlantic ocean, by way of the Kanawha and James rivers, through the States of Virginia and West Virginia, is a work of national importance, and one deeply affecting the interests of the grain-producing States of the Northwest.

3. That our Senators in Congress be instructed, and our Representatives requested to use their best efforts to obtain such aid from the General Government, as will secure the early completion of said line of water communication.

4. That a copy of these joint resolutions and the accompanying memorial, be forwarded by the Secretary of the State to the President of the United States, the President of the Senate, and to each of our Senators and Representatives in Congress.

Senate File No. 65, A bill for an act to protect the hop-growing interests of the State of Iowa, and to indicate the size of boxes used in picking hops in this State, was taken up, and read a first and second time.

On motion of Mr. Gaylord the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Caldwell, Chase, Cotton, Dashiell, Davis, Donovan, Dudley, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelley, Knapp, Lambert, Leffingwell, McKean, Mechem, Miles, Morrison, Murray, Newberry, Parker, Perry, Ramsay, Rector, Rees, Rohlf's, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, and Mr. Speaker—65.

The nays were Messrs. Ordway, and Tillson—2.

Absent and not voting, Messrs. Bander, Bent, Blackwell, Browne of Lee, Burnett, Burrows, Craig, Cramer, Criss, Ellis, Fulton, Hamilton, Hartsock, Johnson of Cherokee, Kilburn, Leach, Lockwood, Longueville, McCoun, McNutt, Miller, Orr, Peck, Phillips, Rippey, Rowell, Smith of Harrison, Stone, Walling, Williams, Wilson of Tama, and Wright—32.

So the bill passed, and the title was agreed to.

Mr. Caldwell moved to take up House File No. 274, A bill for an act to enable associations of persons to raise funds to be loaned among their members for building their homesteads, and other purposes, and to become bodies corporate.

The motion prevailed, and the bill was taken up and considered.

On motion of Mr. Cotton, the rule was suspended and the bill read the third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Marshall, Kelley, Knapp, Lambert, Leffingwell, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Sheldon, Stanley, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilson of Tama, and Mr. Speaker—68.

The nays were Messrs. Babbitt, and Tillson—2.

Absent and not voting, Messrs. Bauder, Bent, Blackwell, Browne of Lee, Craig, Cramer, Donovan, Dudley, Ellis, Fulton, Hamilton, Johnson of Cherokee, Kasson, Kilburn, Leach, Lockwood, McCoun, McKean, Orr, Peck, Rippey, Smith of Dickinson, Smith of Harrison, Stone, Wilcox, Williams, Wilson of Davis, Wilson of Dubuque, and Wright—29.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

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 without amendments:

House File No. 307, A bill for an act to authorize cities of the first and second classes to establish fire limits.

House File No. 206, A bill for an act repealing section 7 of chapter 129, of the laws of the Ninth General Assembly, and to provide for the recovery and payment of supplies furnished to troops raised in this State for the service of the United States, by any county, city, town, or other corporation.

House File No. 289, A bill for an act to authorize the Secretary of State to exchange copies of the Supreme Court reports for such other books on law and equity as the Supreme Court may select.

J. A. T. HULL, Assistant Secretary.

On motion of Mr. Trusdell the regular order of business was suspended and Senate File No. 24, A bill for an act for the more efficient collection of certain delinquent taxes, was taken up and considered.

On motion of Mr. Sanborn the rule was suspended and the bill read a third time.



Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hartsock, Hatch, Hayden, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—71.

The nays were none.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Browne of Lee, Cramer, Criss, Dashiell, Donovan, Dudley, Ellis, Hart, Hawthorn, Irish, Knapp, Leach, Lockwood, McCoun, Orr, Peck, Rippey, Smith of Harrison, Stanley, Stone, Traer, Walling, Wilcox, Williams and Wilson of Dubuque—28.

So the bill passed, and the title was agreed to.

On motion of Mr. Brown of Van Buren, the regular order of business was suspended, and House File No. 333, A bill for an act to amend an act in relation to the duties of railroad companies, approved April 8, 1862, was taken up.

The amendment recommended by the committee was adopted.

Mr. Brown of Van Buren moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bauder, Bolton, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Dashiell, Davis, Fulton, Glasgow, Goodspeed, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irish, Johnson of Cherokee, Kasson, Lambert, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rohlf, Sanborn, Smith of Dickinson, Stanley, Tenney, Tritz, Tucker, Werner, Wilson of Davis, Wilson of Tama, Wright, and Mr. Speaker—58.

The nays were Messrs. Johnson of Marshall and Tillson—2.

Absent and not voting, Messrs. Babbitt, Bent, Blackwell, Bowen, Brown of Fayette, Browne of Lee, Craig, Cramer, Criss, Donovan, Dudley, Ellis, Garrett, Gaylord, Hamilton, Hunter, Kelley, Kilburn, Knapp, Leach, Lockwood, McCoun, Orr, Peck, Rector, Rees, Rippey, Rowell, Smith of Harrison, Sheldon, Stone, Stuart,



Traer, Trusdell, Walling, Wheeler, Wilcox, Williams, and Wilson of Dubuque—39.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE SENATE.

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 :

House File No. 196, A bill for an act to increase the duties of the Superintendent of Public Instruction and to provide additional compensation therefor.

House File No. 290, A bill for an act in relation to revenue and taxing the property of express and telegraph companies.

J. A. T. HULL, Assistant Secretary.

On motion of Mr. Ordway the regular order of business was suspended and House File No. 163, A bill for an act to amend section 3304 of the Revision of 1860, exempting property from execution, was taken up and considered.

Mr. Ordway moved that the rule be suspended, and the bill read a third time now.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbit, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leffingwell, McKean, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Sanborn, Sheldon, Stanley, Stone, Stuart, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—66.

The nays were, Mr. Tillsen—1.

Absent and not voting Messrs. Bailey, Bent, Blackwell, Browne of Lee, Craig, Cramer, Donovan, Dudley, Ellis, Guthrie, Hamilton, Knapp, Leach, Lockwood, Longneville, McCoun, McNutt, Orr, Peck, Ramsay, Rector, Rippey, Rees, Rohlf, Rowell, Smith of Dickinson, Smith of Harrison, Tenney, Walling, Wilcox, Williams, and Wilson of Dubuque—32.

So the bill passed, and the title was agreed to.

On motion of Mr. Stuart the regular order of business was suspended and House File No. 275, A bill for an act to prevent the sale of illuminating oils inflammable at a less temperature than one hundred and ten degrees Fahrenheit, was taken up and considered.

On motion of Mr. McKean the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Caldwell, Chase, Cotton, Davis, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kasson, Kelly, Kilburn, Knapp, Leffingwell, Longueville, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Phillips, Ramsay, Rees, Rippey, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Werner, Wheeler, Wilson of Davis, Wilson of Tama, Wright and Mr. Speaker—67.

The nays were Messrs. Johnson of Cherokee—1.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Burrows, Craig, Cramer, Criss, Dashiell, Donovan, Dudley, Ellis, Guthrie, Hamilton, McConn, McKean, Orr, Peck, Perry, Rector, Rohlfs, Rowell, Smith of Harrison, Traer, Tucker, Walling, Wilcox, Williams, Wilson of Dubuque, Lambert, Leach, and Lockwood—31.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Davis to take up House File No. 179, A bill for an act conferring certain powers upon municipal corporations acting under special charters.

Mr. Wilson of Tama, moved to lay the bill upon the table, which motion did not prevail.

Mr. Rohlfs moved to amend by striking out all in relation to imprisonment, which motion prevailed.

On motion of Mr. Rohlfs the rule was suspended and the bill read a third time.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 247, A bill for an act to protect crops against the invasions of stock.

Substitute for House File No. 20, A bill for an act to legalize certain acts of James Foster, justice of the peace in Guthrie county.

Substitute for House File No. 225, A bill for an act to legalize the notarial acts of certain notaries public of Polk county.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 169, A bill for an act to provide for the election of county auditors, their duties, and making county judges *ex-officio* county auditors.

Senate File No. 216, A bill for an act to annex certain lands to sub-district No. 1, in Center township, Wapello county, Iowa, for all school and school-house purposes.

Senate File No. 193, A bill for an act relating to the publication of notices and proceedings in newspapers published in foreign languages.

Senate File No. 203, A bill for an act fixing the compensation of members of future general assemblies.

Senate File No. 233, A bill for an act to repeal section 16, of chapter 173, laws of the Ninth General Assembly, regulating the levy and collection of tax on gross receipts of railroad companies, and to enact a substitute therefor.

Senate File No. 165, A bill for an act to amend section 3851, of the Revision of 1860, allowing suits to be brought in the township where the plaintiff resides.

Senate File No. 27, A bill for an act to amend section 4296, of the Revision of 1860, in relation to resisting officers.

Senate File No. 55, A bill for an act to legalize the acts of W. Moershall and others, notaries public of the State of Iowa.

H. C. RIPPEY, Chairman.

Mr. Murray moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Babbitt, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Fulton, Gaylord, Glasgow, Grantham, Guthrie, Hart, Hartsock, Hatch, Hayden, Hawthorn, Irjeh, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Leffingwell, Lockwood, Longneville, McKean, McNutt, Miles, Murray, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Rohlf's, Sheldon, Stanley, Stone, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wright, and Mr. Speaker—59.

The nays were Messrs. Adams, Atkins, Atwood, Bailey, Brown of Howard, Brown of Van Buren, Garrett, Goodspeed, Hunter, Miller, Morrison, Newberry, Sanborn, Smith of Dickinson, Wilson of Davis, and Wilson of Tama—16.

Absent and not voting, Messrs. Allen, Bent, Blackwell, Browne of Lec, Burnett, Craig, Cramer, Dudley, Ellis, Hamilton, Lambert, Leach, McCoun, Mechem, Orr, Peck, Rector, Rowell, Smith of Harrison, Stuart, Tenney, Walling, Williams, and Wilson of Dubuque—24.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Wilcox from the joint committee of conference on special appropriation bill, Senate File No. 239, to submit the following report:

Section 6—Strike out “\$10” and insert “\$30 each; total \$90.”

Section 7—House recede.

Section 8—Strike out “\$30” and insert “to each \$50; total \$150.”

Section 9—House recede.

Section 10—Strike out “\$15 and \$30” and insert “to each \$30; total \$90.”

Section 11—House recede.

Section 12—Strike out “\$10” and insert “to each \$20; total \$60.”

Section 15—Of original bill, House recede.

Section 17—Of original bill, Senate concur.

Section 48—Of original bill, House recede.

Section 49—Of original bill, House recede.

Section 50—Of original bill, House recede.

Section 65—Of original bill, Senate concur.

J. W. CATTELL,

ROBERT SMYTH,

T. W. WOOLSON,

On part of Senate.

P. C. WILCOX,

SAMUEL McNUTT,

On part of House.

Mr. Dudley submitted the following minority report:

MR. SPEAKER:—The minority of your committee of conference on the disagreeing votes on the appropriation bill, would disagree with committee on section 15, and sections 49 and 50.

C. DUDLEY, Chairman.

#### MESSAGE FROM THE SENATE.

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 without amendments.

House File No. 379, A bill for an act abolishing distinctions between foreigners and citizens as to the acquisition, enjoyment and transfer of property.

House File No. 267, A bill for an act to legalize the acts of Thomas M. Atherton, a notary public.

Also, the following, with amendments, as noted therein, in which the concurrence of the House is asked.

House File No. 4, A bill for an act to provide for the further prosecution of the geological survey of the State.

JAMES M. WEART, Secretary.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER** :—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 111, A bill for an act making all public streets in towns and villages not incorporated, a part of the public highway.

Joint resolution instructing our Senators and requesting our Representatives to procure the passage of a law making post-masters distributing agents of revenue stamps.

Resolution authorizing the Secretary of State to subscribe for five hundred copies of the Twenty-First Volume of Iowa Reports.

House File No. 307, A bill for an act to authorize cities of the first and second classes to establish fire limits.

House File No. 29, A bill for an act to change the time of holding court in Waverly, Bremer county, and St. Charles, Floyd county, in the Twelfth Judicial District.

House File No. 162, A bill for an act to provide for the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing.

H. C. RIPPEY, Chairman.

**MR. SPEAKER** :—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor :

House File No. 300, A bill for an act requiring county treasurers to insert in tax-receipts the valuation of each piece of real estate.

House File No. 326, A bill for an act to destroy Canada thistles.

House File No. 60, A bill for an act to provide for the payment of witness fees and jurors fees in state cases.

House File No. 129, A bill for an act to regulate insurance companies.

House File No. 279, A bill for an act to provide certain police regulations for the protection of the Iowa State Agricultural College and Farm and of the students therein.

Resolution in relation to employing George F. Work, assistant post-master, one week after the adjournment.

H. C. RIPPEY, Chairman.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

**MR. SPEAKER** :—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 272, A bill for an act to provide for the taxation of the shares of national banks.

House File No. 306, A bill for an act apportioning the State of Iowa into representative districts, and declaring the ratio of representation.

H. C. RIPPEY, Chairman.

The question recurred upon the concurrence in the report of the joint committee of conference.

The report was not concurred in.

Mr. Dudley moved that the House insist upon its amendments, and ask for another committee of conference, which motion prevailed.

On motion of Mr. Parker, Senate File No. 23, A bill for an act to amend section 17, chapter 172 of the laws of the Ninth General Assembly, was taken up.

Mr. Parker 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.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Adams, Allen, Atkins, Atwood, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Dashiell, Davis, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Marshall, Kason, Kelley, Kuapp, Lambert, Leffingwell, Longueville, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Rector, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Tenney, Trusdell, Tucker, Wheeler, Wilson of Davis, and Mr. Speaker—63.

The nays were Messrs. Babbitt, Brown of Fayette, Donovan, Lockwood, McKean, McNutt, Phillips, Ramsay, Stuart, Tillson, Tritz, Werner, and Wright—13.

Absent and not voting, Messrs. Bent, Blackwell, Browne of Lee, Craig, Cramer, Criss, Ellis, Grantham, Johnson of Cherokee, Kilburn, Leach, McCoun, Orr, Peck, Rees, Rippey, Smith of Harrison, Traer, Walling, Wilcox, Williams, Wilson of Tama, and Wilson of Dubuque—23.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

Senate File No. 65, A bill for an act to protect the hop-growing interests of the State of Iowa, and to indicate the size of boxes used in picking hops in this State.

Senate File No. 198, A bill for an act supplementary to article 1, of chapter 55, of the Revision of 1860, relating to taking private property for works of internal improvement.

H. C. RIPPEY, Chairman.

Chair announced as committee of conference on Senate File No. 239, Messrs. Atwood, Rowell, and Irish.



House File No. 4, A bill for an act for the prosecution of the geological survey of the State of Iowa, was taken up.

Upon the concurrence in the Senate amendments, the yeas and nays were as follows :

The yeas were, Messrs. Adams, Allen, Atkins, Babbitt, Bailey, Ballinger, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burrows, Caldwell, Chase, Cotton, Criss, Dashiell, Davis, Donovan, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rees, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Tritz, Trusdell, Tucker, Walling, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—77.

The nays were none.

Absent and not voting, Messrs. Atwood, Bander, Bent, Blackwell, Bolton, Browne of Lee, Burnett, Craig, Cramer, Dudley, Ellis, Grantham, Leach, McCoun, Orr, Peck, Rector, Rippey, Smith of Harrison, Traer, Wilcox, and Williams—22.

So the amendment was concurred in.

Senate File No. 183, A bill for an act authorizing the register of the State Land Office, to issue a new deed for certain lands, to James Bones, in lieu of one issued to him in the name of James Bowen, and to correct certain errors on the books of his office, was taken up.

On motion of Mr. Stanley the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bander, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Davis, Donovan, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Grantham, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kelley, Knapp, Lambert, Leffingwell, Lockwood, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Parker, Perry, Phillips, Ramsay, Rees, Rippey, Sanborn, Smith of Dickinson, Stanley, Stone, Tenney, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wright, and Mr. Speaker—71.

The nays were none.

Absent and not voting, Messrs. Adams, Bent, Blackwell, Browne of Lee, Criss, Cramer, Dashiell, Dudley, Ellis, Irish, Kasson,



Kilburn, Leach, McCoun, Orr, Ordway, Peck, Rector, Rohlf, Rowell, Smith of Harrison, Sheldon, Stuart, Tillson, Walling, Wilcox, Williams, and Wilson of Tama—28.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate agrees to a second conference on the disagreeing votes of the two Houses on Senate File No. 239, and has appointed Senators Doud, Richards and Powers as managers on the part of the Senate at said conference.

JAMES M. WEART, Secretary.

On motion of Mr. Rohlf the regular order of business was suspended and House File No. 98, A bill for an act to encourage emigration to the State of Iowa, was taken up.

Mr. Hayden moved that the bill lie upon the table.

The motion did not prevail.

Mr. Hatch moved to fill the blank in the Fifth Congressional District with the name of Conrad Beck.

MESSAGE FROM THE SENATE.

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 bill without amendment.

House File No. 200, A bill to regulate life insurance companies.

J. A. T. HULL, Assistant Secretary.

Mr. Smith of Dickinson moved to lay the whole subject upon the table, which motion did not prevail.

The motion to amend prevailed.

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

On motion of Mr. Rohlf the rule was suspended, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Allen, Babbitt, Bailey, Ballinger, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Davis, Fulton, Gaylord, Goodspeed, Hamilton, Hartsock, Hatch, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rees, Rohlf, Sanborn, Stauley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wright and Mr. Speaker—57.

The nays were, Messrs. Adame, Atkins, Brown of Howard,

Brown of Van Buren, Chase, Dashiell, Donavan, Glasgow, Guthrie, Hart, Hayden, Knapp, Lambert, Lockwood, Miller, Morrison, Phillips, Rippey, Smith of Dickinson, Sheldon, and Truedell—21.

Absent and not voting, Messrs. Atwood, Bander, Bent, Blackwell, Browne of Lee, Cramer, Dudley, Ellis, Garrett, Grantham, Irish, Leach, McCoun, Orr, Peck, Rector, Rowell, Smith of Harriou, Walling, Williams, and Wilson of Tama—21.

So the bill passed, and the title was agreed to.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER :—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 378, A bill for an act making appropriation for the payment of the salaries of the State and judicial officers, interest on State bonds, and for other purposes therein designated.

House File No. 289, A bill for an act to authorize the Secretary of State to exchange copies of the Supreme Court reports for such other books in law and equity as the Supreme Court may select.

House File No. 345, A bill for an act in relation to the State Historical Society.

Senate File No. 240, A bill for an act to constitute mayors of cities of the second class presiding officers of the city council thereof.

Senate File No. 24, A bill for an act for the more effectual collection of certain delinquent taxes.

H. C. RIPPEY, Chairman.

MR. SPEAKER :—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

Resolution authorizing the Secretary of State to subscribe for five hundred copies of the Twenty-First Volume of Iowa Reports.

Joint resolution instructing our Senators and requesting our Representatives to procure the passage of a law making post-masters distributing agents of revenue stamps.

House File No. 306, A bill for an act apportioning the State of Iowa into representative districts, and declaring the ratio of representation.

House File No. 29, A bill for an act to change the time of holding court in Waverly, Bremer county, and Saint Charles, Floyd county, in the Twelfth Judicial District.

House File No. 272, A bill for an act to provide for the taxation of the shares of national banks.

House File No. 307, A bill for an act to authorize cities of the first and second class to establish fire-limits.

House File No. 162, A bill for an act relating to acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing.

House File No. 111, A bill for an act making all public streets in towns and villages not incorporated, a part of the public highway.

House File No. 225, A bill for an act to legalize the notarial acts of certain notaries public of Polk county.

House File No. 247, A bill for an act to protect crops against the invasions of stock.

House File No. 20, A bill for an act to legalize certain acts of James Foster, justice of the peace in Guthrie county.

H. C. RIPPEY, Chairman.

Mr. Wilson of Dubuque, on behalf of the members of the House, presented the Speaker with a gold-headed cane, and spoke as follows :

MR. SPEAKER:—My fellow-members of the House of Representatives have requested me, before parting, and before the official relations between us are severed, to present to you this cane as a token of their appreciation of your great ability as a parliamentarian : your uniform kindness to each one of them, and of the dignity and fidelity with which you have discharged the duties of presiding officer. Whatever the questions presented for your decision may have been, they have invariably been solved intelligently and satisfactorily. Not one appeal has been taken from your decision during the session. The longer our acquaintance with you continues, the more fully we realize your private virtues and your talents as a statesman. These feelings are not limited to the members of your own political party, but prevail among us universally, and this memento is to be regarded as coming from us all. As an old acquaintance and personal friend I take pleasure in expressing the wishes of this House that you may have a safe return to your family, and a long life of prosperity and continued usefulness.

After receiving the cane the Speaker addressed the House as follows :

*Gentlemen of the House of Representatives* :—In accepting this magnificent gift, so generously presented, I feel that I am unable to give adequate expression to those emotions of gratitude and thankfulness with which I am almost overwhelmed. To have been elected your presiding officer at the commencement of our session was an honor and distinction of which I had good reason to feel proud. To receive this splendid token of your esteem at the close of our labors is an additional honor which will be deeply appreciated to the latest moment of existence. I have heard sometimes of legislators being *caned* when it was not agreeable to the parties receiving it. Such a caning as you now administer, I am happy

to perceive, is not of that character, and can well be endured without undergoing those unpleasant sensations which that other kind of *caving* invariably produces.

Now, when we are soon to close the business of our session, I will embrace the present opportunity to give some expression of my feelings in relation to the action of the present General Assembly on the great topics of public legislation upon which it has been called to act. Probably no body of men ever assembled in the legislative halls of our State who have shown themselves more devoted to the interests of their constituents than the Twelfth General Assembly. While they have endeavored to encourage the development of the material resources of the commonwealth in legislation connected with our great and growing system of internal communication, they have invariably adopted the most stringent safe-guards, reserving to the people a sufficient control over corporations to insure respect for their wishes and protection from any oppression that might otherwise be offered.

We all feel proud of our charitable institutions. They are an outgrowth of our christian civilization; they contribute to the education and development of the unfortunate and otherwise helpless classes of society; they supply ears for the deaf, and eyes for the blind; they cast out devils from the insane, and make good and useful members of society those who would without their aid become burdens on the public charity. You have wisely and liberally provided for sustaining and extending them. Our other great interests have not been neglected. Our educational institutions have also been liberally provided for, and under wise management and liberal patronage will yet become the pride and glory of our noble State.

In conclusion I would say that I feel proud of our noble Iowa—proud of her men and women—composed mainly of the intelligence, the enterprise and energy of older States—proud of her institutions, of her material resources, of her unparalleled development in all that contributes to the progress and elevation of our own race. Let us hope and pray that she may continue in her glorious career, and that as age after age rolls on the stream of time in majesty and grandeur towards the boundless ocean of eternity, she will ever continue to increase in greatness, goodness, and material prosperity.

Gentlemen, each and all, accept of my heartfelt thanks for the uniform kindness I have experienced at your hands on each day of our session, and above all this splendid present now gratefully accepted.

Mr. Wilson of Dubuque moved that the House take a recess of one hour, which motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 8, 1868.

House convened pursuant to adjournment.

On motion of Mr. Newberry, the reading of the journal of yesterday was dispensed with.

Mr. Wilson of Dubuque moved that the vote by which Senate File No. 165, A bill for an act to amend section 3851 of the Revision of 1860 passed the House, be reconsidered.

Mr. Hamilton moved to lay the motion to reconsider on the table.

Upon this motion, the yeas and nays were demanded, and were as follows:

The yeas were Messrs. Adams, Brown of Van Buren, Burrows, Caldwell, Dashiell, Gaylord, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kilburn, Knapp, Leffingwell, McKean, Mechem, Miller, Murray, Smith of Dickinson, Stone, Stuart, Tucker, and Wilcox—23.

The nays were, Messrs. Allen, Atkins, Babbitt, Bailey, Ballinger, Bander, Bowen, Brown of Fayette, Brown of Howard, Burnett, Chase, Cotton, Craig, Criss, Davis, Donovan, Dudley, Fulton, Garrett, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hayden, Kelley, Lambert, Longueville, McNutt, Miles, Morrison, Newberry, Ordway, Parker, Perry, Phillips, Rector, Rees, Rippey, Rohlfs, Sanborn, Sheldon, Stanley, Tenney, Tillson, Traer, Tritz, Trusdell, Werner, Wheeler, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—55.

Absent and not voting, Messrs. Atwood, Bent, Blackwell, Bolton, Browne of Lee, Cramer, Ellis, Grantham, Hartsock, Hatch, Irish, Leach, Lockwood, McCoun, Orr, Peck, Ramsay, Rowell, Smith of Harrison, Walling, and Williams—20.

So the motion to table, did not prevail.

MESSAGE FROM SENATE.

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 bill, with amendments as noted therein, in which the concurrence of the House is asked:

House File No. 365, A bill for an act for the relief of Jacob Reichard, and to enable him to complete the construction of the Iowa State Agricultural College Building.

Also, that the Senate has concurred in House amendments to the following bill:

Senate File No. 179, A bill for an act apportioning the State into Senatorial Districts.

J. A. T. HULL, Ass't. Secretary.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor :

House File No. 378, A bill for an act making appropriations for the payment of the salaries of the State and judicial officers, interest on the State bonds, and for other purposes therein designated.

House File No. 196, A bill for an act to increase the duties of the Superintendent of Public Instruction, and to provide additional compensation therefor.

House File No. 345, A bill for an act in relation to the State Historical Society.

House File No. 289, A bill for an act to authorize the Secretary of State to exchange copies of the Supreme Court reports for such other books on law and equity as the Supreme Court may select.

H. C. RIPPEY, Chairman.

The motion to reconsider prevailed.

Mr. Wilson of Dubuque, moved that the clerk be instructed to request the Senate to return the bill to this House.

The motion prevailed.

#### MESSAGES ON THE SPEAKER'S TABLE.

House File No. 365, A bill for an act for the relief of Jacob Reichard, and to enable him to complete the Iowa State Agricultural College building, was taken up.

Upon the concurrence in the Senate amendments, the yeas and nays were as follows :

The yeas were, Messrs. Atkins, Atwood, Babbitt, Bailey, Bauder, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donavan, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rohlf, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Tillson, Traer, Tritz, Trusdell, Tncker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, Wilson of Tama, Wright, and Mr. Speaker—76.

The nays were none.

Absent and not voting, Messrs. Adams, Allen, Ballinger, Bent, Blackwell, Bolton, Browne of Lee, Cramer, Dudley, Ellis,

Grantham, Irish, Leach, Lockwood, McCoun, Orr, Peck, Rippey, Rowell, Smith of Harrison, Walling, Werner, and Williams—23.

So the amendment was concurred in.

MESSAGE FROM THE SENATE.

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 without amendment :

House File No. 242, A bill for an act to prevent the importation of Texas or southern cattle and the spread of the so-called Texas or Spanish fever among the cattle of the State of Iowa.

House File No. 291. A bill fixing the compensation of the State Treasurer.

J. A. T. HULL, Assistant 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. 237, A bill for an act in relation to the salary of the Register of the State Land Office.

J. A. T. HULL, Assistant Secretary.

Senate File No. 237, A bill for an act in relation to the salary of the Register of the State Land Office, was taken up and read a first and second time.

On motion of Mr. Kilburn the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Allen, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Burnett, Burrows, Caldwell, Cotton, Craig, Criss, Dashiell, Davis, Dudley, Fulton, Gaylord, Hartsock, Hatch, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Lambert, Leflingwell, McKean, McNutt, Mechem, Miles, Miller, Murray, Newberry, Ordway, Parker, Perry, Phillips, Rees, Rippey, Rohlf, Sanborn, Smith of Dickinson, Stanley, Stone, Tenney, Trusdell, Tucker, Wheeler, Wilson of Davis, and Mr. Speaker—52.

The nays were Messrs. Atwood, Brown of Howard, Brown of Van Buren, Chase, Donovan, Garrett, Glasgow, Goodspeed, Guthrie, Hart, Hatch, Hawthorn, Knapp, Longueville, Morrison, Ramey, Sheldon, Stuart, Tillson, Traer, Tritz, Werner, Wilcox, Wilson of Dubuque, and Wilson of Tama—25.

Absent and not voting, Messrs. Adams, Atkins, Bent, Blackwell, Brown of Lee, Cramer, Ellis, Grantham, Hamilton, Hayden, Irish, Leach, Lockwood, McCoun, Orr, Peck, Rector, Rowell, Smith of Harrison, Walling, Williams and Wright—22.

So the amendment was concurred in.



On motion of Mr. Rippey, the janitor was appointed additional sergeant-at-arms.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that credible information has been received by the Senate that Senate File No. 165, A bill for an act to amend section 3851 of the Revision of 1860, has been approved by His Excellency the Governor, and is now on file in the office of the Secretary of State—consequently the Senate is unable to return the bill as requested by the House.

JAMES M. WEART, Secretary.

Leave was granted Mr. McNutt to offer the following resolution which was adopted:

*Resolved*, That the thanks of this House are due and are hereby tendered to the several state officers and their subordinates for their alacrity and kindness in responding to the wishes and requests of the members of this body.

Leave was granted Mr. Brown of Van Buren to offer the following resolution which was adopted:

*Resolved*, That the thanks of this House are hereby tendered to the Hon. John Russell for the able, faithful and impartial manner in which he has uniformly discharged the arduous and responsible duties of Speaker; and we further tender him our sincerest wishes for his future welfare and prosperity.

Leave was granted Mr. Fulton to offer the following resolution which was adopted:

*Resolved*, That the clerks, sergeant-at-arms, door-keeper, messengers, and paper-folders of this House, and the post-master and his assistants, are entitled to and are hereby tendered the thanks of this House for their uniform courtesy, and for the promptness, efficiency, and impartiality with which they have discharged their several duties; and we further tender to them respectively our sincere wishes for their future prosperity and success.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

House File No. 267, A bill for an act to legalize the acts of Thomas M. Atherton, a notary public.

House File No. 297, A bill for an act for the relief of William Binnaman.

House File No. 379, A bill for an act abolishing distinction between foreigners and citizens as to the acquisition, enjoyment and transfer of property.

House File No. 206, A bill for an act repealing section 7, of chapter 129, of the laws of the Ninth General Assembly, and to provide for the recovery and payment of certain claims for military supplies furnished to troops raised in this State for the service of the United States, by any county, city, town or other corporation.

House File No. 4, A bill for an act providing for the further prosecution and completion of the geological survey of the State.

House File No. 290, A bill for an act in relation to revenue, and taxing the property of express companies and telegraph companies.

H. C. RIPPEY, Chairman.

Mr. Rowell, from the Committee of Conference, submitted the following report:

MR. SPEAKER:—The Joint Committee of Conference on Senate File No. 239, report as follows:

Section 15—Strike out claim of Jonathan C. Mitchell.

Section 16—Claim of George Cowie.

Section 46—Claim of Joseph A. Stright.

Section 49—Claim of D. P. Greeley.

Section 50—Claim of John Crew.

Section 65—Claim of Evans & Shellerbarger.

Section 6—Strike out "ten dollars," and insert "thirty dollars."

Section 7—Strike out "ten dollars," and insert "forty dollars"

Section 8—Strike out "thirty dollars," and insert "fifty dollars."

Section 9—House recede from its amendment.

Section 10—Strike out "fifteen dollars," and insert "thirty dollars."

Section 11—House recede from its amendment.

Section 12—Strike out "ten dollars," and insert "twenty dollars."

Add additional section as reported by the committee.

ELIAB DOUD,

J. B. POWERS,

B. B. RICHARDS,

On part of Senate.

N. W. ROWELL,

M. W. ATWOOD,

JOHN P. IRISH,

On part of House.,

#### MESSAGE FROM THE SENATE.

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 bill, in which the concurrence of the House is asked:

Senate File No. 244, A bill for an act for making further appropriation for the salary of Register of the State Land Office.

Also, that the Senate has rejected House File No. 254, A bill for an act to provide for the greater security of the permanent school-fund, and to increase its productiveness.

JAMES M. WEART, Secretary.

Upon the concurrence in the report of the committee of concurrence on Senate File No. 239, A bill for an act making appropriations for the *per diem* and expenses of the Twelfth General Assembly, and for other purposes, the yeas and nays were as follows:

The yeas were, Messrs. Adams, Allen, Atkins, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bolton, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Burrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Davis, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Phillips, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tillson, Traer, Tritz, Trusdell, Tucker, Werner, Wheeler, Wilcox, Wilson of Davis, Wilson of Tama, and Wright.—81.

The nays were none.

Absent and not voting, Messrs. Bent, Blackwell, Browns of Lee, Cramer, Ellis, Grantham, Irish, Leach, Lockwood, McCoun, Orr, Peck, Smith of Harrison, Tenney, Walling, Williams, Wilson of Dubuque, and Mr. Speaker.—18.

So the report of the committee was concurred in.

Senate File No. 244, A bill for an act making further appropriations for the salary of the Register of the State Land Office, was taken up and read first and second time.

On motion of Mr. Kasson, the rule was suspended, and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Adams, Allen, Atwood, Babbitt, Bailey, Ballinger, Bauder, Bowen, Brown of Fayette, Brown of Howard, Brown of Van Buren, Burnett, Barrows, Caldwell, Chase, Cotton, Craig, Criss, Dashiell, Donovan, Dudley, Fulton, Garrett, Gaylord, Glasgow, Goodspeed, Guthrie, Hamilton, Hart, Hartsock, Hatch, Hayden, Hawthorn, Hunter, Irish, Johnson of Cherokee, Johnson of Marshall, Kasson, Kelley, Kilburn, Knapp, Lambert, Leffingwell, Longueville, McKean, McNutt, Mechem, Miles, Miller, Morrison, Murray, Newberry, Ordway, Parker, Perry, Ramsay, Rector, Rees, Rippey, Rohlf, Rowell, Sanborn, Smith of Dickinson, Sheldon, Stanley, Stone, Stuart, Tenney, Traer, Tritz, Trusdell, Tucker, Wheeler, Wilcox, Wilson of Davis, Wilson of Dubuque, and Wright.—77.

The nays were Mr. Wilson of Tama—1.

Absent and not voting, Messrs. Atkins, Bent, Blackwell, Bolton, Browne of Lee, Cramer, Davis, Ellis, Grantham, Leach, Lockwood, McCoun, Orr, Peck, Phillips, Smith of Harrison, Tillson, Walling, Werner, Williams, and Mr. Speaker—21.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Wilcox to offer the following resolution, which was adopted :

*Resolved*, That as a token of our appreciation of the ability and impartiality with which Speaker Russel has presided over this House we do hereby present him with the chair he has so ably filled.

Leave was granted Mr. Fulton to offer the following resolution, which was adopted :

*Resolved*, That the ladies of this city are entitled to, and are hereby tendered the thanks of this House for the generous and excellent repast provided by them for the members and officers of this General Assembly last evening.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 131, A bill for an act in addition to an act entitled an act for the incorporation and government of the Hospital for the Insane.

H. C. RIPPEY, Chairman.

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

*Be it Resolved by the General Assembly of the State of Iowa*, That the Secretary of State is hereby instructed to forward all books, documents or other matter to which the members or employes of the Twelfth General Assembly may be entitled after adjournment to their respective addresses at the expense of the State.

Mr. Rippey from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures and have presented the same to His Excellency the Governor.

House File No. 297, A bill for the relief of William Binnaman.

House File No. 379, A bill for an act abolishing distinctions between foreigners and citizens as to the acquisition, enjoyment and transfer of property.

House File No. 206, A bill for an act repealing section 7, of chapter 129 of the laws of the Ninth General Assembly, and to provide for the recovery and payment of certain claims for military

supplies furnished to troops raised in this State for the service of the United States by any county, city, town or other corporation.

House File No. 290, A bill for an act in relation to revenue, and taxing the property of express companies, and telegraph companies.

House File No. 267, A bill for an act to legalize the acts of Thomas Ashton, a notary public.

House File No. 4, A bill for an act providing for the further prosecution and completion of the geological survey of the State.

H. C. RIPPEY, Chairman.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 198, A bill for an act supplementary to article one, of chapter 55, of the Revision of 1860, relating to taking private property for works of internal improvement.

Senate File No. 65, A bill for an act to protect the hop-growing interests of the State of Iowa, and to indicate the size of boxes used in picking hops in this State.

Senate File No. 240, A bill for an act to constitute mayors of cities of the second class, presiding officers of the city council thereof.

Senate File No. 24, A bill for an act for the more effectual collection of certain delinquent taxes.

Senate File No. 183, A bill for an act authorizing the Register of the State Land Office, to issue a new deed for certain lands, to James Bones, in lieu of one issued to him January 29, 1851, in the name of James Bowen, and to correct certain errors on the books of his office.

Senate File No. 234, A bill for an act to amend section 17, chapter 172 of the laws of the Ninth General Assembly.

H. C. RIPPEY, Chairman.

Leave was granted Mr. Craig to offer the following resolution, which was unanimously adopted.

*Resolved*, That the officers of the Des Moines Valley Railroad are entitled to the thanks of this House for their kindness in sending a special train to Wapello county on the occasion of the bereavement of our brother and co-laborer, Charles Dudley.

Leave was granted Mr. Mechem to offer the following resolution, which was adopted.

*Resolved*, That the thanks of this House are hereby extended to the different ministers of the gospel who have so fervently and devoutly addressed the Throne of Grace in behalf of our spiritual welfare.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:**—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

Senate File No. 242, A bill for an act to prevent the importation of Texas or Southern cattle, and the spread of the so-called Texas or Spanish fever among the cattle of the State of Iowa.

House File No. 291, A bill for an act fixing the compensation of the State Treasurer.

Senate File No. 179, A bill for an act apportioning the State into senatorial districts.

Senate File No. 237, A bill for an act in relation to the salary of the Register of the State Land Office.

R. C. RIPPEY, Chairman.

**MR. SPEAKER:**—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor.

House File No. 131, A bill for an act in addition to an act entitled an act for the incorporation and government of the Hospital for the Insane.

Senate File No. 183, A bill for an act authorizing the Register of the State Land Office to issue a new deed for certain lands to James Bones, in lieu of one issued to him January 29, 1851, in the name of James Bowen; and to correct certain errors on the books of his office.

Senate File No. 234, A bill for an act to amend section 17, chapter 172, of the laws of the Ninth General Assembly.

H. C. RIPPEY, Chairman.

#### MESSAGE FROM THE SENATE.

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 without amendments:

House File No. 160, A bill for an act to amend chapter 102 of the Revision of 1860, entitled, Marriage.

House File No. 333, A bill for an act for an amendment to an act entitled, an act in relation to the duties of railroad companies, approved April 8, 1862.

House File No. 347, A bill for an act for the relief of George Higley of Dubuque, Iowa.

J. A. T. HULL, Assistant Secretary.

#### MESSAGE FROM THE SENATE.

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 bill without amendment :

House File No. 312, A bill for an act for the relief of Silas Perkins.

JAMES M. WEART, Secretary.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has concurred in the report of the committee of conference on the disagreeing votes of the two Houses on Senate File No. 239.

JAMES M. WEART, Secretary.

Mr. Rippey, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present the same for your signature:

House File No. 365, A bill for an act making further appropriation for the erection of the Iowa State Agricultural College building, and for the settlement of the claim of Jacob Reichard, the contractor therefor.

House File No. 200, A bill for an act to regulate life insurance companies.

H. C. RIPPEY, Chairman.

Mr. Rippey also presented the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor:

House File No. 242, A bill for an act to prevent the importation of Texas or Southern cattle, and the spread of the so-called Texas or Spanish fever among the cattle of the State of Iowa.

House File No. 291, A bill for an act fixing the compensation of the State Treasurer.

H. C. RIPPEY, Chairman.

#### MESSAGE FROM THE SENATE.

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 without amendments:

House File No. 88, A bill for an act to authorize the board of supervisors of Van Buren county to appropriate a sum of money for the erection of a monument in memory of citizens of that county who lost their lives in the military service of their country.

House File No. 261, A bill for an act to amend section 13 of chapter 172 of the acts of the Ninth General Assembly.

Also, a joint resolution in relation to the distribution of documents to the members, officers and employes of the Twelfth General Assembly.

J. A. T. HULL, Assistant Secretary.



Mr. Rippey from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature :

House File No. 347, A bill for an act for the relief of George Higley, of Dubuque, Iowa.

House File No. 160, A bill for an act to amend chapter 102, of the Revision of 1860, entitled marriage.

House File No. 88, A bill for an act to authorize the board of supervisors, of Van Buren county, to appropriate a sum of money for the erection of a monument in memory of citizens of that county, who lost their lives in the military service of their country.

House File No. 312, A bill for an act for the relief of Silas Perkins.

House File No 261, A bill for an act to amend section 13, of chapter 172, of the acts of the Ninth General Assembly.

A resolution in relation to forwarding books, documents or other matter.

House File No. 333, A bill for an act to amend an act entitled an act in relation to the duties of railroad companies, approved April 8, 1862.

II. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency the Governor :

House File No. 374, A bill for an act for the relief of George Higley, of Dubuque, Iowa.

House File No. 365, A bill for an act making further appropriation for the erection of the Iowa State Agricultural College Building, and for the settlement of the claims of Jacob Reichard, the contractor thereof.

House File No. 200, A bill for an act to regulate life insurance companies.

House File No. 261, A bill for an act to amend section 13, of chapter 172, of the Acts of the Ninth General Assembly.

House File No. 312, A bill for an act for the relief of Silas Perkins.

House File No. 88, A bill for an act to authorize the board of supervisors of Van Buren county, to appropriate a sum of money for the erection of a monument in memory of citizens of that county, who lost their lives in the military service of their country.

House File No. 160, A bill for an act to amend chapter 102, of the Revision of 1860, entitled Marriage.

Joint resolution instructing Secretary of State to forward books, documents, and other matters, &c.

H. C. RIPPEY, Chairman.

Mr. Mechem moved that a committee of three be appointed to wait upon His Excellency, the Governor, and inquire if he has any further communication to make to this House.

The motion prevailed.

The Chair announced Messrs. Wilson of Dubuque, Mechem and Morrison as such committee.

The committee appointed to wait upon the Governor, reported that they had performed that duty, and had been informed by His Excellency, that he had no further communication to make to the General Assembly.

The committee were then discharged.

Mr. Rippey from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills have examined the following bills, and have directed me to report them as correctly enrolled, and to present them for your signature:

Senate File No. 244, A bill for an act making further appropriations for salary of Register of State Land Office.

Senate File No. 239, A bill for an act making appropriation for the *per diem* and expenses of the Twelfth General Assembly, and other purposes.

H. C. RIPPEY, Chairman.

MR. SPEAKER:—The Committee on Enrolled Bills have presented the following bills to the Speaker of the House of Representatives and the President of the Senate, and obtained their signatures, and have presented the same to His Excellency, the Governor:

House File No. 333, A bill for an act to amend an act entitled an act in relation to the duties of railroad companies, approved April 8, 1862.

House File No. 28, A bill for an act to legalize the acts of E. Kinley, notary public of Lee county.

H. C. RIPPEY, Chairman.

Mr. Stanley moved that a committee of two be appointed to wait upon the Honorable Senate and inform that Honorable Body that the House is now ready to adjourn *sine die*.

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

A committee from the Senate announced that the Senate was ready to adjourn *sine die*.

Mr. Wilson of Dubuque moved that the House do now adjourn *sine die*.

The motion prevailed.

Before announcing the final adjournment the Speaker addressed the House as follows :

*Gentlemen of the House of Representatives* :—Before announcing the final adjournment of this House I would desire to compliment the members individually on the success attendant on their labors as legislators. When we met here on the second Monday of January most of us were strangers to each other. We have gradually formed an intimate acquaintance which has ripened into confidence and esteem. I am happy to congratulate you on the uniform courtesy which you have extended to each other throughout the entire progress of our session. Sometimes warmth in debate has been exhibited in the progress of our discussions, but I am glad to know that nothing has transpired which has been productive of permanent bad feeling on the part of one member towards another.

As to the wisdom and propriety of our public acts, the people for whom we act must be the ultimate judges. Of one thing I feel certain, and that is, the members of this House have performed their duties with a supreme regard for the principles of justice, and with an earnest desire to legislate for the best interests of our noble State.

I return to all the members of this House for their uniform kindness and unparalleled forbearance with myself, my most heartfelt acknowledgments. We met strangers; I am glad we part friends.

I hope and pray that you may all return in safety to your families and friends, to find them in the enjoyment of health and prosperity. May the great Creator and Governor of the Universe preserve you all in health and prosperity to a good old age. I bid you all farewell with heartfelt regrets, and will ever remember to the latest moment of existence, the members of the House of Representatives of the Twelfth General Assembly.

*Attest:*

M. C. WOODRUFF, *Chief Clerk.*

# APPENDIX.



## APPENDIX.

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### REPORT OF THE JOINT COMMITTEE TO VISIT THE AGRICULTURAL COLLEGE AND FARM.

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The Joint Committee, appointed to visit the Agricultural College and Farm, having performed that duty, respectfully make the following report:

#### THE COLLEGE BUILDING.

We find the College Building, which has been erected under the management of the present Board of Trustees, presents a very fine external appearance, fully sustaining the impression conveyed to the mind, by the engraving to be found in the second annual report, which has been laid upon the desks of the members of the Legislature. The internal arrangements in regard to lecture and recitation-rooms are somewhat faulty and insufficient, but we believe changes to remedy this can be made at a small expense.

Mr. Reichard, the contractor, appears to have spared no pains in having the masonry, the carpenter work and the plastering, so far as completed, honestly and conscientiously executed. He has labored under many difficulties in the fulfillment of his contract, which are rarely met with by a contractor. Hands had to be procured and materials obtained at great distances from the College Farm while workmen frequently had to be retained under pay, while waiting for materials to arrive. We believe these reasons furnish sufficient excuse for his failure to complete the building within the time specified in the contract.

The committee were advised of a claim for extra work performed by the contractor, also of a claim for additional compensation on the original contract, based on alleged erroneous estimates made by the architect, by reason of which the amount of material required largely exceeded the estimates on which the contract was made. We were not advised of the details of the facts, and therefore are unable to make any recommendation upon the subject.

## HEATING APPARATUS.

It was the intention to heat the building by means of hot air furnaces, but the lamentable and complete failure of these furnaces to furnish pure, warm air when applied to large buildings is too well known to need any comment. Whatever else we do, it is all important that the students attending the college should be furnished with air to breathe as pure as it is supplied to us by the bountiful hand of nature. The introduction of stoves would not only require a largely increased amount of fuel, but would also be highly injurious to the building, and be attended with great danger from fire. We hope, therefore, no hesitation will be felt in granting the appropriation asked for to heat the building by steam.

## ESTIMATES OF TRUSTEES.

We have carefully examined the estimates of the Trustees, and the amounts asked for, and have come to the conclusion that the appropriation requested from the State Treasury can be very materially reduced by applying to a part of the same objects, a portion of the fund, which has already accumulated, and which is now lying idle.

The law of Congress donating the lands to the State provides (Section 3) "That all the expenses of management, superintendence, and taxes, from date of selection of said lands, previous to their sale, and all the expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the State to which they may belong, out of the treasury of said State, so that the entire proceeds of the sale of said lands shall be applied without any discrimination whatever, to the purposes hereinafter mentioned." It also provides (Section 4) "That the proceeds of sale of lands and land scrip shall be invested in United States or State stocks, yielding not less than five per cent upon their par value: and "That the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in Section 5 of this act) and the interest of which shall be inviolably appropriated \* \* \* \* to the endowment, support and maintenance of at least one College," &c., &c. It is further declared (Section 5) that "no portion of said fund, nor the interest thereon shall be applied directly or indirectly under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings."

None of the lands have been sold, and of course no proceeds of sales have been received. But treating the moneys derived from leases, as if it was interest, your committee are of the opinion that it is intended and allowed by the law of Congress under the words "maintenance and support" that the income may be applied to



all the usual means and instruments of education, and therefore to the purchase and supply of all things necessary which do not constitute a part of the buildings, or the fixtures thereof, and which are designed to be movable, transient and perishable.

The committee therefore recommend that the amount asked for :

Lecture room furniture and Library.....	\$ 5,000
Furniture for students' room, recitation and professors' rooms, and tools for students.....	10,000
Library fixtures.....	1,000
And for Philosophical, Astronomical and Mathematical Instruments and apparatus.....	2,000

A total of \$18,000, be deducted from the appropriation requested by the trustees, with the understanding that they have power to use the interest fund for the purpose of supplying these wants.

#### PROFESSORS' DWELLINGS.

The amount asked for by the trustees for the purpose of building suitable dwellings for the use of the faculty, is \$10,000. After a careful examination of the subject, we have concluded that \$12,000 will be required for this purpose, in order to erect dwellings that in any manner will be adequate to the purpose.

#### BOOKS, ACCOUNTS AND VOUCHERS.

We examined the books, accounts and vouchers of the farm, and found that the method of keeping them had been greatly improved within two years, but there is still a lack of system and arrangement; also, a want of proper books for preserving accurate records of transactions, receipts and expenditures. To supply this want, we would suggest that a new and complete set of books be prepared expressly for the use of the superintendent of the farm. That an account be opened with each object of expenditure named in the appropriations granted by the Legislature, which shall be credited with the amount appropriated for that object, and debited with the several amounts expended from time to time. The farm fund should also be credited with the amount of sales and charged with all the expenses attending the management of the farm and the cultivation of the crops.

A farm-book should be provided, in which should be kept a proper record of all the transactions of the farm; also a journal, in which a note should be made of all liabilities as they occur, as well as receipts and expenditures of money; also a ledger, to which all moneys received and expended, shall be posted under the proper heads of account, as named in the appropriations.

We recommend that a competent book-keeper be employed for a brief period by the trustees, who shall under the direction of the Auditor, provide a set of books for this purpose, and open the

several accounts, so that hereafter there may be no difficulty, and a perfect system of accounts adopted.

#### ROAD.

While at the farm, the attention of the committee was called to the road running south of the farm. Several years ago the Board of Trustees made an arrangement with Mr. Porter, the owner of the land lying south of the farm, in which it was agreed, that in order that the road should follow a high dry ridge, and avoid a bad slough that extends along the line, an exchange of land should take place between the State and Mr. Porter—the State taking the land lying north of the road as it crossed Mr. Porter's land (about fourteen acres), and Mr. Porter receiving from the State the land lying in the south-west corner of the farm, and cut off by the road (about seventeen acres). This exchange was made subject to the sanction of the Legislature, which has never been given. Your committee are of the opinion that the best interests of the College and farm demand that this exchange should not be ratified, but in order that harmony and good feeling may prevail, we would recommend that a small sum be appropriated to be expended under the direction of the Superintendent of the farm, for the purpose of making a good road along the south side of the farm.

#### THE FARM.

Taking into consideration the combination of the various kinds of prairie soils common to the State, such as low bottom, second bottom, gradually undulating prairie, and high-rolling broken prairie, also timber, pure living water and the various kinds of building material, your committee are of the opinion that the location of the farm will eventually prove very satisfactory to the people of the State.

There is upon the farm about one hundred and fifty acres of valuable timber, embracing nearly every variety growing within the State.

Near the center of the farm and about eighty rods east of the farm buildings are several fine springs which may not only prove valuable in supplying water for the stock, but may be made to furnish an abundant supply for the College and farm buildings. By some economical method, water from these springs might be carried to any desired point in and about the buildings, and we believe that in a sanitary point of view, as well as upon principles of economy, it will be found that this is the best method, by which a never-failing supply of pure water can be had to supply the College.

About one hundred and fifty acres of the farm are now under cultivation, with what results your committee have no means of ascertaining, other than the report of the Superintendent.

There is a young orchard of about 400 trees. Many of these trees do not appear to be in a thrifty or healthy condition, though large enough to produce considerable fruit. Upon the east side of the orchard is a fine row of white willow trees, which demonstrate that if they do not make a hedge or fence to turn stock, they make a good wind-break.

The farm-house is a good substantial brick building, well adapted to the purpose for which it was designed. The barn is of good height, 42 by 60 feet, with a good stone basement under the whole, which affords room enough to stable all the cattle upon the farm. A portion of the room is now occupied by the horses, to the exclusion of other stock. The erection of a horse-stable will obviate this difficulty. There have been erected temporary sheds for sheep and hogs, which are in no way adequate to the wants of these animals.

#### THE STOCK.

The stock looks well and appears to be carefully attended to by the persons having it in charge. Some of the animals are very fine indeed, while there are others that are not what are wanted upon a model and experimental farm.

#### PEAT.

Superintendent Thomson, called the attention of the committee to a peat-bed a number of acres in extent, which he had tested and found to be an excellent article. At a point where a channel had been washed, the peat showed itself to the depth of four feet. In an economical, as well as experimental point of view, this peat-bed may prove a valuable acquisition to the farm and College.

#### REQUEST OF CITIZENS.

Your committee were waited upon by a delegation of the citizens of Ames station and vicinity, who had also presented a petition therefor to the House of Representatives, to request that a law be passed by the legislature, prohibiting the sale of wine and beer within two miles of the college. It was made clear to us that the passage of such a law would be highly satisfactory to all the moral people in the vicinity, as well as productive of good effects to the institution itself. We therefore most cordially recommend that their request may be complied with. •

#### BOARD OF TRUSTEES.

Your committee would respectfully suggest that the board of trustees of the Agricultural College, as at present constituted, is

entirely too large. A few of the members must necessarily do all the work, and we notice that even the important matter of selecting a president of the college, has been left to a committee consisting of three members of the board. We therefore recommend that the law be so changed, that upon the expiration of the term of the present board of trustees, the board shall consist of one member from each congressional district, and that the members to be elected under the present law, at this session, shall hold office only for the term of two years.

In conclusion we would say that it is our opinion, based upon our examinations that the present board of trustees have moved slowly and cautiously in the work assigned to them by the State, and have performed their duties faithfully and cautiously, with an earnest desire to make this institution an object of pride to our people, and the means of elevating the great interests which it has been founded to promote. They have had many difficulties to encounter, and many have yet to be overcome. To select the officers to take charge of the college, and secure men who will make it a success, and an object of pride to the State, is a task which requires patient labor and inquiry, and the exercise of the soundest judgment. It is to be hoped in this, they will receive the aid of their fellow-citizens, and that in no case will they allow the Iowa State Agricultural College to become a last resort for men who have failed in the walks of life, and are now anxious that the State should provide them with comfortable places for the rest of their natural lives.

Respectfully submitted.

S. S. FARWELL,  
JOHN A. KASSON,  
L. W. STUART.

REPORT OF THE VISITING COMMITTEE TO THE  
STATE UNIVERSITY.

The joint committee appointed to visit the State University, located at Iowa City, beg leave to submit the following report :

In the performance of the duty assigned us we have carefully examined the building and grounds; visited the different departments of said Institution; had an interview with the Faculty and several members of the board of trustees, and examined the books of the treasurer. We are well satisfied that the appropriation made at the last session of the Legislature has been judiciously expended; that the board of trustees have performed their duties with economy and care, while the system and good order prevailing in each department, bear unmistakable evidence of the ability and fidelity of all the members of the faculty in the discharge of their respective duties, and that the Institution is in as prosperous and flourishing condition as good management on the part of those having it in their charge can make it, with the limited means at their disposal. The buildings are commodious and well adapted to their uses, though in part, unfinished and out of repair. Some additional shelving and fixtures are necessary for the chemical, astronomical and geological departments, also some more economical and efficient means of warming the old capitol building, which is now done with stoves. In the opinion of your committee, this could be done much more economically, effectually and safely by furnaces of proper size and construction. We find that the University property is without any insurance against fire, and the trustees inform us that they are without the means to keep it insured.

The literary and scientific departments are well managed by competent and laborious professors who receive a salary by no means commensurate with their abilities and labors.

The number of students, including all departments, for the past year is as follows, viz. : Males 381, females 256, as shown by the Catalogue for 1866-7.

The apparatus both chemical and astronomical is quite extensive and first class of its kind but entirely insufficient for a State University.

The library is small but well selected. Large additions ought to

be made both to the library and apparatus from time to time, as the funds at the disposal of trustees will justify.

The Normal Department been re-organized, and is now under the charge of Prof. S. N. Fellows, with a good attendance of students who have entered upon a regular course to qualify themselves for the profession of teaching. This is a very important branch of the University, and in the opinion of your committee, if properly developed and sustained, with the great advantages to be derived from its connection with the University, will do much to supply the *present* wants of the State in that direction, at a much less expense, and with greater probabilities of success, than it can be done by the establishment of an independent institution of that character at the *present* time.

The University is without a President. Prof. N. R. Leonard is acting as President *pro tem.*, *vice* Prof. Spencer, resigned. The trustees have been and are now making an effort to secure a competent person for that position, but find great difficulty in doing so, owing to a lack of funds to enable them to offersuch inducements as are necessary to secure a person with the requisite qualifications for the presidency of a State University.

We have thus as briefly as possible referred to the State University as it is. We now propose briefly to refer to its wants. It is a State Institution. Endowed by the Government of the United States with a fund, unfortunately less munificent than its wants require, it was designed to be the head of the school-system of the State. Its graduates ought to have all the scholastic attainments to be obtained in any institution of learning in the country, and be fully qualified to enter at once upon the active duties of any literary or scientific pursuit, or the labor incident to a chosen profession. To make it complete in all of its departments we believe it to be the duty of the State. In our opinion, a law department ought to be established at once, a good law library purchased, and all necessary steps taken to put this department in successful operation. When this is done, and sufficient means furnished to make the institution what it was designed to be, and ought to be, the highest order of talent can be obtained to preside over and direct its operations.

To make the necessary repairs of the buildings, and complete those unfinished—establish a law department, and purchase a library—add to the present library, and purchase apparatus that is actually needed—develop the normal department properly—obtain a president and professors as the necessities of the institution may require—properly compensate the faculty, and conduct the affairs in a proper manner,—will, in the opinion of your committee, require an appropriation of twenty-five thousand dollars for the current year. That the University fund is entirely inadequate to defray current expenses is unquestionably true, and we respectfully suggest the propriety of providing, by a small tax, a special

fund that can be relied on annually, and save appropriations at each session of the General Assembly.

All of which is respectfully submitted.

L. E. FELLOWS,  
On the part of the Senate.  
C. G. TRUSDELL,  
J. T. ATKINS,  
On the part of the House.



## REPORT OF THE COMMITTEE TO VISIT SOLFERINO FARM AND WHITE'S MANUAL LABOR SCHOOL.

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*To the Twelfth General Assembly:*

The joint committee instructed by resolution of both Houses to visit and report upon the situation, character and adaptation of those premises in Lee county, severally known as the "Solferino Farm" and "White's Manual Labor School," as a proper site for the proposed Reform School, have performed that duty, and respectfully beg leave to report:

### THE SOLFERINO FARM.

We find this farm of one hundred and fifty-two acres, so generously offered to the State for the site of the Reform School by the Hon. H. W. Sample, delightfully situated on the bank of the Mississippi, about a mile below the village of Moutrose, and eight and a half miles from Keokuk. It has a southern front on the river, and extending back a half mile or thereabouts, including within its bounds almost every variety of surface, soil, and production. The immediate front has a gentle rise from the river until it reaches the first bench or terrace, from which last, the ascent is in some places quite abrupt, while in others it is gently ascending until reaching the plateau of the surrounding country of unsurpassed beauty.

Along these terraces, as well as the sides of the bluff, we find a pleasing variety of native shrubbery, which, when in foliage, must add greatly to the attraction of the situation.

Across this farm extends the same quarries of limestone from which are, in other places, taken the stones so much used in that vicinity and Keokuk. The Keokuk, Mt. Pleasant and Muscatine Railroad has its track across the front of this farm, making it accessible by rail as well as by river; and when the Northern Iowa Central Railroad shall have been completed, a direct railroad connection will be easy with nearly every portion of the State.

As above indicated, the surface of this farm presents every desirable formation for a system of landscape gardening that would gladden the heart of an amateur; and the time will come when these very desirable locations will be embellished with the

evidences of taste equal to those charming villas along the Hudson.

But while your committee can not too highly applaud the natural beauty of the scenery, or the disinterested generosity of the distinguished gentleman who, we do not doubt, really desires the acceptance by the State of his donation, we are compelled by the duty imposed on us, to examine the premises with reference to its peculiar fitness for the location of the proposed Reform School.

In the first place, the surroundings as they would affect such an institution should be considered. These premises are situated but a little way from the village of Montrose, which may be described as a river village, as it is the foot of navigation above the Des Moines Rapids, and has been built up by that interest. It is but a short distance from the head of the projected canal around the rapids and the growing village of Nashville, which seems anticipating the business of that canal. The proximity of such population as will, in a greater or less degree, be necessarily gathered by these towns is not considered by us desirable for such an institution. On this point we need not enlarge. It seems very necessary that good, first-class farming land should be procured for this institution, as well in point of economy, as to render the labor thereon attractive to the inmates of the school. With such land the institution could doubtless raise much more than supply its own necessities, while the labor thereon would tend in a greater degree than any other employment, to reclaim from idleness and its consequent vices those boys who unfortunately may need the influences of such a school. The soil of this farm does not, in the judgment of the committee, possess the necessary qualities. It is not first-class farming land, and we think none other should be selected.

#### WHITE'S MANUAL LABOR SCHOOL FARM.

This farm, or rather farms (for the premises comprise 1,440 acres of land, although in one body), we find situated in the northern part of Lee county, about six miles south of Salem, Henry county, and twenty miles northwest of Fort Madison. It is about twelve miles from Bonaparte, on the D. V. Railroad, and a little further from Chicaqua on the B. & M. R. Railroad. The surveyed line of the extension of the Keokuk & St. Paul Railroad passes through the premises, while a projected route of the Northern Iowa Central Railroad runs very near the line of the farm. This latter road is said to be graded nearly the whole distance from Mt. Pleasant to Iowa City, and its friends are confident that in a very short time it will be completed to Keokuk.

This 1,440 acres of land lies on the gently-rolling prairie of that region, and is as beautifully situated for farming as any tract of its size in the State. Its soil is of unsurpassed fertility, and has

about 800 acres enclosed in good fence, the greater part of which is under cultivation. It has six comfortable tenant-houses on it, with barns and other improvements attached to them. It has, however, a very fine brick building, all enclosed, three stories, including basement, about 35 by 75 feet on the ground, with a large hall in the attic. All of the material put into this building is of the best quality and the workmanship unsurpassed.

The surrounding lands are all well cultivated farms, occupied by the very best class of farmers, and the community will compare favorably in morals and intelligence, with any other neighborhood in the State. There is no village nearer to it than Salem, aforesaid, which is almost exclusively composed of members of the Society of Friends.

If it be desired to place the Reform School where the boys will be subjected to the least possible temptations; where, while the location will be healthy, it will be in a rich agricultural region; where the land is the most easily tilled, while it will yield the richest returns; where any surplus they may raise may find a good convenient market; while what must be purchased for the school may be had without unreasonable cost of transportation; all these conditions will be found combined in this farm. And should the confident expectations of the friends of the before-named railroads be realized, that point will soon be as easily accessible as any in the State.

We have not thought it within the provision of our instructions to estimate minutely the cost of fitting up this house and the premises for the immediate occupation of this Reform School, but from the little consideration we have been able to give it, we are of the opinion that fifteen thousand dollars will be all the appropriation necessary for putting it in successful operation within two months.

That it should be immediately opened, we have been the more convincingly impressed by our visit to the penitentiary, where we see boys ruined for life by their unavoidable associations, who could, if placed in the Reform School instead of the penitentiary, be saved and made ornaments to society, instead of pests, to subsequently prey upon it, leaving out of view what to many of us seems the most important, the result to them as immortal beings. In conclusion, we can not too strongly recommend the acceptance of the proposition of the Trustees of White's Manual Labor School to lease their premises to the State for the temporary opening of the Reform School.

T. W. WOOLSON,  
On the part of the Senate.  
SAMUEL McNUTT,  
J. H. BROWN,  
On the part of the House.

REPORT OF THE JOINT COMMITTEE TO VISIT THE  
STATE PENITENTIARY.*To the Twelfth General Assembly:*

The Joint Committee appointed to visit the State Penitentiary, have performed that duty and respectfully beg leave to report the result of their visitation, and offer such suggestions as their examination of the matters consulted therewith, seems to require :

## WARDEN'S ACCOUNTS.

As the Governor, at stated periods, either examines the Warden's accounts himself, or appoints some one else to do so, we did not think it our duty to attempt so great a labor. If any further examination is desired (of the necessity of which we are not advised), we would recommend it be done by a commission, as no committee of this body could devote the necessary time to it.

## CONDITION OF THE PREMISES.

We diligently inspected the premises occupied by the convicts, as well their cells as their hospital and workshops, and found them all cleanly and in good order.

## CONDITION OF THE PRISONERS.

The prisoners seemed well fed, their food wholesome and well cooked ; every thing proper for their well-being, and seemed well attended to by all concerned. So far as we could discern, excellent discipline is maintained, and the general conduct of the prisoners all that could reasonably be expected. We were particularly struck with the sanitary condition of the prisoners ; no one confined to his bed by sickness, and but one able-bodied convict so unwell as to prevent his being at work at the time of our visit ; and by the inspection of the Hospital Register this seemed about the usual state of health for the current year.

## MANAGEMENT OF THE FINANCES.

We made inquiries as far as our limited time would permit into the management of the affairs of the prison as well financially as

in other respects, and were forcibly impressed with the conviction that Mr. Heisey, the warden, has proved himself a prudent, capable and faithful officer, and that he is well seconded by his assistants in the several departments. We noticed particularly the provident acquisition by him, in those seasons when best secured, and to the best advantage of large supplies of pork, beef, potatoes, flour, &c.

#### NECESSARY IMPROVEMENTS.

Our attention was drawn of course to the wants of the institution. By reason of the small amount expended within the last two years, and the fact that no appropriation for improvements was made by the last General Assembly, none of the recommendations of the visiting committee for that year were adopted. We now call attention to such objects as appear to us of *imperative necessity only*, postponing such as are merely desirable, but which can be postponed without serious detriment to the State or to the prisoners.

#### CELL ROOM.

The present cell room is totally inadequate to the immediate wants of the prisoners, many of the cells being now occupied by two persons, which not only become injurious to discipline, but absolutely dangerous to the health of the convicts. This has only become necessary by the greatly increased numbers received since cold weather; but if it be continued after the hot season commences, it can but be productive of much sickness. When it is remembered that the cell is only three and a half feet wide, by seven long and seven high, and that all the air contained therein will be breathed over by a medium sized healthy man in forty minutes, no one can fail to admit the unreasonableness of putting another in the same close box. While with the construction of the ventilators to each cell, an enlightened person could and probably would manage so as to give a tolerable ventilation, yet it is known a convict is seldom found who will pay any attention to the subject.

We think, therefore, that in any cells subsequently built, a draft should be created by apertures from near the bottom of each cell connected by pipes with the draft of the chimney, thus continually carrying off from the cell the cold foul air from its bottom, while warm, fresh air will flow in to supply its place. Besides, we think with the best ventilation, the present cells are too narrow and should be increased in width a half foot at least.

In view of the rapid increase in the number of prisoners, and those now in charge, we recommend that an appropriation be at once made for thirty more cells. To effect this, it is necessary

that the cell or prison-building be extended to the line of the east wall of the prison-yard. This will only require the building of one side and end-wall, as the present yard-wall will constitute one side, and then a roof over the whole, completes the building. This will give room for one hundred and fifty more cells, as they may be needed, but the erection of the additional length of the building in this form will cost but little more than to build to cover the thirty additional at present needed. When this is so extended, the cells can be mostly built at the bare cost of the stone and iron, the labor being nearly all done by convicts.

The estimate we have made for this extension and additional thirty cells, allowing for the employment thereon of such convict-labor as may be available, is \$12,500. We especially recommend that one of these new cells be made a dark one, as a place of punishment, which we will hereafter advert to.

#### NEW ROOFING—PRESENT CELL-BUILDING.

In connection with the above, we recommend that the present cell-building be covered with slate, as also the extension. The roof originally covered with shingles, is old, is represented as leaky and difficult of access in case it takes fire. We estimate the cost including additional rafters and sheathing at \$2,500.

#### COOKING RANGE, AND WASH AND STORE-ROOM.

There is also much needed a new cooking apparatus, the present being badly worn, and if it were good, is not of sufficient capacity for the present number of convicts.

There is at present nothing but a shanty used as a wash and ironing-room, totally inadequate for that purpose, to say nothing of its use as a bathing-room. In the kind of life these men are subjected to, it is a necessary requisite that they, at least once a week, wash their persons, and that this regulation be rigorously enforced. To do this, the proper means must be provided. This can be done in connection with a wash and ironing-room at no considerable additional expense. Then a room for storing clothes, clothing, and other materials provided for the use of the prisoners, which is now completely lacking, can be provided by adding a second story to this wash-room. The cost of all these we estimated at three thousand dollars (\$3,000).

#### REPAIRING WALLS AND GUTTERS.

We recommend an appropriation of \$1,000 to keep the walls in repair, put in the necessary coping and building, and repairing gutters in the prison-yards, the work of much of which will be done by convict-labor, but all the materials will require cash.

These repairs should always be made promptly, as any neglect increases the cost in a geometrical ratio.

#### FURNITURE FOR WARDEN'S HOUSE.

The house for the warden is a very appropriate structure for the purpose intended, but no appropriation for furnishing it has yet been made. We recommend \$1,000 for that purpose, and that the warden furnish to the auditor, before drawing the money, bills receipted for each article, and that the auditor shall pay for such only as the census board shall determine as are proper to be owned by the State; that on the expiration of his office, the warden be required to deliver to his successor an inventory of all such furniture and turn the articles all over to him at the same time.

#### WATER-WORKS AND RESERVOIR.

During the past season the provisions for water within the prison have been wholly insufficient; the cisterns were emptied, and no adequate means existed for supplying the amount needed, except such as the contractors for the convict labor had provided for supplying their engine and works, which was a force pump bringing water from the river. This means the contractors generously permitted the warden to avail himself of, to provide water for washing, and the necessary ablutions of the men. Had a fire then occurred, indeed should one occur at any time, it would seem impossible to successfully combat it. To provide against the possible occurrence of such a calamity, is, in our judgment imperative. By a small outlay abundant means can be provided to prevent any reasonable apprehension of any extended conflagration, while in the absence of any actual need of it for that purpose, it will more than pay its way by the daily and hourly use of the supply of water thus furnished.

We, therefore, recommend the construction of a reservoir on the high land belonging to the penitentiary north of the present inclosure, about twenty feet higher than the highest roof of any of the buildings. Into this the water would be forced by a steam pump similar to that in use at the Hospital for the Insane, costing but a very small sum, and easily kept in order; the water to be taken in pipes from the river. With proper connections and hose, the water from this reservoir would force itself over any part of the prison premises, and any building could be flooded at will. While this will be as perfect a protection against fire as is possible, it will afford abundant water for all purposes, both for the use of the men and the contractors. The advantages to the latter will be such that they will be glad, and now make the offer, as we are informed by the warden, to be at all the expense of running this pump for the privilege of using so much water as they require;



thus the only expense will be the first outlay constructing the reservoir and putting in the pump and boiler. This we estimate at six thousand dollars.

#### GENERAL SUPPORT.

Heretofore an appropriation has been made at each session for general support of the prisoners in gross. Little more than one-half of the last appropriation was used by the warden. This is dependent upon the amount received from convict labor; the greater the receipts from the latter source, the less is required from the former. We think it much better that the general support shall be provided as is that of all our other institutions dependent on the monthly number of prisoners in charge. Taking the last two years as a fair average cost of feeding, clothing, &c., and we find it amounts to about eight and one-third dollars per month. Provide that the warden furnish to the Auditor a monthly statement of the number of prisoners in charge, and the number of days labor charged to the contractors, and allow the warden to draw the amount of eight and one-third dollars less the *pro rata* of the proceeds of labor. If the men were all employed and paid by the contractors, the expense would be more than paid by their labor; but they will employ only one hundred and fifty, the maximum of their contract, and all they have now to work, while the remaining number are dead weights, or employed about the necessary household duties, &c., yet still must be supported; this will always make a small deficiency to be paid out of the treasury.

This plan will meet any contingency which may arise by the men being thrown out of work, while it will protect the interests of the State.

#### SALARIES AND WAGES.

The committee paid especial attention to the salaries and wages of employes, and are confident the General Assembly will agree with us that justice has not been done to a class of worthy, faithful public servants. None of these officers or men get any portion of their family expenses or board from the State as is the case in our other charitable institutions (except the warden and deputy warden have house rent free). The warden is in some sense in his position, the representative of the State, and must exercise more or less hospitality toward such as visit the institution, especially officers going there on business, and in other ways he is subjected to increased expenses by his position; yet he receives but \$1,000 per year.

The deputy warden is on duty, so to speak, all the time, really having no leisure to attend to providing for his family (and this remark will also apply to the guards,) yet he gets but two dollars

per day, the same wages a common laborer receives for ten hours work! We might extend these remarks but must forbear. We recommend that the sums be paid monthly, at the rates following:

Warden, per month.....	\$100.00
Deputy Warden.....	75.00
Clerk.....	60.00
Chaplain.....	50.00
Surgeon.....	31.00
Night guards, each.....	50.00
Day guards, each.....	45.00
Hospital Steward.....	40.00
Turnkey.....	40.00

#### BLACKSMITH SHOP.

The contractors for the convict labor, have, with the consent of the warden, built a blacksmith shop adjoining the other shops at an expense of about \$1,500, which they ask the State to pay them for. The committee think these contractors, when they put in their bid for the labor and use of shops belonging to the prison, well knew what they were getting, and it is fair to presume that the knowledge that they would be compelled to build accommodations was one reason why they could not afford to pay as high as other contractors are paying in other States, and therefore bid the forty and one-third cents per day for each man employed. It certainly was not contemplated at the time, that the State should build additional buildings, and let the contractors have the use of them without compensation.

We think that if at the expiration of the term, the State and contractors can agree upon the value at that time, of any improvements the contractors may leave on the premises, it will then be in time for the State to pay for them.

#### ADDITIONAL LAND.

According to instructions passed both houses, we gave particular attention to the propriety of the purchase by the State of a tract of land lying between the penitentiary and the river. We find that immediately between the prison and the river there lies about seven and a half acres of land laid out into city lots. This land on the west extends into the low grounds of the valley, and then rises abruptly to a height equal to the level of the prison grounds, with a bold bluff next the river, badly cut up by gullies. It is neither desirable for cultivation nor as ground for residences.— This belongs to Mr. Phillip Miller, who declines to name any price for it except in connection with another tract of land adjoining this on the east, belonging to his son. This last lies almost exclusively in a deep ravine, with comparatively no tillable land,

and is subject to overflow in every considerable storm, by a creek running through it lengthwise, and by the river at every considerable rise thereof. On this strip stands a distillery, hog pens and other appurtenances for that business, and also three small houses, none of which will pay for their removal.

The only object apparent to us, which the State could have in buying this land, is to be able to sink a sewer, about seven hundred feet in length, from the termination of the present sewer, (from the use of which the warden is now enjoined by the owner of the land), into the river; and the only object in buying the other would be to lay water pipes across or along the street in front of it in the valley, for the purpose of supplying the reservoir, and, perhaps, affording the contractors additional storage room for their lumber. None of this could ever be available for enlarging the prison grounds without moving the warden's house and the whole cell buildings now provided, which is nearly impracticable, and we may safely say, will never be attempted.

Although a majority of the committee could see no sufficient reason why the State should buy this land, except for sewer purposes, yet we thought it our duty to ascertain the prices asked, and also the value as estimated by competent judges resident there.

The owners called on us soon after our arrival and gave us in that interview, as their lowest price, \$1,000 per acre, reserving the right to remove the distillery and appurtenances, and also one year's use of the premises before such removal. We in vain tried to get a price named for right of way for the sewer, or a separate price for that five acres. No other terms than the whole at \$12,500, with the reservations as above, were possible.

Although impressed with the uselessness of any further inquiries, we did inquire of residents there in reference to the value of the land, and from one, himself a land dealer and as well qualified to judge as any one we met, we got a valuation without the knowledge on his part of any proposition on the part of the State to buy, which put the whole tract at \$2,000. Indeed, we did not find any disinterested person who gave its value at all, who put it above \$2,500. In our opinion, the market value is not above that sum, and some of your committee thought that too high.

The right to lay the sewer and water pipes can be had on appraisal and the payment of damages, and we recommend that a law be passed providing for such proceedings in this and all other like cases.

One of the committee, J. H. Brown, is of the opinion, however, that it would be policy for the State to purchase this land if it can be procured at which he thinks it worth, not exceeding — thousand dollars.

## PUNISHMENT.

The fact that there is now no proper mode of punishment provided whereby incorrigible offenders against the rules of the prison may be made to submit, without resorting to the barbarous, debasing and brutish use of the "cat-o'-nine-tails," took your committee by surprise, and we regretted to hear that such punishment is occasionally resorted to out of sheer necessity. We shall enter into no argument to prove either that any other mode is better, or that this is not necessary. We believe it is too late in the day of civilization to raise that question; but we recommend the passage of a law prohibiting the infliction, and also providing a substitute of solitary confinement in the dark.

## LENGTH OF SENTENCE.

We also recommend that the term of sentence to the penitentiary be never less than one year. This is but half the shortest term in some States, and we believe the short term men usually go out more hardened than they enter. If one deserves the confinement at all, certainly one year's confinement is not too great an infliction. We are led to notice this subject particularly by observing the many short terms of sentences as shown by the prison register. We find persons sent from Dubuque for ten days, from Harrison, Floyd, Jones, Bremer, and various other distant counties, for thirty days, and from a very large number of counties for three months, &c., the time of many of whom would expire nearly as soon as the convict should arrive at the prison! We think it a great abuse of power, but while the power is left in the courts to name short terms, courts will be influenced to do so. It may be that in some cases a due regard to mercy and justice requires a short term. If so, the executive has the power to shorten it, and he has not yet been thought too unwilling to use the power when justice requires it.

T. W. WOOLSON,  
On the part of the Senate.  
SAMUEL McNUTT,  
JAS. H. BROWN,  
On the part of the House.

REPORT OF THE JOINT COMMITTEE TO VISIT THE  
IOWA INSANE HOSPITAL, AND ACCOMPANYING MEMORIAL.

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*To the Twelfth General Assembly of the State of Iowa :*

Your joint committee appointed to visit the Iowa Hospital for the Insane at Mount Pleasant, beg leave to submit the following :

Your committee, after a careful and minute inspection of the hospital, would report that they find the same in an entirely satisfactory condition, the various wards and apartments being models of order and cleanliness, while the patients gave evidence of the utmost attention and kindness on the part of the officers and employes, which could but be highly gratifying to every friend of suffering humanity. There are at the present time three hundred and fifty-seven patients in the hospital, of which number one hundred and eighty-nine are males, and one hundred and sixty-eight females, which is an increase of forty-nine since the report of the committee to the last General Assembly.

Where so large a number of persons of all classes, and of both sexes are collected together, exhibiting all possible phases of mental alienation, and subjected as such persons necessarily must be to a strict discipline, one would expect to hear many expressions of discontent, and to witness many acts of insubordination ; but such, happily, was not the case here. On the contrary, all classes appeared pleased to see the attendants and return the salutations of the superintendent and his assistants with much apparent satisfaction, which, to the minds of your committee, was sufficient evidence of their being governed by kindness.

The physical condition of the patients is as good as could be expected, and but little force is required in the government.

The total number of persons employed in the institution is sixty-nine, of which thirty-five are males and thirty-four females. Many of the attendants have been in the hospital for several years, and by reason of the knowledge and experience thus acquired, are much more valuable than persons of less experience and receive proportionately higher wages. The affairs of the institution are in an eminently flourishing condition, both financial and agricultural, one evidence of which may be found in the fact

that the productions of the farm for the last two years amounts to nearly \$8,000.

During the past season forty-five acres were cleared off and put in a condition fit for spring crops, the labor being nearly all performed by the patients.

Your committee examined with care the manner in which the various sums appropriated by the last General Assembly had been expended, every facility being afforded us by the superintendent to obtain all the information that we desired with the most satisfactory results, and we now desire to express our firm conviction, that the sums thus appropriated have been judiciously expended, which is in a great degree the result of the personal attention and untiring zeal of Dr. Ranney.

The reservoir, for the construction of which ten thousand dollars was appropriated, has been in use since May, 1867, and has fully met the most sanguine expectations of its originators, furnishing a constant supply of pure and wholesome water, and is likely to prove equal to the wants of the institution for many years.

For digging drains and perfecting the system of sewerage, the sum of three thousand two hundred dollars was granted, all of which has been expended in the most economical manner, and has sufficed to complete all needed improvements in this direction. At the same time that these improvements were being made, and in connection therewith, an improved system of ventilation was put into successful operation, whereby a dry, pure atmosphere is supplied to the entire building, which adds greatly to the health and comfort of the inmates.

For painting and repairing the building, two thousand six hundred and fifty dollars was appropriated. This has been expended under the immediate supervision of the superintendent, and has accomplished the purposes for which it was granted—the protection of the building and the comfort of its inmates.

The two thousand five hundred dollars designed for furniture has been expended in the purchase of such articles as were most needed, and while it has but partially supplied the want in that direction, it has done much for the comfort of a class of persons whose condition, at the best, can not be otherwise than deplorable.

Again your committee desires to express their surprise and gratification at the order and neatness which prevailed in all parts of the hospital, but more particularly in those portions of the building occupied as sleeping-apartments.

Each bed consists of a good husk mattress, over which is a hair mattress, with sheets and counterpanes of snowy whiteness that gave an impression of home comfort rarely found in public institutions.

The fifteen hundred dollars for fencing and improving grounds, and for shrubbery, has been expended in the manner contemplated, and while it has added much to the value as well as beauty of the



premises, another appropriation is needed to complete the improvements in this direction as yet but fairly begun.

The sum of eighteen hundred dollars appropriated by the last General Assembly for the purpose of introducing the "Automatic Gas Apparatus" proved so entirely insufficient that no action was taken thereon, and the building still continues to be lighted by kerosene oil lamps, which your committee consider extremely dangerous. It is impossible calmly to contemplate the results of a conflagration in an institution of that character, or to estimate the loss of life that must unavoidably attend such a catastrophe, closely confined as the inmates necessarily are, with all modes of egress barred, and all hope of aid from without cut off. In view of the necessity of a change in the method of lighting the hospital, your committee deem it their duty to call your attention to this matter at the present time, feeling confident that when it is once understood there will be no delay in making the necessary additional appropriation with which to carry out the proposed improvement.

The four thousand dollars granted, with which to replace those portions of the steam pipes most seriously damaged, has been expended for that purpose and with the exception of a small sum with which to complete the same, and to make any further repairs upon the boiler that may have become necessary since the last season, it is anticipated that the expenditures in this connection will be light for several years.

The great expense heretofore necessary for keeping the steam apparatus in repair, arose mainly from the character of the water furnished by the artesian well, it being strongly impregnated with the various sulphates, and also with free sulphuric acid, which renders it particularly destructive to the iron pipes and boilers. This difficulty has now been removed by the construction of the reservoir now in use and which will in a few years save to the State the whole amount expended in its construction, beside removing a fruitful source of disease in the patients.

Having dwelt at some length on the manner in which the various appropriations by the Eleventh General Assembly have been expended, your committee would now call your attention to their views of the expediency of the several improvements contemplated by the officers of the hospital as set forth in their reports which are now before you.

Your committee have also considered the propriety of a further appropriation for the purchase of certain lands adjoining the present hospital farm, the necessity for which is fully set forth in a memorial to the General Assembly from the trustees, and which your committee have considered of sufficient importance to present as a part of their report, together with a plat of the lands therein described.

The sum of \$3,500 is asked for, with which to supply the wards and dormitories with additional furniture, such as settees, bedsteads,



&c., which are rendered necessary to provide for the increased number of patients admitted since the last session, which is about fifty.

This sum we consider to be all needed for the purposes above specified, and recommend that the same be appropriated.

An appropriation of \$4,200 is desired, which, with the appropriation of \$1,800 made at the last session, will suffice to introduce the "automatic" gas apparatus, and your committee recommend that such appropriation be made, discretionary power being given the trustees in its expenditure, either for the establishment of "Drakes' machines" as was contemplated at the time of making their report, or to arrange with any gas company which may be formed in the city of Mount Pleasant.

Your committee could express their concurrence in that portion of the report of the superintendent relative to an appropriation of \$3,800, with which to construct ironing and store-rooms.

The principal reasons for this recommendation are, that the present ironing-room is much too small to meet the present wants of the hospital, having been constructed when it was much less extensive than at present; and, secondly, the present ironing-room is immediately over the boiler, and in summer the heat is so great, that a person can remain in the room but a short time.

This addition can be made by building the two side-walls, thus connecting the main central wing with the engine-house in its rear, and if built, will do much to secure the comfort of those patients employed in the ironing-room.

Relative to the appropriation of \$1,500 for the purpose of constructing a lodge at the main entrance to the hospital grounds, your committee desire to say, that while we fully agree with the superintendent and trustees as to the desirability of the improvement suggested by them, yet, in view of the large appropriations that seem indispensable in connection with this institution, we think it advisable to dispense with this for the present.

For fencing and improving the grounds \$2,000 would not be extravagant, in the opinion of your committee; and they therefore recommend the appropriation of that sum for such purpose.

A further amount of five hundred dollars is desired with which to purchase a cemetery lot, outside of, but contiguous to, the hospital grounds. The present burial-place is in a beautiful grove on the farm, which is very desirable as a resort for the patients during the warm seasons, but from which they are now in a great measure excluded.

In view of these facts your committee are of the opinion that the small appropriation desired for this purpose should be granted.

In order that the stock on the premises may be furnished with suitable stabling and for the protection of the wagons and other

farming implements, as well as to provide storage for the productions of the farm, and believing that a building can be so constructed as to meet all these necessities, your committee recommend that the sum of \$2,200 be appropriated with which to erect such a building.

The amount of \$1,200 which is thought to be necessary for repainting the buildings, your committee consider within the limits of strict economy, and would recommend that the same be appropriated.

Under the head of contingent-fund an appropriation of \$2,000 is recommended. Your committee consider it their duty to investigate this subject, and after careful inquiry, are of the opinion that the amount above-named should be added to the other appropriations. A large portion of this contingent-fund, it is anticipated, will be required to complete the repairs upon the steam boilers and pipes, which have given evidence of failing in some places since the appropriations of last session were applied.

The more readily to present the foregoing recommendations to your attention we will recapitulate as follows:

For furniture.....	\$3,500
For gas apparatus.....	4,250
For stove and ironing-rooms.....	3,800
For fencing and improving grounds.....	2,000
For cemetery lot.....	500
For barn.....	2,200
For painting.....	1,200
For contingencies.....	2,000

Total.....19,450

With the exception of that for an avenue lodge, which your committee considered it advisable to omit, the sums named are substantially the same as those recommended by the trustees of the hospital, and in our opinion are all required to carry on the affairs of the institution for the next two years.

We desire to call your attention to the recommendation of the superintendent and trustees relative to the purchase of a certain tract of land adjoining the present hospital-farm on the south, as also to a memorial of the trustees asking an appropriation with which to make a further purchase of certain lands adjoining on the west. We would first call your attention to that portion of the report relating to the lands lying on the south, deeming this a subject of paramount importance, by reason of circumstances at present existing.

This tract consists of thirty-seven and a half acres and is all under cultivation.

The sewers from the hospital discharge into a ravine running through this land in close proximity to the house in which the owner resides, and during a large part of the year an effluvia arises

therefrom that is extremely annoying to its inmates. Aside from any act of justice due to the owner of this land, the question of damages recoverable by suit at law should be taken into consideration, such a course being already threatened and not likely to be long delayed, unless some steps are taken to remedy existing difficulties.

After due deliberation your committee are unanimously of the opinion that the sum of twenty-five hundred dollars should be devoted to the purchase of the above mentioned land, thereby avoiding future annoyance and trouble, at the same time that the hospital is being benefited by the greater facilities furnished for agricultural purposes, the farm as at present existing being much too small.

A point upon which your committee desire to touch is that in regard to an increase of the salaries of the officers in this institution. Believing as we do that to procure the services of skillful and efficient persons for the management of institutions of the nature of this, is one of the most important steps in the pathway to success and prosperity, and, being of the opinion that talent, worth, and executive ability should be encouraged and sustained, we do therefore recommend that the salary of the Superintendent of the Iowa Hospital for the Insane be raised to two thousand dollars per annum; that of the first Assistant Physician to seven hundred, and of the second Assistant to six hundred, and that of the Matron to three hundred and fifty, these salaries all being less than those of the same officers in similar institutions in other States.

All of which is respectfully submitted.

H. C. BULIS,  
M. A. DASHIELL,  
E. MECHEM,  
*Committee.*

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## MEMORIAL.

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*To the Honorable General Assembly of the State of Iowa:*

The undersigned, Trustees of the Iowa Hospital for the Insane, would respectfully call the attention of your Honorable Body to the importance of securing additional lands, adjoining those already owned, for the use of the Hospital. The Board in their report did not ask for an appropriation sufficient to purchase all they thought desirable, lest the aggregate of appropriations asked

for might be deemed extravagant, and operate to the prejudice of those they regarded as indispensable. The sum specified—\$2500—was asked for the with a view to the purchase of a tract on the south of the present grounds, of some thirty-seven acres. There are other grounds lying very convenient on the west—a tract of eighty acres—which the undersigned believe should be procured for the purpose, if it can be done at a reasonable outlay of money.

This land is owned in separate parcels of ten and twenty acres, and is held at from one hundred dollars to two hundred and fifty dollars per acre. It is all under cultivation, and some parcels have on them valuable improvements, comprising apple-orchards and other fruit-trees, with grape-vines, etc., which would be of peculiar advantage to the institution, while the trees growing on the grounds now owned are attaining a bearing condition. The south twenty acres of the above tract has on it a good dwelling-house, a commodious barn and an orchard of bearing-trees, and is held at \$250 per acre. The other parcels have on them no buildings, but some of them have orchards of bearing-trees, etc.

The undersigned incline to the opinion, that additional ground can be purchased at better advantage now, or soon, than at any period subsequent to the next regular session of the General Assembly; and they regard such purchase as very important, if the hospital shall be enlarged so as to accommodate seventy-five or one hundred more patients.

Should the above parcel of twenty acres, having on it a dwelling house and barn, be procured, the house would be very convenient for the occupancy of the man employed to oversee the farming operations, and the barn would answer in the room of a new one, and would obviate the necessity for the appropriation asked for such purpose.

The precise figures at which one of the ten-acre parcels of the above tract can be had, have not been ascertained, and it may be that the price demanded for that, and also for another ten acres adjoining, may be judged too high, and their purchase regarded unadvisable. The cost of the whole would probably be about \$13,000 perhaps a little more or less. Sixty acres of the tract can be had for \$8,700.

The undersigned therefore respectfully ask the General Assembly to make an appropriation for the purchase of so much of the said eighty-acre tract, as may be deemed advisable.

Witness our hands, February, 1868.

M. L. EDWARDS.  
A. W. McCLURE.  
J. M. SHAFFER.  
B. CRABB.  
JNO. R. NEEDHAM.

REPORT OF THE COMMITTEE TO VISIT THE DEAF  
AND DUMB ASYLUM.

The joint committee appointed to visit and report upon the condition and management of the Deaf and Dumb Asylum at Iowa City, beg leave to submit the following report:

The very full and explicit report of the board of trustees and superintendent to the Governor, renders it unnecessary for your committee to do more than refer in general terms to the management and wants of this institution. The fact that the current expenses have been kept within the limits of the appropriation fixed by law (twenty-five dollars per quarter for each pupil), in view of the high prices that have ruled for the last two years, and the further fact that a considerable amount has been expended for clothing for the pupils furnishes very satisfactory evidence of the practice of economy on the part of the board of trustees and superintendent.

The superintendent, teachers, and matron all evince an interest and devotion in the discharge of their respective duties highly commendable and satisfactory, and their labors are apparently attended with a good degree of success in educating the unfortunate class placed under their care. The salary of the superintendent is now limited by law to seven hundred dollars, which your committee unhesitatingly recommend be raised to one thousand dollars, and that of the matron, now fixed at two hundred and fifty dollars, be raised to four hundred dollars, and that the amount of the annual appropriation for the ordinary expenses be raised from four thousand dollars, as now fixed by law, to five thousand dollars.

The buildings now used for an asylum are not the property of the State, and the lease for the same will soon expire. A new lease of the same property can, however, be obtained for such length of time as the State will probably require to erect and complete a building for the purpose. As some years must elapse before a new building can be completed, it is recommended that a new lease be obtained of the buildings now used, and that the sum of two thousand dollars be appropriated to make necessary repairs on the same. That amount is, in the opinion of your committee, required

to make such repairs as are actually necessary for convenience and comfort, or it would not be recommended in view of the probability of a new building being erected at an early day.

All of which is respectfully submitted.

L. E. FELLOWS,  
On the part of the Senate.  
C. G. TRUSDELL,  
J. T. ATKINS,  
On the part of the House.

## REPORT OF COMMITTEE TO LOCATE THE DEAF AND DUMB ASYLUM AT COUNCIL BLUFFS.

*To the General Assembly of the State of Iowa :*

Your joint committee appointed to visit the site selected for the location of the Deaf and Dumb Asylum at Council Bluffs, beg leave to report that they performed that duty during the recess of the General Assembly.

They would heartily indorse the statements of the Commissioners to locate the Asylum, as laid before you in their report with reference to the tract they have selected. They approve also of its location as to distance from the Court House in Council Bluffs, which is about two miles, and from the city limits, which is about half a mile. The tract of eighty acres which has been presented to the State by the citizens of Council Bluffs for the Asylum, is, mainly a portion of the Missouri Bottom, yet high enough to be at a good distance from any point ever known to be overflowed by the river and beyond all contingency in this respect while, on the east it rises up on the side of the bluff and embraces one of its first elevations. From that point there is one of the most delightful prospects of all that region of magnificent views. The views immediately along the Musquito creek and along the Missouri river are fine ones, but the finest of all is that which is given of Omaha and eastern Nebraska. The bluff is deemed by your committee a far better site for the Asylum buildings than the lower land, yet that portion of the eighty-acre tract is too small and too near the eastern limit of the tract to be an eminently desirable building spot. If the State can secure ten acres more immediately on the east of this bluff (and citizens of Council Bluffs offer to obtain that tract for the State and at their own expense if the General Assembly decide that the location is the preferable one) your committee would recommend it.

The General Assembly will permit us to say that the locating committee who secured the site and made the contract which has been submitted to you for your approval, seem to have discharged their duty with great fidelity and wisdom. The State was fortunate in obtaining the services of men so well qualified for this



work by good judgment, excellent business habits and, in the case of the chairman at least, intimate personal knowledge of similar institutions in other States.

Respectfully submitted,

ROBERT SMYTH,

*On the part of the Senate.*

L. F. PARKER,

P. G. WRIGHT,

*On the part of the House of Representatives.*

REPORT OF THE VISITING COMMITTEE TO THE  
BLIND ASYLUM.

*To the General Assembly of the State of Iowa:*

Your Committee appointed by a joint resolution of the General Assembly to visit the Iowa Institution for the Education of the Blind, with a view to ascertain and report the present needs of the Institution, and also the adequacy of the buildings to accommodate the blind of the State," have performed that duty, and beg leave to submit the following report:

## WANTS OF THE INSTITUTION.

We find, after careful investigation, that, to meet the wants of this unfortunate class of our fellow-citizens in the spirit of a just philanthropy which has always been the pride of the State, it will be necessary to replace much of the worn and dilapidated furniture of the building with new material, and also adding considerably to the quantity in use. In the articles of bedsteads and bedding, furniture, carpeting, library, philosophical, geographical apparatus, and musical instruments, we find a want, amounting almost to destitution, and would recommend the present General Assembly to provide for these deficiencies in a spirit of liberality worthy of this great Commonwealth.

In accordance with the recommendation of the Committee appointed by the Eleventh General Assembly to visit the Institution, the Legislature made an appropriation for heating the building with Lawson's hot-air furnace, which, upon trial, has proved entirely inadequate for the purpose of heating the building. Many apartments can not be warmed at all, and but a small portion rendered in any degree comfortable, with almost constant emissions of smoke, rendering it very unpleasant for the inmates. Believing that the same can not but prove a failure, we would recommend an appropriation for heating the entire building with steam.

The grounds belonging to the Institution are for the most part in good condition, but the fences need some repairs, and the grounds need considerable improvement by the setting out of additional trees and shrubbery, and would recommend a small appropriation for the object.

## ADEQUACY OF THE BUILDING.

By reference to the census report of 1867 there are found to be four hundred and twelve blind within the bounds of the State, which is believed to be far below the actual number. From statistics carefully gathered by Mr. Samuel Bacon, of Iowa City, himself a blind man and former Principal of the Institution, it is ascertained that there are at least two hundred who have lost their sight in the service of the country during the last war. But taking our own statistics as a correct basis, with the means of information now furnished our people in regard to the Institution, it is safe to estimate that before the meeting of the next General Assembly there will be needed more than twice the amount of room contained in the present building. When we consider the helpless condition of the blind, and that so large a portion of them made the great sacrifice in battling for the cause of liberty and human progress, we can not believe the State will neglect them.

Your Committee, therefore, recommend an enlargement of the building at the earliest practicable moment, by adding one of the wings, as designed in the original plan, and thus afford facilities for the instruction of those who may wish to avail themselves of its privileges and blessings.

## THE PRESENT BUILDING,

Which was erected under the supervision of Hosea Gray, Dr. J. C. Traer and J. W. Jones, as commissioners, cost the State the very small sum of \$40,000, and is certainly a model for cheapness and economy of construction. It was finished one story short of the original design, owing to the inadequacy of the appropriation, and was covered with pine shingles, which are in constant danger of fire from the fires. We would recommend that it be covered with fire-proof material without delay.

That the General Assembly may more readily see the amount of appropriation believed to be absolutely necessary to meet present wants, we append a bill of items marked Schedule A.

We were highly pleased with the proficiency of the students in the several departments, there being a high degree of development in the literary department, and also in the work-shops of the institution. It was in the musical department, however, that your committee witnessed the greatest development of talent and the greatest source of enjoyment and pleasure to the pupils, and would recommend a liberal appropriation for the purchase of instruments for this department.

In conclusion, we would say that we found the officers and teachers attentive, tender and considerate in the discharge of their several duties, and the management of the institution is believed to be not only good, but highly successful, and under the efficient

superintendence of General Geddes, and his worthy corps of teachers, many will be fitted, as in times past, to go forth prepared successfully for the great battle of life, and that the institution, under the fostering care of the representatives of the people, and the blessing of Divine Providence, will be the means of accomplishing all that was intended by its founders.

JOEL BROWN,

J. W. TRAER,

Committee on part of the House.

GEO. E. GRIFFITH,

Committee on the part of the Senate.

### SCHEDULE A.

#### ITEMS OF APPROPRIATION NEEDED.

Bedsteads, bedding, chairs, carpeting, &c.....	\$ 2,400
Relief maps and globes.....	200
Library (raised print).....	600
Astronomical and philosophical.....	500
Mineralogical and geological cabinet.....	200
One organ and two pianos.....	2,500
Painting, repairing, plastering, &c.....	1,000
Subdividing rooms, by partitions, &c.....	1,000
Repairing flues.....	200
Steam-heating apparatus.....	5,000
Probable expense of fire-proof roof and wing to the building.....	30,000
	\$43,600

REPORT OF THE VISITING COMMITTEE TO THE  
SOLDIERS' ORPHANS HOME, LOCATED  
AT CEDAR FALLS.

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**MR. SPEAKER:**—Your committee appointed to visit and report upon the condition of the Cedar Falls branch of the Iowa Soldiers' Orphans Home, having performed the duty assigned to them, respectfully ask leave to submit the following report:

LOCATION.

The institution is located nearly in the center of the town of Cedar Falls, which place is about seventy-five miles west from the northern, and about one hundred miles from the eastern boundary of the State, in Black Hawk county. It is quite easy of access from the east and west by means of the Dubuque and Sioux City Railroad, which passes through the town, and by means of the railroad which is now being completed northward from that point to the Minnesota line. The locality is probably as pleasant and healthful as any in the State, but a site more retired from the business of the city and upon more elevated ground, would, in the opinion of your committee, be decidedly preferable.

MANAGEMENT.

At the time of the State board of trustees, appointed by the Eleventh General Assembly, accepted control of this institution, to-wit: on June 9, 1866, it was under the superintendence of Arthur Morrison, who was retained in such position until about the 1st of October, 1866, when he was replaced by J. B. Abbott. Some two months since Mr. Abbott gave place to Mr. S. W. Cole, of Fayette county, whom your committee found diligently employed in the active duties of superintendent—ably and efficiently assisted by the following officers:

Matron—Mrs. M. H. Cole.

Physician—Dr. O. A. Goodhue.

Steward—Mr. J. J. Van Orden.

Nurse—Mrs. J. J. Van Orden.

Teacher High Department—Miss Mary Sweeney.

Intermediate Department—Miss Clara Wightman.

Primary—Miss Tillie Briggs.

Your committee take pleasure in saying that these officers seemed considerate of the welfare of all under their charge, and were uniformly active, courteous, kind, and judicious in the performance of their several duties, and the result appears to be a thorough discipline of the many children and youths—and yet a kindness and gentleness of tone and expression on the part of all, reminding one only of parental and filial care and affection of a *home in fact*.

#### INMATES.

The institution has now in its care two hundred and seventy-eight orphans of soldiers, none of whom are over seventeen years of age, and some as young as three years.

The following counties are represented, viz: Allamakee, Benton, Black Hawk, Boone, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Dallas, Delaware, Dubuque, Fayette, Floyd, Franklin, Hardin, Jackson, Jones, Linn, Marshall, Pottawattamie, Tama, Webster, Winneshek and Wright—in all twenty-six counties—the number of children of each varying from one to forty-three. On June 9, 1866, there were one hundred and eighty children at the home. Since which time there have been received two hundred and fifty. Total number received, four hundred and thirty; of this entire number, one hundred and forty have been discharged or removed by parents or guardians; five have absented themselves without leave; one has been expelled and six have died.

Of those discharged many had reached the age of sixteen years, and were believed to be able and willing to care for themselves, and one of them has been employed at the Home, and is now useful as manager of one of the wards.

#### THEIR CONDITION.

The children are very plainly but comfortably clothed. Almost all the articles of clothing are made at the Home.

Six employes are kept constantly at work in the sewing department. Each child's clothing is plainly marked—kept by itself—frequently changed—well washed and ironed.

The food is very plain, but well cooked, and undoubtedly a wholesome diet. The bill of fare is somewhat varied each day of the week,—but each day has its regular fare, a sample of which is that for Wednesday.

For breakfast: beefsteak, potatoes, bread and butter. For dinner: soup and crackers. For supper: bread, butter and molasses. Their meals are taken very regularly and with most excellent decorum, whilst at the table, and without noise and confusion in going thereto and returning therefrom.

Their rooms are thoroughly cleaned every day, and the children are bathed regularly once each week. This care of clothing and food, and cleanliness of person and apartments has a double reward in the neat, tidy and cheerful appearance of the children themselves, and in the preservation of their health.

Your committee found but one under the care of the physician, and that one was quite convalescent. Only one death has occurred since December, 1866. The younger children are required to retire at 7 o'clock, p. m.; the elder ones at 9 o'clock, p. m., and *all* rise at 5 o'clock in the morning. Chapel exercises are held morning and evening, and on the Sabbath the children attend such church service in the city as the parents or guardians may direct.

#### SCHOOLS.

Ten months of the twelve within the year are devoted to daily school instruction.

The educational system consists of a graded school, divided into three departments—Primary, Intermediate, and Higher. In the Primary Department are nearly 100 little scholars crowded into a small room certainly not more than half the size it should be. To these are taught principally reading and spelling. To the Intermediate class are taught reading, writing, spelling, and arithmetic. About 80 scholars are in the Higher Department, to whom are taught, reading, writing, geography, grammar and arithmetic. All classes are taught vocal music. Some few of the larger scholars are attending Shaw & Lansing's Commercial School, located in the city. By the liberality of the proprietors, their tuition is furnished at reduced rates, which tuition is not paid in any instance by the State, but by some kind friend of the orphans.

The schools are kept in better condition than could reasonably be expected in such small rooms as they are compelled to occupy, which are very illy furnished, and the scholars so closely together as really to be in each others way. Notwithstanding all this, your committee are of the opinion that very fair progress is being made, and that the opportunities here afforded to the orphans are such as will prepare them as men and women for the active duties of life in any intelligent community.

#### LIBRARY.

The library (if it may be called such), consists of a few more than 300 volumes which have been read and re-read. Your committee are of the opinion that nothing is better calculated to cultivate taste for profitable reading among youth than a well selected "Youths' Library," and would recommend an appropriation of three hundred dollars for that purpose.



## BUILDINGS.

The property leased and occupied by the Home, consists of the following buildings:

*First.*—An old brick hotel, three stories high, 30 by 62 feet, from the rear of which are two wooden projections, two stories, 28 by 40 feet.

*Second.*—A two-story brick building, 32 by 40 feet.

*Third.*—A cheap, wooden structure, filling the space between the other two buildings—width 20 feet.

*Fourth.*—A small wooden building, a few rods from the other buildings, in which are quartered the children of the ninth ward.

The rent for the last named building (which is \$180) your committee regarded as double its fair rental value, but no other building could at the time be procured.

The aggregate rents paid for these buildings amount to the sum of \$866 per annum. The buildings are cheaply furnished—the beds well filled with straw, are very large, filling a bunk about five feet by six feet, and in each of these four little fellows are tucked side by side.

The school rooms are not nearly so well finished or furnished as are ordinary common school-houses.

The two main buildings are quite old and dilapidated and are not well adapted to their present use. Your committee examined a forty-acre tract of land proposed to be donated to the State by the citizens—provided a suitable building be erected thereon and referred to in the report of the trustees—and found it to be located nearly one-half mile outside the city limits, and is a fine, high, undulating piece of land, an excellent site for building purposes. And believing this institution will be needed for years to come; that it has proven already and will continue to prove itself a great blessing to the indigent children of those soldiers of Iowa who have either fallen for their country, or have become unable through disease or wounds to provide bread and education for them, your committee unite with the said board of trustees in recommending an appropriation of thirty thousand dollars for the erection of suitable buildings upon the tract of land above referred to, for the use of the Orphans' Home.

## PAY OF OFFICERS AND EMPLOYEES.

The monthly pay of officers and employes is as follows:

Superintendent.....	\$66 66
Matron.....	40 00
Physician.....	21 00
Steward.....	50 00
Nurse.....	20 00
Teacher Higher Department.....	30 00

Intermediate Department.....	\$22 00
Primary.....	10 00
Two Washerwomen, \$10 each.....	20 00
Two Laundresses, \$8 and \$12 each.....	20 00
One Baker.....	50 00
One Superintendent of Kitchen.....	20 00
One Assistant.....	12 00
Two Kitchen Girls, \$8 each.....	16 00
Two Dining Room Girls, \$10 each.....	20 00
One Shoemaker.....	30 00
Nine Ward Managers, \$10 each.....	90 00
One Seamstress.....	16 00
Two Ladies Sewing with Machines, \$12 each.....	24 00
Three Ladies Sewing without Machines, \$10 each....	30 00
Aggregate per month.....	<u>\$610 66</u>

## FINANCIAL CONDITION.

The total expenses for January, 1868, were \$3,071.74, with an average of about two hundred and seventy-eight orphans, or a trifle over eleven dollars for each per month. From an examination of monthly expenditures for the year last past, your committee are of the opinion that it will be difficult to render the children comfortable and pay the employes reasonable wages for a less appropriation than ten dollars per month for each orphan.

It will be remembered that the appropriation by the State has heretofore been \$8.33 for each child per month. The insufficiency of that sum has compelled the board to appeal to the citizens for donations. Upward of \$3,000 have been donated for the Cedar Falls Home by individuals since it became a State institution. This your committee believe to be all wrong. The State should provide for the necessities of so noble a charity—not by any means with a prodigal hand, nor yet with grudging insufficiency. On the other hand the board of trustees recommend an increase of appropriation to twelve dollars per month for each orphan.

Your committee are of the opinion that, by making regular details of the larger girls to aid in the kitchen and dining-room, and also on Saturdays in the sewing-department, thereby securing to the girls a more practical knowledge of those useful arts, namely: washing dishes, cooking, and sewing, (which, in the opinion of your committee, is no disgrace to any lady of Iowa),—thereby saving the wages of three or four employes, and also (should the State provide a building of its own for this Home) the large saving of rent: that the appropriation of ten dollars per month for each orphan will, with care on the part of the officers, be quite sufficient to render comfortable the orphans of our soldiers, and also provide for them a good education.

In conclusion, your committee agree that the unsurpassed liberality, sympathy and kindness of the citizens of Cedar Falls to this large class of unfortunate children located among them, can not be too highly complimented—that the appropriations heretofore made by the State, have been well and economically expended, and that the present judicious management of this institution unites with its laudable object in commending this noble charity to the fostering care of the State.

Accompanying this report is returned a complete alphabetical list of the children and youths now at the Home—from what county—sex—and present age.

All of which is respectfully submitted.

W. G. DONNAN,  
On the part of the Senate.  
W. P. GAYLORD,  
THOS. B. KNAPP,  
On the part of the House.

#### NAMES OF ORPHANS AT THE CEDAR FALLS HOME, MARCH 3, 1863.

NO.	NAME.	COUNTY.	AGE.	
			BOYS.	GIRLS.
1.	Armstrong, Charles.....	Buchanan .....	15	
2.	Armstrong, Clara.....	Buchanan .....		11
3.	Armstrong, Frank.....	Buchanan .....	9	
4.	Allen, Lucy S.....	Jackson.....		11
5.	Allen, Sallie S.....	Jackson.....		9
6.	Barry, Mahala A.....	Black Hawk.....		11
7.	Barry, Amelia J.....	Black Hawk.....		9
8.	Barry, Emma E.....	Black Hawk.....		7
9.	Borton, Alice A.....	Clayton.....		14
10.	Borton, Eugene.....	Clayton.....	11	
11.	Brown, Adeline.....	Winneshiek.....		10
12.	Brown, Frances.....	Clayton.....		11
13.	Brown, Emma.....	Clayton.....		10
14.	Butler, Willie.....	Black Hawk.....	4	
15.	Butler, Fayette.....	Black Hawk.....	8	
16.	Barber, Anna.....	Fayette.....		14
17.	Bartholomew, Flora.....	Clayton.....		12
18.	Bartholomew, Sarah.....	Clayton.....		16
19.	Bartholomew, Barney.....	Clayton.....	9	
20.	Boyce, John A.....	Allamakee.....	10	
21.	Brown, Mary.....	Delaware.....		12
22.	Brown, Cynthia.....	Delaware.....		11
23.	Brown, Joseph.....	Delaware.....	10	

NO	NAME.	COUNTY.	BOYS. GIRLS.	
			AGE.	AGE.
24.	Brown, George.....	Delaware.....	7	
25.	Barnum, Francis A.....	Fayette.....	7	
26.	Barnum, Lucy R.....	Fayette.....		10
27.	Clark, Lorenzo.....	Pottawattamie.....	16	
28.	Christian, Charles.....	Hardin.....	4	
29.	Cox, Emma A.....	Clayton.....		8
30.	Crandell, Lorenzo.....	Buchanan.....	12	
31.	Crandell, Dewight.....	Buchanan.....	13	
32.	Crandell, Rosa.....	Buchanan.....		10
33.	Crandell, Lucius.....	Buchanan.....	8	
34.	Cox, Martha A.....	Clayton.....		6
35.	Colton, Albert.....	Boone.....	13	
36.	Colton, Milford.....	Boone.....	6	
37.	Conklin, Leonard A.....	Buchanan.....	3	
38.	Conklin, Avery S.....	Buchanan.....	8	
39.	Conklin, George M.....	Buchanan.....	10	
40.	Conklin, Alice A.....	Buchanan.....		11
41.	Conklin, Albert W.....	Buchanan.....	6	
42.	Clark, Leroy A.....	Clayton.....	12	
43.	Clark, Harmon.....	Clayton.....	10	
44.	Donelson, Lucinda.....	Clayton.....		13
45.	Donelson, Sarah.....	Clayton.....		11
46.	Donelson, Caroline.....	Clayton.....		10
47.	Dixon, James.....	Dubuque.....	8	
48.	Dixon, Julia.....	Dubuque.....		15
49.	Dixon, Hezekiah.....	Dubuque.....	10	
50.	Dixon, Carrie.....	Dubuque.....		7
51.	Dixon, George W.....	Dubuque.....	12	
52.	Dorland, Amanda.....	Fayette.....		14
53.	Eakins, Samuel.....	Marshall.....	14	
54.	Eakins, Frances R.....	Marshall.....		12
55.	Eakins, Henrietta.....	Marshall.....		9
56.	Eakins, Sarah.....	Marshall.....		8
57.	Eastman, Charles.....	Clayton.....	15	
58.	Eastman, Henry.....	Clayton.....	11	
59.	Ellsworth, Phebe Matilda.....	Allamakee.....		6
60.	Ellsworth, John C.....	Allamakee.....	10	
61.	Evans, Olive L.....	Clayton.....		9
62.	Evans, Clara.....	Clayton.....		6
63.	Evans, Frank.....	Clayton.....	11	
64.	Funchion, Andrew.....	Delaware.....	9	
65.	Funchion, Benjamin.....	Delaware.....	6	
66.	Franklin, Patience.....	Allamakee.....		14
67.	Franklin, Douglas.....	Allamakee.....	7	
68.	Franklin, Welthy.....	Allamakee.....		16
69.	Gardner, Martha.....	Fayette.....		13

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NO.	NAME.	COUNTY.	BOYS. GIRLS.	
			AGE.	AGE.
70.	Girard, Mary M.....	Dubuque.....		19
71.	Girard, Charles E.....	Dubuque.....	8	
72.	Gothard, Mary A.....	Fayette.....		17
73.	Gothard, Andrew.....	Fayette.....	14	
74.	Gothard, Louisa.....	Fayette.....		9
75.	Gallerno, McLellan.....	Black Hawk.....	6	
76.	Gallerno, Frances W.....	Black Hawk.....		14
77.	Gallerno, Rebecca.....	Black Hawk.....		13
78.	Gallerno, George W.....	Black Hawk.....	9	
79.	Garretson, Erastus M.....	Clayton.....	10	
80.	Garretson, James W.....	Clayton.....	7	
81.	Geno, Alfred R.....	Clayton.....	8	
82.	Geno, Edward L.....	Clayton.....	10	
83.	Grout, Louis E.....	Buchanan.....	9	
84.	Grout, Laura A.....	Buchanan.....		11
85.	Hodges, Sarah P.....	Jackson.....		17
86.	Hodges, Isaac B.....	Jackson.....	13	
87.	Hodges, Mortimore T.....	Jackson.....	8	
88.	Hodges, Edgar.....	Jackson.....	10	
89.	Hodges, John.....	Jackson.....	15	
90.	Harris, Mary M.....	Delaware.....		8
91.	Harris, Ella May.....	Delaware.....		6
92.	Hartman, Caroline E.....	Delaware.....		11
93.	Hartman, Clara.....	Delaware.....		8
94.	Hartman, John N.....	Delaware.....	9	
95.	Hotchkiss, Carrie F.....	Fayette.....	12	
96.	Hazaleus, August.....	Allamakee.....	12	
97.	Hazaleus, Alexander.....	Allamakee.....	11	
98.	Huffman, John.....	Chickasaw.....	9	
99.	Huffman, Eli B.....	Chickasaw.....	11	
100.	Huffman, Joseph H.....	Chickasaw.....	13	
101.	Huffman, Rachel S.....	Chickasaw.....		8
102.	Huffman, Martha.....	Chickasaw.....		5
103.	Hagerman, Lewis.....	Fayette.....	12	
104.	Hagerman, Albert A.....	Fayette.....	8	
105.	Hagerman, Margaret.....	Fayette.....		14
106.	Harper, Willie A.....	Winnesheik.....	5	
107.	Hosfelt, Mary Jane.....	Clayton.....		7
108.	Ingalls, Winowa.....	Lima.....		12
100.	Job, Carrie.....	Black Hawk.....		10
110.	Job, Isabella.....	Black Hawk.....		15
111.	Job, John W.....	Black Hawk.....	8	
112.	Jones, Maria.....	Cerro Gordo.....		14
113.	Jones, Lucy.....	Cerro Gordo.....		10
114.	Jones, James.....	Cerro Gordo.....	5	
115.	Jones, Albert.....	Cerro Gordo.....	15	

NO.	NAME.	COUNTY.	BOYS. GIRLS.	
			AGE.	AGE.
116.	Kelly, Burton.....	Black Hawk.....	9	
117.	Kelly, Byron.....	Black Hawk.....	6	
118.	Kittall, George I.....	Cerro Gordo.....	10	
119.	Kittall, Allie D.....	Cerro Gordo.....		6
120.	King, Charles.....	Allamakee.....	16	
121.	King, George.....	Allamakee.....	13	
122.	King, Addie.....	Allamakee.....		10
123.	King, Cora.....	Allamakee.....		7
124.	King, Alice.....	Allamakee.....		5
125.	Knapp, Wm. S.....	Black Hawk.....	6	
126.	Knapp, Lilhe May.....	Black Hawk.....		4
127.	Lawrence, Mary A.....	Clayton.....		10
128.	Lawrence, LaForrest.....	Clayton.....	7	
129.	Lawrence, Josephine.....	Clayton.....		15
130.	Lanfear, Ernest D.....	Buchanan.....	14	
131.	Linderman, Ernest.....	Fayette.....	14	
132.	Linderman, Walter S.....	Fayette.....	11	
133.	McComb, Clara B.....	Marshall.....		8
134.	McComb, Hattie.....	Marshall.....		10
135.	Mitchell, James E.....	Allamakee.....	7	
136.	Mitchell, Nathaniel H.....	Allamakee.....	14	
137.	Martin, Eunice.....	Clayton.....		15
138.	Martin, Maggie I.....	Clayton.....		13
139.	Martin, John C.....	Clayton.....	11	
140.	Martin, Mary A.....	Clayton.....		9
141.	Martin, Liberty G.....	Clayton.....	7	
142.	Martin, Isaac Union.....	Clayton.....	5	
143.	Mitchell, Carrie A.....	Webster.....		9
144.	Montgomery, Charles.....	Floyd.....	10	
145.	McLain, John S.....	Bremer.....	14	
146.	McLain, James.....	Bremer.....	12	
147.	Morris, Lydia J.....	Delaware.....		8
148.	Nichols, Bruce.....	Clayton.....	16	
149.	Nichols, Henry.....	Clayton.....	14	
150.	Nichols, Austin.....	Clayton.....	12	
151.	Nichols, Alonzo.....	Clayton.....	5	
152.	O'Brian, Elva A.....	Delaware.....		13
153.	O'Brian, Emily.....	Delaware.....		13
154.	O'Brian, Sarah E.....	Delaware.....		8
155.	Orr, William S.....	Black Hawk.....	9	
156.	Orr, Selina A.....	Black Hawk.....		7
157.	Pitt, Robert E.....	Clayton.....	10	
158.	Pitt, Catharine.....	Clayton.....		13
159.	Pitt, John H.....	Clayton.....	8	
160.	Pitt, William H.....	Clayton.....	17	
161.	Palmer, Mary.....	Butler.....		9

No.	NAME.	COUNTY.	BOYS. GIRLS.	
			AGE.	AGE.
162.	Pugh, John.....	Tama.....	14	
163.	Pugh, Amanda.....	Tama.....		11
164.	Pettit, Henrietta.....	Black Hawk.....		6
165.	Pettit, Frances L.....	Black Hawk.....		10
166.	Pettit, Harriet.....	Black Hawk.....		9
167.	Pettit, William.....	Black Hawk.....	12	
168.	Pettit, George James.....	Black Hawk.....	15	
169.	Pierce, Martha M.....	Franklin.....		15
170.	Pierce, Emma C.....	Franklin.....		12
171.	Pierce, Jane C.....	Franklin.....		12
172.	Post, Emily.....	Benton.....		10
173.	Perkins, Eliza S.....	Clayton.....		8
174.	Pate, Emily.....	Delaware.....		10
175.	Price, Nancy E.....	Floyd.....		13
176.	Price, Milford F.....	Floyd.....	10	
177.	Price, Wilber O.....	Floyd.....	8	
178.	Ross, Alice C.....	Clayton.....		8
179.	Ross, Elizabeth A.....	Clayton.....		11
180.	Ross, Mary J.....	Clayton.....		13
181.	Ross, Squire F.....	Clayton.....	6	
182.	Rachan, Minerva.....	Winnesheik.....		11
183.	Rachan, Sarah.....	Winnesheik.....		9
184.	Reed, Emma.....	Clayton.....		11
185.	Reed John.....	Clayton.....	9	
186.	Reed, Amelia.....	Clayton.....		7
187.	Reese, Charles A.....	Clayton.....	9	
188.	Reese, Edward S.....	Clayton.....	13	
189.	Reese, Frances.....	Clayton.....		11
190.	Stephens, Eli J.....	Delaware.....	10	
191.	Stephens, Albert W.....	Delaware.....	12	
192.	Stephens, Ephraim.....	Delaware.....	6	
193.	Stephens, Sarah A.....	Delaware.....		8
194.	Spink, Charles.....	Cerro Gordo.....	11	
195.	Spink, Sylvester E.....	Cerro Gordo.....	10	
196.	Spink, Lewis.....	Cerro Gordo.....	6	
197.	Surfus, Sophia.....	Butler.....		14
198.	Surfus, Amanda.....	Butler.....		10
199.	Surfus, Jesse E.....	Butler.....	8	
200.	Surfus, K. Baker.....	Butler.....	6	
201.	Shira, George W.....	Fayette.....	8	
202.	Shira, Angelina V.....	Fayette.....		7
203.	Shira, Mary E.....	Fayette.....		5
204.	Schoolrud, Horace M.....	Clayton.....	7	
205.	Schoolrud, Ivory J.....	Clayton.....	5	
206.	Schoolrud, Nancy E.....	Clayton.....		13
207.	Schoolrud, Cyrus E.....	Clayton.....	9	



No.	NAME.	COUNTY.	BOYS. GIRLS.	
			AGE.	AGE.
208.	Schoolrud, Savitta L.....	Clayton .....		12
209.	Stockton, Julia.....	Clayton .....		10
210.	Stockton, Martha L.....	Clayton .....		8
211.	Stoopes, Ida.....	Clayton .....		10
212.	Stoopes, Mina.....	Clayton .....		15
213.	Spaur, Jacob.....	Butler .....	8	
214.	Spaur, George B.....	Butler .....	10	
215.	Sabine, Charles.....	Dubuque.....	9	
216.	Servill, Philander.....	Clayton .....	12	
217.	Servill, Roamy.....	Clayton .....		9
218.	Shipton, George A.....	Dubuque.....	11	
219.	Shipton, Charles E.....	Dubuque.....	9	
220.	Smith, Charlotte A.....	Fayette .....		11
221.	Smith, Atlanta E.....	Fayette .....		6
222.	Thompson, Emma.....	Black Hawk.....		12
223.	Thompson, Hattie.....	Black Hawk.....		9
224.	Thompson, Jennie.....	Black Hawk.....		7
225.	Virden, Ella E.....	Black Hawk.....		16
226.	Virden, Milton A.....	Black Hawk.....	13	
227.	Virden, Charles W.....	Black Hawk.....	6	
228.	Vaughen, Edward.....	Benton.....	14	
229.	Vaughen, Chester.....	Benton.....	11	
230.	Wells, Ella.....	Black Hawk.....		15
231.	Welch, Frances J.....	Benton.....		11
232.	Welch, Albert L.....	Benton.....	8	
233.	Welch, Alonzo M.....	Benton.....	6	
234.	Welch, Mary E.....	Benton.....		10
235.	Welch, Florence J.....	Benton.....		12
236.	Welch, George W.....	Maha-ka.....	7	
237.	Welch, John J. W.....	Mahaska.....	10	
238.	Ward, Addie I.....	Franklin.....		11
239.	Ward, Jenetta B.....	Franklin.....		10
240.	Ward, Helen M.....	Franklin.....		13
241.	Ward, Annie R.....	Franklin.....		14
242.	West, Leoti L.....	Dubuque.....		16
243.	West, Mary.....	Dubuque.....		12
244.	West, Anna.....	Dubuque.....		11
245.	Wagoner, John F.....	Clayton.....	8	
246.	Wagoner, Arthur W.....	Clayton.....	6	
247.	Wagoner, Carrie.....	Clayton.....		3
248.	Wyatt, John K.....	Franklin.....	4	
249.	Walker, George K.....	Black Hawk.....	8	
250.	Walker, Frank J.....	Black Hawk.....	11	
251.	Walker, Kate E.....	Black Hawk.....		14
252.	Whipple, Edgar J.....	Clayton.....	6	
253.	Whipple, Darwin.....	Clayton.....	4	

NO.	NAME.	COUNTY.	BOYS. GIRLS.	
			AGE.	AGE.
254.	Whipple, Olive E.....	Clayton .....		9
255.	Wilt, Jane M.....	Franklin .....		11
256.	Wilt, Eve E.....	Franklin .....		9
257.	Wilt, Marcus J.....	Franklin .....	13	
258.	Waldron, Charles.....	Buchanan.....	15	
259.	Whited, Kirk .....	Wright.....	13	
260.	Whited, Rose .....	Wright.....		13
261.	Wheelock, Charles E.....	Cerro Gordo.....	6	
262.	Wood, Andrew.....	Delaware.....	6	
263.	Wood, Mary E.....	Delaware.....		14
264.	Wood, Albert. ....	Delaware.....	4	
265.	Welch, Perry L.....	Dallas.....	5	
266.	Wilson, Edwin L.....	Fayette.....	8	
267.	Wilson, Emma T.....	Fayette.....		6
268.	Wilson, Emma M.....	Clayton.....		10
269.	Wilson, Lillie E.....	Clayton.....		14
270.	Wilson, Idda M.....	Clayton.....		7

I hereby certify that the above is a correct statement of the children of the Home at Cedar Falls.

March 3, 1868.

S. W. COLE,  
*Superintendent.*

REPORT OF THE COMMITTEE TO VISIT THE  
ORPHANS' HOME AT GLENWOOD.

*To the General Assembly of the State of Iowa :*

Your Joint Committee appointed to visit the branch of the Iowa Soldiers' Orphans Home at Glenwood, in the county of Mills, in the State of Iowa, beg leave to report :

That on the 21st and 22d of February, A. D. 1868, during the recess of the General Assembly, they visited the Branch of the Iowa Soldiers' Orphans Home aforesaid.

This Home was opened in the month of November, A. D. 1866, with six soldiers' orphan children.

The whole number admitted since its commencement has been twenty-eight children, all of whom are still in the institution.

They are from the following named counties, viz. : From Dallas, two ; Fremont, three ; Marion, five ; Mills, four ; Page, five ; Woodbury, seven ; and Union two.

One of the children is fifteen years old, the others are between five and thirteen years of age.

The Home is situated about half a mile from Glenwood, on an eminence overlooking the town.

The property consists of sixteen acres of land, on which stands a frame house, about sixteen by twenty-two feet, one and a half stories high, with an addition about fourteen by twenty-four feet, one story high, used as a dining room and kitchen.

About two acres of the land is inclosed with a post and board fence, and is in a state of cultivation.

There is no cellar under any part of the house, neither is there any well, and but one small cistern.

The county of Mills donated fifteen acres of the aforesaid land, and gave one thousand dollars for the purchase of the other acre adjoining, with the Home, or house above described standing thereon.

The title to the land is perfect, it is clear from all incumbrance, and a conveyance thereof to the State will be made, as soon as the State decides to make a permanent location of the Home there.

Hon. William Hale is Superintendent of the Home, and Mrs. H. V. Marshall is the Matron.

One other woman, and the Matron are the only persons

employed and paid at this branch of the Home, and they receive each, only the sum of three dollars per week.

The girls assist in doing the house work, and the boys chop the wood.

The ladies and citizens of Glenwood in many respects, aid and assist the Home gratuitously.

From the very limited accommodations of the Home, many needy orphans have been turned away and refused admittance. More than forty applications for the immediate admission of that number of orphans, have been received, which it was impossible to accommodate for want of room, and many more are awaiting the time when a place shall be prepared for them. If suitable accommodations were provided, the mothers of more than one hundred orphan children in adjacent counties would avail themselves of it as a Home for such children in less than a year. It has been (under very forbidding circumstances,) conducted by the excellent Matron remarkably well.

The children appear clean and healthy, cheerful and happy and are comfortably and neatly clad. Their behavior is very good, above the average of children as we were assured by the people of Glenwood.

Their training and good conduct reflect credit on the Matron who is a kind, intelligent, Christian woman beloved and respected by the children as a true mother.

The children of the Home attend the schools of Glenwood as there is no school room in the institution. They also attend the Sabbath schools of the several churches of the place. Your committee visited three public schools, one Collegiate Institute, and one Young Ladies' Seminary in the town of Glenwood, at each of which some of the children of the Home are in attendance. All these schools are, doubtless, as good as the average of those of their grade, while some of them are superior. A few of the younger and smaller children are unable to attend school on account of the distance and cold weather. The Matron, however, instructs these, as also all the children of the Home.

There has been but little sickness among the children at this branch of the Home, and no deaths have occurred since its organization.

The people of Glenwood manifest a warm interest in the Home and in the children, and are very anxious to retain it among them. They are soon to furnish better educational facilities in their public schools, and the officers of the higher institutions will always be ready to make favorable terms for the instruction of the orphans.

Your committee beg leave to state that the soldiers of the western portion of the State responded to every call as promptly, were as brave, and rendered as valuable service to the country as those of any other portion; that there are many orphans of those

soldiers who ought to be cared for, too remote from either of the other Homes to be benefited by them; that a Home is needed in the western part of the State, and that the location of the branch at Glenwood is very suitable and accessible.

Your committee, therefore, respectfully but earnestly recommend that the present General Assembly make an appropriation sufficient to erect suitable and commodious buildings for at least one hundred children, with the necessary conveniences; to fence and improve the grounds; to pay a superintendent and necessary employes; and to support the children at the rate of ten dollars per month for each orphan. They would also recommend that a regular school, impossible at present, be opened soon for the younger children in the Home itself, and that the trustees be left at liberty to make such arrangements for the education of the older ones as seem best. All these representatives of our patriot dead should have the very best opportunities for a good education.

All of which is respectfully submitted,

ROBERT SMYTH,

*On the part of the Senate.*

L. F. PARKER,

P. G. WRIGHT,

*On the part of the House of Representatives.*



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