

JOURNAL

OF THE

House of Representatives

OF THE

SIXTEENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL, IN DES MOINES, IOWA, JAN. 10, 1876.

DES MOINES,
R. P. CLARKSON, STATE PRINTER,
1876.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 10, A. D., 1876. }

Pursuant to law the House of Representatives of the Sixteenth General Assembly, met at 2 o'clock P. M., and was called to order by Mr. Madden, of Polk county.

Prayer by Rev. Granger W. Smith.

On motion of Mr. Danforth, of Winneshiek county, Benj. Van Steinburg, of Jackson county, was chosen Chief Clerk, *pro tem*.

On motion of Mr. Given the roll was called by districts, and the members present presented their credentials to the Clerk, which was agreed to, and the following named members answered.

- 1st District, Lee—Wesley C. Hobbs, John Gibbons, and John N. Irwin.
- 2d District, Des Moines—John H. Gear, and William Lynch.
- 3d District, Henry—William Allen, and Jacob Kauffman.
- 4th District, Jefferson—W. L. S. Simmons.
- 5th District, Van Buren—Thomas Christy.
- 6th District, Wapello—Jacob W. Dixon, and G. A. Madson.
- 7th District, Davis—L. D. Hotchkiss.
- 8th District, Monroe—A. M. Giltner.
- 9th District, Appanoose—James B. Stuckey.
- 10th District, Lucas—Dan M. Baker.
- 11th District, Wayne—Elijah Glendenning.
- 12th District, Decatur—Stanfield P. McNeill.
- 13th District, Clarke—Jacob Proudfoot.
- 14th District, Ringgold and Union—Samuel W. McElderry.
- 15th District, Taylor—John Madden.
- 16th District, Page—Edwin B. Hoag.
- 17th District, Fremont—William M. Brooks.
- 18th District, Mills—John Y. Stone.
- 19th District, Pottawattamie—Daniel Hunt.
- 20th District, Montgomery and Adams—George A. Morse.

- 21st District, Audubon, Shelby, Adair and Cass—Milton K. Campbell.
- 22d District, Madison—J. J. Smith.
- 23d District, Warren—Samuel Irwin.
- 24th District, Marion—Green T. Clark, and John B. Elliott.
- 25th District, Mahaska—W. H. Seevers, and Hardin Tice.
- 26th District, Keokuk—B. A. Cleveland, and Sanford Harned.
- 27th District, Washington—William Said, and G. T. Auld.
- 28th District, Louisa—Robert E. Benton.
- 29th District, Muscatine—Charles C. Horton, and F. A. J. Gray.
- 30th District, Scott—Ernst Mueller, Eugene Birchard, and Joseph A. Crawford.
- 31st District, Clinton—Edward H. Thayer, John A. Young, and Henry Horstman.
- 32d District, Cedar—Robert G. Scott, and Alexander Moffit.
- 33d District, Johnson—Rush Clark, and Charles W. McCune.
- 34th District, Iowa—John L. Williams.
- 35th District, Poweshiek—Charles F. Craver.
- 36th District, Jasper—George M. Wilson, and Joel W. Deweese.
- 37th District, Polk—William G. Madden, and Josiah Given.
- 38th District, Dallas—T. C. Norris.
- 39th District, Guthrie—George J. Maris.
- 40th District, Harrison—Lemuel R. Bolter.
- 41st District, Monona, Crawford, Ida and Cherokee—George Rae.
- 42d District, Greene, Carroll, Calhoun and Sac—Orlando H. Manning.
- 43d District, Webster—Samuel Rees.
- 44th District, Boone—Levi Colvin.
- 45th District, Story—Milton Evans.
- 46th District, Hardin—John Hall.
- 47th District, Marshall—William D. Mills.
- 48th District, Grundy—James Underwood.
- 49th District, Tama—Gamaliel Jaqua.
- 50th District, Black Hawk—Herman C. Hemenway, and Harlan P. Homer.
- 51st District, Benton—E. Smyth Johnson, and John McCartney.
- 52d District, Buchanan—John Calvin.
- 53d District, Linn—Moses C. Jordan, and William Ure.
- 54th District, Jones—William T. Shaw, and George W. Lathrop.
- 55th District, Jackson—Lewis W. Stuart, and William H. Reed.
- 56th District, Dubuque—Thomas W. Johnston, Theophilus Crawford, and Julius K. Graves.
- 57th District, Delaware—Joseph Chapman.
- 58th District, Clayton—Charles Mentzel, and Thos. D. White.
- 59th District, Fayette—William E. Fuller.
- 60th District, Allamakee—Luther Brown.
- 61st District, Winneshiek—Warren Danforth, and Martin N. Johnson.
- 62d District, Bremer—Louis Case.
- 63d District, Chickasaw—John McHugh.
- 64th District, Howard—H. T. Reed.
- 65th District, Mitchell—Jesse P. Brush.

66th District, Floyd—Jared B. Shepardson.

67th District, Butler—John Palmer.

68th District, Franklin and Cerro Gordo—Lorenzo D. Lane.

69th District, Worth, Winnebago, Kossuth and Hancock—Henry H. Bush.

70th District, Humboldt, Hamilton and Wright—John L. Morse.

71st District, Pocahontas, Buena Vista, Palo Alto and Emmet—Gifford S. Robinson.

72d District, Clay, Dickinson, Osceola and O'Brien—John F. Glover.

73d District, Woodbury, Plymouth, Sioux and Lyon—Samuel B. Gilliland.

On motion of Mr. McNeil, of Decatur county, Hon. Lemuel Bolter of Harrison county, was chosen Speaker *pro tem.*, and Messrs. Gear, and Dixon, were appointed a committee to conduct him to the chair.

RESOLUTION.

Mr. Gilliland offered the following resolution which was adopted :

Resolved, That Messrs. Dixon of Wapello county, Wilson of Jasper county, Irwin of Lee county, Case of Bremer county, and Horton of Muscatine county, be and are hereby appointed a Committee on Credentials, with instructions to report to-morrow morning immediately after the reading of the journal.

On motion of Mr. Stewart of Jackson county, the following messengers were appointed by the Speaker *pro tem.* :

Charles Schramm, and Joseph B. Dabney.

At 2 o'clock and 30 minutes, on motion of Mr. Irwin of Lee, the House adjourned until 10 o'clock to-morrow morning.

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HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 11, 1876. }

House called to order by the Speaker *pro tem.*

Prayer by the Rev. W. W. King.

Journal of yesterday read and approved.

REPORT OF THE COMMITTEE ON CREDENTIALS.

Mr. Dixon, from the Committee on Credentials submitted the following report :

The Committee on Credentials find that the following named gentlemen are entitled to seats as members of this House from the several representative districts, as follows:

1st District, Lee—Wesley C. Hobbs, John Gibbons, and John N. Irwin.

- 2d District, Des Moines—John H. Gear, and William Lynch.
3d District, Henry—William Allen, and Jacob Kauffman.
4th District, Jefferson—W. L. S. Simmons.
5th District, Van Buren—Thomas Christy.
6th District, Wapello—Jacob W. Dixon, and G. A. Madson.
7th District, Davis—L. D. Hotchkiss.
8th District, Monroe—A. M. Giltner.
9th District, Appanoose—James B. Stuckey.
10th District, Lucas—Dan M. Baker.
11th District, Wayne—Elijah Glendenning.
12th District, Decatur—Stanfield P. McNeill.
13th District, Clarke—Jacob Proudfoot.
14th District, Ringgold and Union—Samuel W. McElderry.
15th District, Taylor—John Madden.
16th District, Page—Edwin B. Hoag.
17th District, Fremont—William M. Brooks.
18th District, Mills—John Y. Stone.
19th District, Pottawattamie—Daniel Hunt.
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27th District, Washington—William Said, and G. T. Auld.
28th District, Louisa—Robert E. Benton.
29th District, Muscatine—Charles C. Horton, and F. A. J. Gray.
30th District, Scott—Ernst Mueller, Eugene Birchard, and Joseph A. Crawford.
31st District, Clinton—Edward H. Thayer, John A. Young, and Henry Horstman.
32d District, Cedar—Robert G. Scott, and Alexander Moffitt.
33d District, Johnson—Rush Clark, and Charles W. McCune.
34th District, Iowa—John L. Williams.
35th District, Poweshiek—Charles F. Craver.
36th District, Jasper—George M. Wilson, and Joel W. Deweese.
37th District, Polk—William G. Madden, and Josiah Given.
38th District, Dallas—T. C. Norris.
39th District, Guthrie—George J. Maris.
40th District, Harrison—Lemuel R. Bolter.
41st District, Monona, Crawford, Ida, and Cherokee—George Rae.
42d District, Greene, Carroll, Calhoun and Sac—Orlando H. Manning.
43d District, Webster—Samuel Rees.
44th District, Boone—Levi Colvin.
45th District, Story—Milton Evans.
46th District, Hardin—John Hall.
47th District, Marshall—William D. Mills.
48th District, Grundy—James Underwood.
49th District, Tama—Gamaliel Jaqua.

- 50th District, Black Hawk—Herman C. Hemenway and Harlan P. Homer.
- 51st District, Benton—E. Smyth Johnson and John McCartney.
- 52d District, Buchanan—John Calvin.
- 53d District, Linn—Moses C. Jordan and William Ure.
- 54th District, Jones—William T. Shaw, and George W. Lathrop.
- 55th District, Jackson—Lewis W. Stuart and Wm. H. Reed.
- 56th District, Dubuque—Thomas W. Johnston, Theophilus Crawford and Julius K. Graves.
- 57th District, Delaware—Joseph Chapman.
- 58th District, Clayton—Charles Mentzel and Thomas D. White.
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- 61st District, Winneshiek—Warren Danforth and Martin N. Johnson.
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- 67th District, Butler—John Palmer.
- 68th District, Franklin and Cerro Gordo—Lorenzo D. Lane.
- 69th District, Worth, Winnebago, Kossuth, and Hancock—Henry H. Bush.
- 70th District, Humboldt, Hamilton, and Wright—John L. Morse.
- 71st District, Pocahontas, Buena Vista, Palo Alto, and Emmet—Gifford S. Robinson.
- 72d District, Clay, Dickinson, Osceola, and O'Brien—John F. Glover.
- 73d District, Woodbury, Plymouth, Sioux, and Lyon—Samuel B. Gilliland.

J. W. DIXON, *Chairman.*

On motion of Mr. Stewart, the report of the committee was adopted.

On motion of Mr. Clark of Johnson county, Mr. Seevers of Mahaska county, administered the oath of office to the Speaker *pro tem.*

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

On motion of Mr. Smith, E. P. Rose was chosen Temporary Door-Keeper.

RESOLUTION.

Mr. Reed of Howard, 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 offices are named in the proceedings of the Fifteenth General Assembly.

The House then proceeded to the election of Speaker.

Mr. Graves nominated Hon. John H. Gear of Des Moines county.

Mr. Burchard nominated Mr. E. H. Thayer of Clinton county.

Whole number of votes cast.....	100
Mr. Gear received.....	70
Mr. Thayer received.....	30

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

On motion of Mr. Wilson, Messrs. Stone and Thayer conducted the Speaker to the chair.

The Door-Keeper announced a committee from the Senate, who reported that the Senate was organized and ready to proceed to business.

The House then proceeded to the election of Chief Clerk.

Mr. Glover of Osceola, nominated J. W. Logan of Black Hawk county.

Mr. Johnston of Dubuque, nominated Mr. P. F. Brown.

Whole number of votes cast.....	100
Mr. Logan received.....	70
Mr. Brown received.....	30

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

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

Mr. McElderry of Union, nominated Benj. Van Steinburg of Jackson county.

Mr. Baker of Lucas, nominated J. Strubrurauch of Marion county.

Whole number of votes cast.....	96
Mr. Van Steinburg received.....	75
Mr. Strubrurauch received.....	21

Mr. Van Steinburg having received a majority of all the votes cast was declared elected First Assistant Clerk.

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

Mr. Smith of Madison, nominated Jno. J. Flynn of Adair county.

Mr. Stuart of Jackson, nominated D. C. Mishler of Jackson county.

Whole number of votes cast.....	99
Mr. Flynn received.....	73
Mr. Mishler received.....	26

Mr. Flynn having received a majority of all the votes cast was declared elected Second Assistant Clerk.

The House then proceeded to the election of Enrolling Clerk.

Mr. Fuller of Fayette county, nominated Mrs. Laura A. Berry of Story county.

Whole number of votes cast.....	89
Mrs. Laura A. Berry received.....	88

Mrs. Berry was declared elected Enrolling Clerk.

The House then proceeded to the election of Engrossing Clerk.

Mr. Horton of Muscatine, nominated Miss Lucy D. Evans of Muscatine county.

Mr. Bolton of Harrison county, nominated Mr. Wm. Cadwell of Harrison county.

Whole number of votes cast.....	97
Miss Evans received.....	78
Mr. Cadwell.....	19

Miss Evans having received a majority of all the votes cast was declared elected Engrossing Clerk.

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

Mr. Rae of Crawford, nominated Sidney Burlingame of Crawford county.

Whole number of votes cast.....	93
Mr. Burlingame received.....	93

Mr. Burlingame was declared elected Sergeant-at-Arms.

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

Mr. Wilson of Jasper county, nominated D. B. Rose of Warren county.

The following was the result of the ballot:

Whole number of votes cast.....	95
D. B. Rose received.....	95

D. B. Rose having received a majority of all the votes cast was declared duly elected Door-Keeper.

The House then proceeded to the election of Postmaster.

Mr. Clark of Johnson county, nominated Miss Mary N. Johnson of Winneshiek county.

The following is the result of the ballot:

Whole number of votes cast.....	94
Miss Mary N. Johnson received.....	94

Miss Mary N. Johnson having received a majority of all the votes cast, was declared duly elected Postmaster.

Mr. Danforth of Winneshiek county, moved that a committee consisting of Messrs. Graves of Dubuque, and Reed of Jackson be appointed to inform the Governor, that the House is now ready to receive any communication that he may desire to transmit. Which motion carried.

The House then proceeded to the election of Assistant Postmaster.

Mr. Fuller of Fayette county, nominated Miss Anna P. Smith of Van Buren county.

W. H. Fleming, private secretary, appeared and announced a message from his Excellency, the Governor, which was received and placed on file.

The following was the result of the ballot :

Whole number of votes cast.....	96
Miss Anna P. Smith received.....	96

Miss Anna P. Smith having received a majority of all the votes cast, was declared duly elected Assistant Postmaster.

The House then proceeded to the election of Mail Carrier.

Mr. Shaw of Jones county, nominated J. D. McGarra of Jasper county.

Mr. Given of Polk, nominated James Crystal of Polk county.

Mr. McCartney of Benton county, nominated E. H. Steadman of Benton county .

Mr. Reed of Howard, moved the appointment of two tellers. Motion carried, and the Speaker appointed Messrs. Reed of Howard, and Bolter of Harrison, tellers.

The following was the result of the ballot :

Whole number of votes cast.....	87
J. D McGarra received.....	37
James Crystal received.....	18
E. H. Steadman received.....	31
J. C. Mason received.....	1

There being no choice, the Speaker announced a second ballot.

Mr. Dixon moved that the House adjourn till two o'clock P. M. The motion prevailed, and the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

The question recurring upon the election of mail carrier, the chair appointed Messrs. Horton of Muscatine county, and Dixon, of Wapello county, tellers.

Mr. Brown of Allamakee, moved that the vote be taken between the two highest on the last ballot.

The motion did not prevail.

Whereupon a vote was taken with the following result:

Whole number of votes cast.....	88
E. H. Steadman received.....	56
J. D. McGarra received.....	28
Jas. Crystal received.....	4

Mr. Steadman having received a majority of all the votes cast was declared duly elected mail carrier.

RESOLUTIONS.

Mr. Fuller, of Fayette, offered the following resolution:

Resolved, That the Speaker of the House appoint janitor, assistant janitor, four paper folders and as many messengers as may be necessary, not to exceed six in number.

Mr. Clark of Marion, moved to strike out four, in the number of paper folders and insert one.

Motion did not prevail.

Mr. Birchard, of Scott, moved to strike out four and insert two, which amendment prevailed.

And the resolution as amended was adopted.

The following resolution was offered by Mr. Williams and adopted:

WHEREAS, There is no law authorizing the Secretary of State to furnish the members of the Sixteenth General Assembly of the State of Iowa with the Code and Session Laws of said State, and

WHEREAS, There is a large amount of the same in the secretary's office: therefore be it

Resolved by the House of Representatives of the State of Iowa, That the Secretary of State be authorized and empowered to furnish, each member of said House with the Code of Iowa and the Session Laws of the Fifteenth General Assembly.

Mr. Case offered the following resolution which was adopted:

Resolved, That a committee of five be appointed by the Speaker for the examination and revision of the rules of this House, and also, to examine and revise the Standing Committees, and to report what further committees, if any, are necessary.

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

Resolved, That a committee of the usual number be appointed on the part of the House to confer with a similar committee on the part of the Senate to determine and report upon selections of Postmasters to act conjointly for the two Houses.

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

WHEREAS, There is no law authorizing the Secretary of State to sell stationery; and,

WHEREAS, There is a sufficient amount in the office of the Secretary of State which should be sold; therefore,

Be it resolved by the House of Representatives, That the Secretary be authorized to sell to the members of the House of Representatives any stationery now in his office, at the same price paid by the State, and that the proceeds of such sales be paid into the State treasury.

Mr. Gilliland of Plymouth, offered the following resolution, which was adopted:

Resolved, That a committee of five be appointed to estimate the amount of mileage due to each member, and report the same to this House.

Mr. Bush of Hancock offered the following resolution, which was adopted:

Resolved, That a committee of three, consisting of Given of Polk,

Cleveland of Keokuk, and Dixon of Wapello, be appointed to ascertain the advisability of procuring the Opera House in which to hold inauguration ceremonies, and to report thereon on the opening of the House to-morrow, and that the Senate be requested to appoint a committee for like purposes.

Mr. Seevers of Mahaska, offered the following concurrent resolution, which was adopted:

Resolved by the House, the Senate concurring, That the House will meet the Senate in this hall in joint convention, for the purpose of canvassing the vote for Governor and Lieut. Governor, on Wednesday, January 12, at 10:30 A. M.

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

Resolved, That the rules of the House of Representatives of the Fifteenth General Assembly be adopted as the rules of this House until otherwise ordered.

On motion of Mr. Danforth, of Winneshiek county, the mail carrier be sworn in. E. H. Steadman came forward and was sworn in by the Speaker.

The Speaker appointed Messrs. Gilliland, Thayer, Danforth, Bolter, and Morse of Wright, committee on mileage.

On motion of Mr. Danforth, the House adjourned until 10 o'clock A. M., Wednesday, January 12, 1876.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 12th, A. D. 1876. }

House met pursuant to adjournment, speaker in the chair.

Prayer by Rev. J. R. Murphy.

Mr. Horton, of Muscatine, moved the appointment of a committee of two to wait upon the Senate and inform that body that the House was organized, and ready to proceed to business.

The speaker appointed Messrs. Horton and Lynch said committee.

On motion of Mr. Wilson, of Jasper, 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 resolutions, in which the concurrence of the House is asked:

Resolved by the Senate, the House concurring, That J. D. McGarraugh be elected mail carrier by the Sixteenth General Assembly.

Resolved by the Senate, the House concurring, That Miss Annie P. Smith be elected postmaster, and Mrs. A. E. Baker be elected assistant postmaster of the Sixteenth General Assembly.

J. A. T. HULL, *Secretary.*

RESOLUTIONS.

Mr. Gibbons offered the following resolutions, which were referred to the committee on constitutional amendments, on motion of Mr. Danforth:

Be it Resolved by the General Assembly of the State of Iowa, That the following amendments to the constitution of the State of Iowa be and hereby are proposed:

1st. That no public funds, moneys, or revenues whatever, shall ever be appropriated or used in the establishment, support, or maintenance of any school, seminary, college, or other institution of learning or charity, unless the same shall have been established by the laws of the State of Iowa, and under its control; nor shall any institution established, supported, and maintained at the public expense be under the control of any religious denomination; nor shall sectarianism, atheism, or infidelity be ever taught therein.

2d. The General Assembly shall enact such laws as shall or may be necessary to carry out and enforce the provisions of the foregoing sections.

Resolved, further, That these resolutions proposing to amend the constitution of the State of Iowa are hereby referred to the General Assembly to be chosen at the general election of 1877, and the secretary of state shall cause the same to be published for three months previous to the time of said election in one newspaper in each congressional district.

Mr. McCartney, of Benton, offered the following resolution, which was adopted:

Resolved, That a committee be appointed to confer with a committee from the Senate to select a mail carrier for the use of both houses.

Mr. Horton, from the committee appointed to wait upon the Senate, reported that they had performed that duty, and the committee was discharged.

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 relative to joint convention at 10:30 this A. M.

J. A. T. HULL, *Secretary.*

COMMITTEE REPORT.

Mr. Given, of Polk, from the Committee on Inauguration Ceremonies submitted the following report:

Your committee appointed to ascertain the advisability of procuring the Opera House for the purpose of holding the Inaugural Ceremonies respectfully report, that the Opera House is in good order, well adapted to the contemplated use; has a seating capacity for twelve hundred

persons, and can be had, heated and in order for the occasion at fifty dollars.

JOSIAH GIVEN,
B. A. CLEVELAND,
J. W. DIXON. ' 1

The report was adopted and passed on file.

RESOLUTIONS.

Mr. McHugh offered the following resolution:

WHEREAS, Numerous federal office holders drawing pay from the government are now in this city, importuning for, and urging the claims of individuals for the position of United States Senator, and

WHEREAS, This is the exercise of federal power in an objectionable and irresponsible form, with a tendency to trammel the free choice of the people of this State:

Therefore be it resolved, That this House enter its protest against this uncalled for exercise of influence by this class of officials.

Mr. Clark of Johnson, moved to lay the resolution on the table.

Mr. Reed of Jackson, demanded the yeas and nays which were as follows:

The yeas were:

Messrs. Benton, Bush, Calvin, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Deweese, Dixon, Gilliland, Given, Glover, Hall, Hemenway, Homer, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Kauffman, Lane, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madson, Maris, Mills, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Smith, Stone, Stuart, Underwood, Ure, Wilson, and Mr. Speaker—50.

The nays were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brooks, Brown, Brush, Campbell, Case, Christy, Clark of Marion, Crawford of Dubuque, Crawford, of Scott, Danforth, Elliott, Evans, Fuller, Gibbons, Giltner, Glendenning, Graves, Gray, Harned, Hoag, Hobbs, Horstman, Hotchkiss, Hunt, Johnson of Winneshiek, Johnston of Dubuque, Lathrop, Lynch, McHugh, Madden of Taylor, Mentzel, Morse of Wright, Mueller, Rees, Shaw, Shepardson, Simmons, Stuckey, Thayer, Tice, White, Williams, and Young—48.

Absent or not voting:

Messrs. Manning of Carroll, and Reed of Howard—2.

So the motion to lay on the table prevailed.

The Speaker announced the following committee on Rules:

Messrs. Case, Stone, Reed of Jackson, Graves, and Bolter.

RESOLUTION.

Mr. Irwin of Lee, offered the following resolution:

Resolved, that the Speaker be and is hereby instructed to appoint an Assistant Sergeant-at-arms, also, an assistant Doorkeeper for this term of the General Assembly.

Mr. Clark of Marion, moved that the resolution be indefinitely postponed.

The motion prevailed.

On motion of Mr. Danforth, the communication from the Governor was referred to its respective committees.

Mr. Smith of Madison, moved that the House take a recess of five minutes to prepare the House for the joint convention, which motion prevailed.

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

Mr. Reed of Jackson, moved that the members take seats on the right of the hall, vacating the left for the use of the honorable Senate.

Mr. McElderry of Union, moved the appointment of a committee of two to inform the Senate that the House was ready to receive them in joint convention, for the purpose of canvassing the vote for Governor and Lieutenant Governor.

Motion prevailed, and chair appointed Mr. McElderry of Union, and Lynch of Des Moines county, such committee.

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

JOINT CONVENTION.

Lieutenant Governor Dysart, then announced the object of the joint convention and appointed Senator Ruple of Iowa, teller, on part of the Senate.

Mr. Speaker, appointed Mr. Case of Bremer, teller, on part of the House.

On motion of Senator Clark of Johnson county, the convention proceeded to canvass the votes for Governor and Lieutenant Governor.

At 12 o'clock, on motion of Mr. Dixon of Wapello, the joint convention adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

Joint Convention called to order by the President, Lieutenant Governor Dysart.

Senator Harmon, of Buchanan county, moved that the vote of Buchanan county be changed to correspond with the certificate of the county auditor.

Motion prevailed.

The President then announced the following as the result of the canvass:

FOR GOVERNOR.

Whole number of votes cast	218,912
Of which S. J. Kirkwood had	124,801
Of which Shepherd Leffler had	93,270
Scattering	841

FOR LIEUTENANT GOVERNOR.

Whole number of votes cast	218,992
Of which Joshua G. Newbold had ..	125,717
Of which Emmett B. Woodward had	92,844
Scattering	431

And declared Samuel J. Kirkwood elected Governor, and Joshua G. Newbold elected Lieutenant Governor of the State of Iowa for the term of two years from the second Monday in January, A. D. 1876, and until their successors are elected and qualified, and the following certificates were signed in presence of the joint convention:

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 12th, 1876. }

This is to 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. 1875, for the office of Governor of the State of Iowa, it appeared that Samuel J. Kirkwood received a majority of all the votes cast at said election, for said office, and 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 12th day of January, A. D. 1876.

JOSEPH DYSART,

President of the Senate and President of the Joint Convention.

JOHN H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. N. W. RUMPLE, *Teller of the Senate.*

LOUIS CASE, *Teller of the House.*

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 12th, 1876. }

This is to 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. 1875, for the office of Lieutenant Governor of the State of Iowa, it appeared that Joshua G. Newbold 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 12th day of January, A. D. 1876.

JOSEPH DYSART,
President of the Senate and President of the Joint Convention.
 JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. N. W. RUMPLE, *Teller of the Senate.*

LOUIS CASE, *Teller of the House.*

RESOLUTIONS.

Mr. Clark of Johnson, offered the following resolution :

Resolved, That a committee of five, Messrs. Wright and McCormack on the part of the Senate, and Messrs. Deweese, Rees, and Johnson of Benton, on the part of the House, be appointed a committee to wait upon the Governor and Lieutenant-Governor elect, to notify them of their elections, and report to their respective Houses the pleasure of said officers elect as to time of inauguration. Resolution adopted.

Mr. Stewart of Jackson, moved that the joint convention do now dissolve. Which motion prevailed, and the Senators returned to their chamber.

Mr. McCleddy of Union, offered the following resolution :

Resolved, That a committee of three be appointed to act in concert with such committee as the Senate may select, to make arrangements for the inauguration of the Governor and Lieutenant-Governor.

Mr. Bush of Hancock, offered the following resolution as a substitute :

Be it Resolved by the House, the Senate concurring: That a committee of three from the House and three from the Senate be appointed, on inauguration of the Governor elect, "and that said committee be instructed to secure the use of the Opera House for holding Inauguration Ceremonies," and to make such other arrangements connected therewith as the committee may deem necessary; which substitute was adopted.

The Speaker appointed under the resolution, T. Hoops, janitor; A. Virden, assistant janitor; Joseph Hayden, and Delise Baker, paper folders; James M. Ball, Charles Schramm, Frank Dixon, Valentine Mendel, Ed. Stuart, and Wilson Resse, messenger boys.

Mr. Wilson of Jasper, offered the following joint resolution, which was referred to the Committee on Constitutional Amendments.

Be it Resolved by the General Assembly of the State of Iowa, That the following amendment be proposed to the Constitution of the State of Iowa, that is to say—strike out section three of article three, under the head of "Legislative Department," and the adoption of the following in lieu thereof:

SEC. 3. The elections in this State shall be held at such time as the General Assembly may prescribe, and the term of office of the members of the House of Representatives shall commence at such time as may be prescribed by law.

2d. That the foregoing be referred to the next General Assembly,

and the same shall be published for three months previous to the election of the members of such General Assembly in some newspaper of general circulation published at the seat of government, the same to be designated by the Secretary of State.

By leave, Mr. Brooks introduced H. F. No. 1, A bill for an act to enlarge the powers of school directors and increase the efficiency of the public schools.

Read first and second time, and laid on the table and ordered printed.

Mr. Deweese, from the committee appointed to wait upon the Governor and Lieutenant Governor elect and notify them of their election, and ascertain at what hour it would suit them to be inaugurated, reported that the committee had discharged that duty and the officers elect had designated two o'clock as the hour most convenient for the ceremony of inauguration.

SENATE MESSAGE.

Mr. Wilson of Jasper, moved to take up Senate messages, which was agreed to.

The concurrent resolution relating to election of mail carrier was taken up, and on motion of Mr. Reed of Jackson, the House refused to concur.

Concurrent resolution relating to Postmaster and Assistant Postmaster, was taken up and on motion of Mr. Clark of Johnson, the House refused to concur.

The Speaker appointed on part of the House, committee on conference with Senate on Mail Carrier, Mr. McCartney, Shaw, and Johnston of Dubuque.

RESOLUTION.

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

Resolved by the House, the Senate concurring: That the Secretary of State be directed to have five hundred copies of the rules of this House printed, together with the joint rules, and the rules of the Senate, and that he cause to be attached thereto, a list of the members and officers of this General Assembly, substantially in the same manner as those furnished for the Fifteenth General Assembly.

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 House resolution, relative to inauguration, with the following amendments: Insert the words "and the Lieutenant Governor" after the word "Governor."

J. A. T. HULL, *Secretary.*

Mr. Reed of Jackson, moved to take up Senate message, and that House concur in amendment of Senate.

Motion prevailed.

The Speaker announced Committee on Inauguration Ceremonies, Messrs. Bush, Given, and Crawford of Scott.

Mr. Madden of Polk, moved that the House adjourn, which motion prevailed, and the House adjourned at 4 o'clock and five minutes.

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HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 13, 1876. }

House met pursuant to adjournment, speaker in the chair.

Prayer by Rev. Charles F. Williams.

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 refuses to recede from its action relative to the election of Postmaster, Assistant Postmaster and mail carrier of this general assembly, and has appointed Senators Campbell, Wright and Murphy as a committee of conference on the part of the Senate on the disagreement of the two Houses, and ask the appointment of a like committee on the part of the House.

I am further directed to request the House to return to the Senate the concurrent resolution relative to the inauguration of the Governor and Lieut. Governor elect, the Senate having re-considered its action thereon.

Also, that the Senate has adopted the following resolution, in which the concurrence of the House is asked:

Resolution relative to appointment of a joint committee to inquire into the cost of phonographic reports of the proceedings of the Sixteenth General Assembly.

Resolution herewith transmitted.

J. A. T. HULL, *Secretary.*

Message from the Governor relative to pardons and remissions was received and passed on file.

Mr. Clark of Johnson asked unanimous consent to take up Senate message in relation to inauguration of Governor and Lt. Governor, which was granted.

Mr. Clark of Johnson moved to reconsider the vote on House resolution in regard to inauguration ceremonies.

The motion prevailed.

On motion of Mr. Clark of Johnson, the resolution was returned to the Senate.

The Speaker announced committee on conference on postmaster, with a similar committee on the part of the Senate, Messrs. Clark of Johnson, Crawford of Dubuque, and Fuller of Fayette.

By leave, Mr. Glover introduced H. F. No. 2, A bill for an act to amend chapter 9, of the Public Laws of the Fifteenth General Assembly.

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

RESOLUTIONS.

Mr. Giltner of Monroe, offered the following resolution which was referred to the Committee on Constitutional Amendments.

To the Senate and House of Representatives of the United States:

WHEREAS, United States Senators are elected by the Legislatures of the different States, and believing that to elect by the people would be more in accordance with the spirit of our institutions,

Be it resolved by the General Assembly of the State of Iowa: That our members in Congress be requested to use their best endeavors to so amend the Constitution that United States Senators shall be elected by the people.

Mr. Brown offered the following resolution:

Be it resolved by the General Assembly of the State of Iowa: That our present jury system in requiring a unanimous agreement of the jury in order to reach a verdict is contrary to the spirit of a republican form of government, whose boast is that the majority shall rule.

Be it resolved further, That in the opinion of this House that system which permits the will of one man to thwart and set at defiance the will of eleven is unjust, arbitrary and opposed to all the dictates of reason; constantly thwarting the ends of justice and provoking needless and expensive litigation, and

WHEREAS, Our outgoing Governor, in his message now before us, has called our attention to the absurdities of our present jury system in requiring unanimity in reaching a verdict, and recommending a change therein:

Therefore be it resolved, That the sense of this House is in favor of a change, empowering the majority of the jury to render a verdict in all the district, circuit, and justice courts of the State.

On motion of Mr. Given, the resolution was referred to the Judiciary Committee.

Mr. Reed of Howard, moved to proceed to the election of Speaker *pro tem*, which motion did not prevail.

PETITIONS.

Mr. McHugh, presented a petition from the board of supervisors of Chickasaw county, asking for a change in the criminal statutes of the State, so as to lessen the expenses of counties.

Referred to Judiciary Committee.

Mr. Clark of Johnson, moved that when this House adjourn, it do adjourn till Monday, January 17th, at 10 o'clock A. M.

Mr. Graves moved to amend by striking out Monday and inserting Tuesday, 10 o'clock.

Mr. Tice moved to amend the amendment by striking out Tuesday and insert Monday, 2 o'clock P. M.

The amendment to the amendment was lost, and amendment lost, and on motion of Mr. Gilliland, the motion was 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 passed House resolution relative to inauguration with the following amendment: Strike out all relative to Opera House.

In which amendment the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

Mr. Bush moved to take up House message.

The motion prevailed.

Mr. Bush moved that the House do not concur in amendment of Senate.

The motion prevailed.

RESOLUTIONS.

Mr. Hobbs of Lee, offered the following resolution:

Resolved by the House of Representatives, the Senate concurring, That the House and Senate meet in joint convention at 12 o'clock m., to-day for the purpose of inaugurating the Governor and Lieutenant Governor, and shall then adjourn to Moore's Opera House for that purpose, after which the joint convention shall return to the hall of Representatives to be dissolved.

Mr. Reed of Jackson, moved to strike out all after the word Lieutenant Governor.

The motion prevailed.

Mr. Tice moved to strike out 12 o'clock m. and insert 11:30 A. M., which amendment prevailed.

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

Resolved by the House, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested to secure, if possible, an amendment of the laws of Congress so that revenue stamps shall not be required on bank checks.

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

Resolved, That a committee of three be appointed, of which Mr. Madden of Polk shall be chairman, to confer with the clergymen of this city, and make such arrangements as they may deem proper to secure the service of a chaplain to officiate at the opening sessions of the House, and report as soon as convenient.

By leave, Mr. Wilson of Jasper introduced H. F. No. 3, a bill for an act to repeal section 573 of the Code and enact a substitute therefor, which was read a first and second time and passed on file.

Mr. Given offered the following resolution:

WHEREAS, The old rim-backed chairs now in use in the House are cumbersome, inconvenient, and uncomfortable; therefore

Resolved, That the Secretary of State is hereby instructed to furnish all the desks with cane-seat chairs, such as are now furnished to some of the desks.

Mr. Bolter moved that the resolution be laid on the table.
The motion prevailed.

SENATE MESSAGE.

On motion of Mr. Gibbons the House took up the Senate message in relation to the procuring of phonographic reports of the General Assembly, which was concurred in.

COMMITTEE REPORT.

Mr. Clark of Johnson submitted a report from the committee on conference with the Senate committee in relation to postmistress, which was adopted and passed on file.

MR. PRESIDENT:—The committee of conference on the disagreeing vote of the two houses on postmaster and assistant postmaster having met, after full and free conference have agreed to report, and do report to their respective houses as follows:

That the House recede from its appointment of assistant postmistress, and that the Senate recede from its appointment for the same position, and that Miss Mary H. Johnson and Miss Annie P. Smith be postmistresses of the Sixteenth General Assembly.

F. T. CAMPBELL,
GEO. F. WRIGHT,
J. H. MURPHY,
Managers for the Senate.

RUSH CLARK,
WM. E. FULLER,
T. CRAWFORD,
Managers for the 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 receded from its action on the concurrent resolution in relation to the inauguration ceremonies at the opera house.

Also that the Senate has adopted the House resolution relative to joint convention at 11:30 for the purpose of inaugurating the Governor and Lieutenant Governor elect.

J. A. T. HULL, *Secretary.*

Mr. McCartney, from committee on conference on mail carrier, submitted the following resolution, which was adopted.

Resolved, That Mr. E. H. Stedman be authorized to act as mail carrier for the two houses for this session.

Mr. McElderry moved to reconsider the vote by which the motion to adjourn was lost.

Upon which motion Mr. Clark of Marion demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Bolter, Brush, Campbell, Chapman,

Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Giltner, Given, Glendenning, Graves, Gray, Hall, Harned, Horstman, Horton, Hunt, Jaqua, Johnson of Benton, Jordan, Lane, Lathrop, McCartney, McCune, Madden of Polk, Madson, Manning, Maris, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Jackson, Rees, Shaw, Shepardson, Smith, Stuart, Thayer, Tice, Ure, White, Wilson, and Mr. Speaker—59.

The nays were:

Messrs. Allen, Birchard, Brooks, Brown, Calvin, Case, Clark of Marion, Colvin, Gibbons, Gilliland, Glover, Hemenway, Hoag, Hobbs, Homer, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Winneshiek, Johnston of Dubuque, Kauffman, Lynch, McElderry, McHugh, McNeill, Madden of Taylor, Mentzel, Mills, Reed of Howard, Robinson, Said, Scott, Simmons, Stone, Stuckey, Underwood, Williams, and Young—39.

Absent or not voting:

Messrs. Bush and SeEVERS—2.

So the motion to reconsider prevailed.

Mr. Dixon moved that when the House adjourn it adjourn until 2:30 o'clock P. M., Monday, January 17th.

Mr. Gilliland moved to amend by striking out 2:30 o'clock Monday, and inserting 10 A. M., Saturday.

Mr. Hotchkiss of Davis, moved to amend the amendment by striking out Saturday at 10 A. M., and insert 2 P. M., Friday.

The amendment to the amendment was lost.

The amendment 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 reconsidered its action upon concurrent resolution relative to meeting in joint convention at 11:30 A. M.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Hobbs of Lee, moved to lay the motion to adjourn on the table.

The motion to lay on the table was lost.

The question recurring on the motion to adjourn until 2:30 o'clock P. M., Monday, 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 reconsidered its action upon the concurrent resolution relative to the joint convention at 2 o'clock, and insists on its amendment relative to striking out all relative to Opera House.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Dixon moved to take up Senate Message in relation to Inauguration Ceremonies.

The motion prevailed.

Mr. Irwin of Lee, moved that the House do not concur in Senate amendment, which motion prevailed.

Mr. Danforth moved the appointment of a committee of conference on Inauguration Ceremonies, which motion prevailed.

The chair appointed Messrs. Danforth, Dixon and Stone as said committee.

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has concurred in resolution relative to meeting in joint convention at 11:30.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Reed of Jackson, moved the appointment of a committee to inform the Senate that the House was ready to meet them in joint convention for the purpose of inaugurating the Governor and Lieutenant Governor.

The motion prevailed.

The chair appointed Messrs. Reed of Jackson, and Shaw of Jones as said committee, who immediately returned and reported that they had discharged that duty.

Senators Larrabee and Merrill, committee from the Senate, appeared and announced that the Senate was ready to unite in joint convention for purposes of inauguration.

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

JOINT CONVENTION.

Lieutenant-Governor Dysart called the convention to order, and stated its object.

Mr. Johnston of Dubuque, moved that the convention take a recess until 2 o'clock P. M., and re assemble at the Opera House, in this city, which motion prevailed.

AFTERNOON SESSION.

2 O'CLOCK, P. M.—AFTER RECESS.

The joint convention was called to order by Lieutenant-Governor Dysart, who stated the object of the convention to be the inauguration of the Governor and Lieutenant-Governor elect.

The Sergeant-at-Arms announced the Governor and Lieutenant-Governor elect, who came into the Hall and took the seats assigned them.

The Capital City Band played "Hail to the Chief."

INAUGURATION CEREMONIES.

Prayer by Rev. J. W. Murphy.

Music by the Band; Mocking Bird, Quickstep.

The oath of office was then administered to the Governor elect, Samuel J. Kirkwood, and Joshua G. Newbold, Lieutenant Governor, by Chief Justice C. C. Cole.

Governor Kirkwood then delivered his inaugural address.

Music by the band. Serenade.

At 3 o'clock and thirty minutes, on motion of Senator Campbell of Jasper county, the joint convention dissolved.

At 3:45 o'clock the House was called to order by the Speaker, and on motion of Mr. Danforth, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 17, 1876, 2:30 o'clock. }

House met pursuant to adjournment, speaker in the chair.

Prayer by Rev. L. M. Miles.

Journal of Thursday read and approved.

RESOLUTIONS.

By leave, Mr. Bolter offered the following resolution:

JOINT RESOLUTION, SENATE CONCURRING.

WHEREAS: The cash capitalists of the country, ever true to their interests and without regard to former political differences have declared their intention to force a speedy and premature return to specie payments; and

WHEREAS: The last Congress at its last session with an attentive ear to the voice of wealth and in direct opposition to the best interests of the country and the earnest protest of the masses of the American people, enacted a law fixing January 1st, 1879, for final resumption of specie payments; and

WHEREAS: The establishing by law a definite time for such resumption tends not only to defer the time when the government will be able to resume, but also tends to depreciate the market value of all the products of the west, destroys business confidence, and, if pursued and enforced will deprive the country of an adequate medium of exchange, and finally produce such financial ruin and distress as has no parallel in the world's history; therefore

Be it resolved by the General Assembly of the State of Iowa:

1st. That the present volume of currency is no more than equal to the demands of commerce and trade, and we therefore enter our solemn protest against any act of Congress tending to lessen the same.

2d. That unlimited inflation and continued contraction are alike disastrous to the best interests of the country.

3d. That the notes issued by the general government and known as legal tender notes, are the notes of every citizen and resident of the Nation; therefore affording the holders thereof sufficient and ample security.

4th. That in the sense of this Assembly specie payments can only be attained by a proper and steady development of the resources of the country, and such rigid economy, and unswerving honesty in the administration of the Government, State and National as will convince the world of our ability and intentions to promptly meet and discharge all our public obligations, and thereby bring our national currency to a par with gold and silver coin.

5th. That our Representatives and Senators in Congress be requested and instructed to use all honorable means to secure the prompt and unconditional repeal of the act of Congress, known as the resumption act, to the end that a healthy confidence in the business and resources of the country be revived, that capital now unemployed may be induced and encouraged to invest, so as to develop the material wealth of the whole country, and that our former prosperity be restored.

Leave of absence was granted Messrs. Madden of Taylor, Horton, Gray, Dixon, Mueller, Burchard, Gibbons, and Stuart.

Mr. Bolter moved to refer the resolution to a special committee of seven, of which Mr. Hoag should be chairman.

The motion prevailed.

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

Resolved by the House, the Senate concurring, That there be appointed the usual committees of visitation to the several State institutions, said committees to be composed of one member from the Senate and two from the House. And,

Be it further Resolved, That immediately upon the appointment of said committees, the President of the Senate and the Speaker of the House shall arrange the time of their departure on their several missions, in such manner that not more than one-third of said committees shall be absent from the Capital at the same time.

By leave, Mr. Given of Polk offered the following resolution:

Resolved by the General Assembly of the State of Iowa, That all acts of a public nature offered in amendment of the Code by striking out, inserting, or adding to any chapter, section, or paragraph, shall, in addition to the requirements of section 38 of the Code, give the chapter, section, or paragraph in full, as proposed to be amended.

Mr. Gilliland moved to refer the resolution to the Judiciary Committee, which motion was lost.

The resolution was then adopted.

By leave, Mr. Allen offered the following resolution:

Resolved by the House, That to-morrow, at half past ten o'clock A. M., be set to ballot for United States Senator.

Mr. Williams moved to amend by adding "the Senate concurring," which amendment prevailed.

Mr. Clark of Johnson moved to refer the resolution to the Committee on Judiciary.

The motion prevailed.

Mr. Graves offered the following resolution:

Resolved, That the Committees on Ways and Means, Judiciary, Railroads, Compensation of Public Officers, Cities and Towns, Appropriations, and Schools, be and they are hereby authorized respectively to employ one clerk for each of said committees.

Mr. Clark of Marion moved that the consideration of the resolution be postponed until 10:30 o'clock to morrow morning.

The motion prevailed.

Leave of absence was granted to Messrs. Horstman and Thayer until to-morrow morning.

The Speaker announced the following committee on phonographic reports: Messrs. Reed of Howard, Bolter and Brush.

Committee on clergymen: Messrs. Madden of Polk, and Brooks.

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

Resolved, That the sergeant-at-arms be instructed to obtain the names of all those who desire to officiate as chaplain of the House, to make an alphabetical list, and publish it, so that the ministers whose names are enrolled may know the day of their appointment.

Mr. McCartney submitted the following report on mail carrier, which was read and placed on file:

To the Honorable Senate and House of Representatives of the State of Iowa:

We the undersigned, committees of conference appointed on part of the Senate and House to adjust the disagreement in relation to the selection of a mail carrier for the joint use of both Houses, beg leave to report: That having met, and after due consultation, recommend E. H. Stedman, Esq., as a suitable person for that position, and would most respectfully ask the honorable Senate to recede from its action in the election of mail carrier, and concur with the House in the election of Mr. Stedman to that position. All of which is respectfully submitted.

F. T. CAMPBELL,

J. H. MURPHY,

GEO. F. WRIGHT,

Committee on part of Senate.

JOHN McCARTNEY,

THEO. W. JOHNSTON,

WM. T. SHAW,

Committee on part of House.

COMMUNICATION FROM THE GOVERNOR.

Communication from the Governor in relation to telegraphic messages was read and passed on file:

STATE OF IOWA,
EXECUTIVE, DEPARTMENT, }
DES MOINES, JAN. 11, 1876.

HON. JOHN H. GEAR, *Speaker of the House of Representatives:*

DEAR SIR:—The Governor directs me to transmit you, as I do here with, the inclosed communication from the manager in this city of the

Western Union Telegraph Office, which, as you will observe, he wishes read for the benefit of the members of the House.

Yours very respectfully,

ARTHUR R. BURKHOLDER,
Governor's Secretary.

To C. C. CARPENTER, *Governor*:

DEAR SIR:—Would you kindly notify the House and Senate for me that we will frank each individual member's own personal and social messages back and forth during their absence from home.

Very respectfully,

A. B. GUNN,
Manager W. U. Telegraph Co.

DES MOINES, January 10, 1876.

STANDING COMMITTEES OF THE HOUSE.

The Speaker announced the following Standing Committees:

Judiciary—Messrs. Stone, SeEVERS, Clark of Johnson, Dixon, Given, Bolter, Reed of Howard, Hemenway, Deweese, Johnson of Benton McElderry, Fuller, Robinson, Hobbs, Elliott, Crawford of Scott, Palmer, and Manning.

Ways and Means—Messrs. SeEVERS, Graves, Stuart, Shaw, Irwin, of Lee, Clark of Marion, Horton, Baker, McCune, Smith, and Brush.

Railroads—Messrs. Clark of Johnson, Madden of Polk, Dixon, Lathrop, Lane, Morse of Wright, Allen, Thayer, Irwin of Warren, Maris, Giltner, Madden of Taylor, Morse of Adams, Wilson, Rees, Bush and Jordan.

Appropriations—Messrs. Danforth, Stone, Gilliland, Mueller, Given, Ure, McNeill, Johnston of Dubuque, McCartney, Hall, Lynch, McHugh, and Calvin.

Schools—Messrs. Brooks, Calvin, Johnston of Dubuque, Jaqua, Williams, Bolter, Benton, Reed of Jackson, Rae, Horstman, Homer, Moffit, Johnson of Winneshiek, Smith, Young, Hobbs, and Simmons.

Agriculture—Messrs. Madden of Polk, Mills, Birchard, McCune, Underwood, Lathrop, Gray, Kauffman, Williams, Campbell, Hoag, Said, Proudfoot, Colvin, and White.

Public Buildings—Messrs. Given, Clark of Johnson, Mueller, Deweese, Lynch, Shaw, Christy, Lane, Kauffman, Craver, McHugh, and Madson.

Federal Relations—Messrs. Cleveland, Tice, Clark of Marion, Jaqua, Hotchkiss, and Mentzel.

Constitutional Amendments—Messrs. Bush, McCartney, Crawford, of Dubuque, McElderry, Harned, Palmer, and Gibbons.

State University—Messrs. Hemenway, Bolter, Horton, Morse of Wright, Fuller, Harned, Brooks, McCune, SeEVERS, and Lane.

Claims—Messrs. Wilson, Robinson, Crawford of Dubuque, Birchard, Mills, Hall, Calvin, Auld, Brown, and Hoag.

Military Affairs—Messrs. Scott, Horton, Mueller, Campbell, Hobbs, and McElderry.

Enrolled Bills—Messrs. McNeill, Craver, Scott, and Baker.

Engrossed Bills—Messrs. Jordan, Christy, Maris, and Said.

Library—Messrs. Johnson of Winneshiek, Elliott, Chapman, Madden of Taylor, and Brooks.

Compensation of Public Officers—Messrs. Case, Gilliland, Crawford of Dubuque, Given, Lynch, Reed of Howard, Hunt, Irwin of Lee, Crawford of Scott, Manning, and Chapman.

Banks and Banking—Messrs. Shaw, Brush, Stuart, Irwin of Lee, Shepardson, Rees, McHugh, and Cleveland.

Domestic Manufactures—Messrs. Shepardson, Stuckey, Said, Evans, Underwood, Madson, and Giltner.

Insurance—Messrs. Brush, Morse of Adams, Gibbons, Glendenning, Rees, Jordan, Norris, Cleveland, Graves, and Baker.

Public Lands—Messrs. Gilliland, Thayer, Hoag, Reed of Jackson, Palmer, Irwin of Warren, Danforth, and Glover.

Agricultural College—Messrs. Evans, Ure, Stuart, Moffit, Benton, Stuckey, Lathrop, Hotchkiss, Cleveland, and McNeill.

Asylum for the Insane—Messrs. Kauffman, Calvin, Brown, Glendenning, Maris, Horstman, Chapman, Shepardson, and Hotchkiss.

Asylum for the Deaf and Dumb—Messrs. Tice, Robinson, Hunt, Morse of Wright, Brown, Giltner, and Gray.

Penitentiaries—Messrs. Irwin of Lee, Shaw, Young, Williams, Proudfoot, Harned, Craver, Allen, and Colvin.

Institution for the Education of the Blind—Messrs. McCartney, Jaqua, White, Deweese, Irwin of Warren, Scott, and Madson.

Soldiers' Orphan Homes—Messrs. Jaqua, Wilson, Crawford of Scott, Stone, Hunt, Hemenway, Elliott, Campbell, Scott, and Reed of Howard.

Horticulture and Forestry—Messrs. Mills, Ure, Young, Benton, Colvin, Rae, and Gray.

Reform Schools—Messrs. Morse of Adams, Glendenning, Reed of Jackson, Auld, Christy, Hall, Madden of Taylor, Allen, and Underwood.

Rules—Messrs. Glendenning, Craver, Clark of Marion, and Johnson of Winneshiek.

Police Regulations—Messrs. Moffit, Johnson of Benton, Proudfoot, Gibbons, Danforth, Baker, Clark of Johnson, and Mentzel.

County and Township Organization—Messrs. Robinson, Chapman, Crawford of Dubuque, Benton, Tice, Young, Palmer, Mentzel, Auld, Lane, Underwood, Hunt, and Johnson of Winneshiek.

Cities and Towns—Messrs. Graves, Gibbons, SeEVERS, Crawford of Scott, Thayer, Given, Dixon, Hemenway, and Lynch.

Elections—Messrs. Rae, Evans, Simmons, White, Homer, and Elliott.

Printing—Messrs. Glover, Stone, and Thayer.

Suppression of Intemperance—Messrs. Norris, Tice, White, Simmons, Johnston of Dubuque, Madden of Polk, Crawford of Scott, Wilson, Brooks, Hunt, Maris, Horstman, Morse of Wright, and Kauffman.

Roads and Highways—Messrs. Horton, Lathrop, Birchard, Auld, Hotchkiss, Proudfoot, Homer, Rae, Hall, Stuckey, and Case.

Judicial Districts—Messrs. Manning, Johnson of Benton, Bolter, Robinson, Given, Bush, and Glover.

Congressional Districts—Messrs. McHugh, Scott, Gray, Allen, and Stuckey.

Senatorial and Representative Districts—Messrs. Fuller, McElderry, Lynch, Stone, Glover, Thayer, Reed of Howard, Morse of Wright, Reed of Jackson, Lane, Clark of Marion, Gilliland, Calvin, Rae, Manning, and Smith.

Fish and Game—Messrs. Dixon, Hall, Ure, Moffit, and Johnston of Dubuque.

INTRODUCTION OF BILLS.

Mr. Williams introduced H. F. No. 4, A bill for an act to amend section 3849, chapter 2, title 24 of the Code.

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

Mr. Glendenning introduced H. F. No. 5, A bill for an act to regulate public shows.

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

Mr. Ure introduced H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes.

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

Mr. Given introduced H. F. No. 7, A bill for an act to repeal section 390 of the Code, relating to township officers, and to enact a substitute therefor.

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

Mr. Clark of Johnson moved to take up the Governor's biennial message.

The motion prevailed.

On motion of Mr. Johnson of Winneshiek, the message was read by the heading of paragraphs.

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 concurring, That the two Houses will meet in joint convention on Wednesday the 19th inst, at 2½ o'clock, for the purpose of electing State Printer, State Binder and Warden of the State Penitentiary.

R. B. BAIRD,

Second Assistant Secretary.

Mr. Hobbs, moved to take up Senate message, the motion prevailed. Joint resolution, relating to the election of the State Printer, State Binder and Warden of State Penitentiary, was taken up and concurred in.

Communication from the Governor, on pardons and remissions, was taken up, and on motion of Mr. Clark of Johnson, 1200 copies were ordered printed.

INTRODUCTION OF BILLS.

Mr. Madden of Polk, introduced H. F. No. 8, A bill for an act creating the Fourteenth Judicial District, and providing for the election of certain officers therein, and in the Fifth Judicial District.

Read first and second time, and referred to the Committee on Judicial Districts, and ordered printed.

Mr. Irwin of Lee introduced H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

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

Mr. Given introduced H. F. No. 10, A bill for an act to repeal section 3370 of the Code, relating to fines and forfeitures, and to enact a substitute therefor.

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

Mr. Clark of Marion introduced H. F. No. 11, A bill for an act to punish three card monte playing.

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

Mr. Given introduced H. F. No. 12, A bill for an act to repeal section 38 of the Code, relating to references in amendatory acts, and to enact a substitute therefor.

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

Mr. Madden of Polk introduced H. F. No. 13, a bill for an act to repeal the first paragraph of section 3814 of the Code, relating to fees of witnesses, and enacting a substitute therefor.

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

Mr. Smith introduced H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of President and Vice President.

Read first and second time, and referred to Committee on Elections.

Mr. Robinson introduced H. F. No. 15, A bill for an act to amend section 1725 of chapter 9, of the Code.

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

Mr. Stuckey introduced H. F. No. 16, A bill for an act to amend section 1, of the Constitution.

Read first and second time, and referred to Committee on Constitutional Amendments.

Mr. Wilson moved that H. F. No. 3, be taken from the file and referred to the Judiciary Committee.

Motion prevailed.

On motion of Mr. Brooks H. F. No. 1, was taken from the files and referred to the Committee on Schools.

Mr. Madden of Polk, introduced H. F. No. 17, A bill for an act making an additional appropriation for the erection of the new capital building.

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

Mr. Clark of Johnson, moved to refer the communication of the Governor on the Reform School to the Committee on Reform School, Which motion prevailed.

Mr. Johnson of Winneshiek, moved that the House adjourn.

At 4 o'clock and five minutes, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 18, 1876. }

House met pursuant to adjournment, the speaker in the chair.

Prayer by the Rev. C. A. Gelwick.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate and passed on file:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill and resolutions, in which the concurrence of the House is asked:

S. F. No. 16, A bill for an act to legalize the incorporation of the Clermont Printing Company.

Joint resolution relative to a commercial highway by water between the Mississippi and Lake Michigan via the valley of the Fox and Wisconsin rivers.

Concurrent resolution providing for the printing of the rules of the Sixteenth General Assembly.

Concurrent resolution providing for the appointment of committees to visit the various State institutions.

J. A. T. HULL, *Secretary.*

PETITIONS.

Mr. Proudfoot presented a petition from the citizens of Clarke county, asking the adoption of such measures as will give to the Homeopathic medical profession a due portion of the funds appropriated to the medical department of the State University.

Read and referred to the Committee on State University.

Mr. Gilliland presented a petition from the Board of Supervisors of Plymouth county, asking a change in certain criminal statutes, which was referred to the Judiciary Committee.

Mr. Rees presented a petition from the Board of Supervisors of Webster county, asking for a change in certain criminal statutes.

Referred to the Judiciary Committee.

Mr. Baker of Lucas county presented a petition from certain citizens of Iowa, asking the State Legislature to adopt such measures as will give to the Homeopathic medical profession a due portion of the funds appropriated to the medical department of the State University.

Read and referred to the Committee on State University.

Mr. Shaw presented a petition from certain citizens of the State of Iowa, asking for such measures as will give the Homeopathic medical profession a due portion of the funds appropriated to the medical department of the State University.

Referred to the Committee on State University.

Mr. Danforth presented a petition from the Board of Supervisors of Winneshiek county, asking for certain changes in the criminal statutes of the Code.

Referred to the Judiciary Committee.

Mr. Hemenway presented a petition from the Board of Supervisors of Black Hawk county, asking for a change in the criminal statutes of the Code.

Referred to the Judiciary Committee.

Mr. Madden of Polk, presented a petition from the Iowa representative meeting of Friends, asking for legislation to prevent compulsory rules in relation to military education in the State Institutions.

Read and referred to the Committee on State University.

Mr. Norris presented a petition from certain citizens of the State of Iowa, asking for such measures as will give the Homeopathic medical profession a due portion of the funds appropriated to the Medical Department of the State University.

Referred to the Committee on State University.

Mr. Homer presented a petition from certain citizens of the State of Iowa, asking for such measures as will give to the Homeopathic medical profession a due portion of the funds appropriated to the Medical Department of the State University.

Referred to the Judiciary Committee.

Mr. Lane presented a petition from the board of supervisors of Franklin county, asking for a change in the criminal statutes of the Code.

Referred to the Judiciary Committee.

Mr. Cleveland presented a petition from the citizens of Keokuk county, in relation to independent districts and district townships.

Read and referred to the Committee on Schools.

Mr. Birchard presented a petition from the citizens of Scott county, in relation to the road laws.

Read and referred to the Committee on Roads and Highways.

REPORT OF COMMITTEE.

Mr. Reed of Jackson, from the Special Committee on Rules, submitted the following report:

To the Honorable House of Representatives of the State of Iowa:

Your committee appointed to report upon the revision of the Rules of the House, and upon the Standing Committees thereof, respectfully submit the following report:

We report in favor of the adoption of the Rules governing the Fifteenth General Assembly, with the following addition:

“When the previous question shall be demanded and the House shall refuse to order the main question to be put, the debate may be continued.”

We would also report in favor of the following standing House committees:

Judiciary.
 Ways and Means.
 Railroads.
 Appropriations.
 Schools.
 Agriculture.
 Domestic Manufactures.
 Horticulture and Forestry.
 Cities and Towns.
 Public Buildings.
 Federal Relations.
 Constitutional Amendments.
 State University.
 Claims.
 Military Affairs.
 Enrolled Bills.
 Engrossed Bills.
 Library.
 Compensation of Public Officers.
 Banks and Banking.
 Insurance.
 Public Lands.
 Agricultural College.
 Asylum for the Insane.
 Asylum for the Deaf and Dumb.
 Penitentiaries.
 Institution for the Education of the Blind.
 Soldiers' Orphans' Home.
 Reform School.
 Rules.
 Police Regulations.
 County and Township Organization.
 Elections.
 Printing.
 Suppression of Intemperance.
 Roads and Highways.
 Judicial Districts.
 Congressional Districts.
 Senatorial and Representative Districts.
 Fish and Game.
 Private Incorporations.
 Centennial of 1876.

Respectfully submitted,

LOUIS CASE, *Chairman.*

Mr. Crawford of Dubuque moved to amend by striking out "shall" and insert "may," in amendment to rules.

Motion prevailed.

Mr. Smith moved to strike out "is" in the eleventh paragraph of the Rules and insert "in."

The motion prevailed.

Mr. Clark of Johnson moved to strike out "March 1st," in the eleventh paragraph of the Rules, and insert the "10th of February."

The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Fuller introduced H. F. No. 18, A bill for an act to repeal section 4228, chapter 12, title 25 of the Code, and to enact a substitute therefor.

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

Mr. Brown introduced H. F. No. 19, A bill for an act to change the regulations in regard to juries.

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

Mr. Gibbons introduced H. F. No. 20, A bill for an act to amend chapter 2, title 6, of the Code, concerning the collection of taxes.

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

Mr. Kauffman introduced H. F. No. 21, A bill for an act to protect the citizens of Iowa from empiricism, and elevate the standing of the medical profession.

Read first and second time, and referred to a special committee of three, and ordered printed.

Mr. Hotchkiss introduced H. F. No. 22, A bill for an act to repeal section 12, chapter 2, title 1, of the Code, relating to the reduction of salaries.

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

Leave was granted Mr. Stone to submit a report from the Committee on Judiciary:

The Judiciary Committee; to whom was referred the subject as to when the election for U. S. Senator should take place, have instructed me to report a recommendation that said election be held on this Tuesday, January 18th, 1876.

JNO. Y. STONE, *Chairman.*

RESOLUTION.

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

Resolved, That the House do to-day, at 11 o'clock A. M., proceed to a selection of a person for United States Senator from Iowa, for the term to commence March 4, 1877, as required by the Act of Congress regulating time and manner of election of Senators in Congress, approved July 25, 1866.

INTRODUCTION OF BILLS.

Mr. Shaw introduced H. F. No. 23, A bill for an act in relation to the additional penitentiary.

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

Mr. Hobbs introduced H. F. No. 24, A bill for an act to repeal chapter 32 of the Public Acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code.

Read first and second time and referred to the Judiciary 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 concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution relating to meeting in joint convention, on Wednesday, January 19th, 1876, in accordance with act of congress, approved July 25, 1866.

R. B. BAIRD,
Second Assistant Secretary.

On motion of Mr. Graves, the House took up resolution in reference to the appointment of clerks of the various committees.

Mr. Reed of Howard, moved to amend by striking out "chairman of."

The motion prevailed.

Mr. Birchard moved to amend by striking out all after Ways and Means, which motion did not prevail.

Mr. Reed of Jackson, moved to amend by striking out all after "railroads."

The motion was lost.

Mr. McCartney moved to amend by striking out "cities and towns," and insert "county and township organization."

The motion did not prevail.

Mr. Gilliland moved to amend by adding "and then other committees, when necessary, may employ clerks."

The motion to amend prevailed.

On the adoption of the resolution, Mr. Clark of Marion, demanded the yeas and nays which were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brush, Bush, Chapman, Cleveland, Colvin, Craver, Crawford of Dubuque, Given, Glover, Hall, Hemenway, Hoag, Hobbs, Horstman, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Jordan, Lane, Lathrop, Lynch, McElderry, McHugh, McNeill, Madden of Polk, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Shaw, Simmons, Smith, Stone, Thayer, Tice, Ure, Young, and Mr. Speaker—50.

The nays were:

Messrs. Benton, Birchard, Bolter, Brooks, Brown, Calvin, Campbell, Christy, Clark of Johnson, Clark of Marion, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Graves, Gray, Harned, Homer, Hotchkiss, Johnson of Winneshiek, Kauffman, McCartney, McCune, Madden of Taylor, Madson, Mentzel, Mueller, Norris, Reed of Jackson, Rees, Said, Scott, SeEVERS, Shepardson, Stuckey, Underwood, White, Williams, and Wilson—45.

Absent or not voting:

Messrs. Case, Dixon, Hunt, Johnson of Benton, and Stuart—5.

So the resolution was adopted.

On motion, of Mr. Stone, the House took up resolution in reference to the election of United States Senator.

Mr. Stone, nominated Samuel J. Kirkwood.

Mr. Bolter, nominated Shepard Leffler, whereupon the roll was called with the following result.

Those voting for Samuel J. Kirkwood, were:

Messrs. Allen, Auld, Benton, Brooks, Brush, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Danforth, Deweese, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Homer, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeil, Madden of Polk, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, SeEVERS, Shaw, Simmons, Smith, Stone, Tice, Underwood, Ure, Williams, Wilson, and Mr. Speaker—68.

Those voting for Shepard Leffler, were:

Messrs. Baker, Birchard, Bolter, Brown, Christy, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Elliott, Gibbons, Gray, Harned, Hobbs, Horstman, Hotchkiss, Johnston of Dubuque, Lynch, Madden of Taylor, Madson, Mentzel, Mueller, Reed of Jackson, Rees, Stuckey, Thayer, White, and Young—28.

Absent or not voting:

Messrs: Dixon, Hunt, Shepardson, and Stuart—4.

On motion of Mr. SeEVERS, Senate messages were taken up.

Concurrent resolution to meet in joint convention on Wednesday, January 19, 1876, at 12 o'clock, meridian, for the purpose of hearing the journals of the Senate and House of Representatives compared in relation to the election of United States Senator, was concurred in.

S. F. No. 16, A bill for an act to legalize the incorporation of the Clermont Printing Company, was read a first and second time.

Mr. Fuller moved that the rule be suspended and the bill be read a third time now.

The motion prevailed.

The bill was read a third time, and upon the question, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of

Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson, of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rea, Reed of Howard, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—94.

The nays were:

Messrs. Reed of Jackson, and Rees—2.

Absent or not voting:

Messrs. Clark of Marion, Hunt, Madden of Taylor, and Suart—4.

So the bill passed and the title was agreed to.

Joint resolution in reference to securing a commercial highway by water between the Mississippi river and Lake Michigan *via* the valley of the Fox and Wisconsin rivers was taken up, read and adopted.

Concurrent resolution instructing the Secretary of State to have printed one thousand copies of the rules of both Houses was taken up and read.

Mr. Reed of Jackson moved to amend by striking out "one thousand" and insert "two thousand."

The motion prevailed.

The resolution as amended was adopted.

Concurrent resolution in reference to the appointment of committees for the different State institutions was taken up and concurred in.

INTRODUCTION OF BILLS RESUMED.

Mr. Lynch introduced H. F. No. 25, A bill for an act for the punishment of three card monte players and the players of other confidence games.

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

Mr. Gibbons introduced H. F. No. 26, A bill for an act relating to the law of negligence.

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

Mr. Lynch introduced H. F. No. 27, A bill for an act to amend sections 534 and 535 of the Code, title 9, chapter 10.

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

Mr. Reed of Howard, introduced H. F. No. 28, A bill for an act to amend section 3798 of the Code.

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

Mr. Wilson introduced H. F. No. 29, A bill for an act to authorize the Treasurer of State to pay the bonds issued by the State to the School Fund, and for other purposes.

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

Mr. Hemenway introduced H. F. No. 30, A bill for an act to amend section 1160 of the Code.

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

Mr. Lynch introduced H. F. No. 31, A bill for an act to amend section 518, title 11, chapter 10 of the Code.

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

Mr. Reed of Howard, introduced H. F. No. 32, A bill for an act to legalize the collection of certain taxes and to provide for the collection thereof.

Read first and second time, and referred to the Judiciary Committee. Mr. Clark of Marion, introduced H. F. No. 33, A bill for an act to amend section 3861, of chapter 2, part 4 of the Code.

Read first and second time, and referred to the Judiciary Committee. Mr. Harned introduced H. F. No. 34, A bill for an act to amend and repeal a part of section 135, chapter 1, title 3 of the Code.

Read first and second time, when Mr. Harned moved that the rule be suspended, and the bill read a third time now.

Mr. Clark of Johnson, moved to refer the bill to the Committee on Judicial Districts, which motion prevailed.

Mr. Clark of Marion, introduced H. F. No. 35, A bill for an act to restore the death penalty.

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

The Speaker announced the following Special Committee on H. F. No. 21, A bill for an act to protect the citizens of Iowa from empiricism and elevate the standing of the medical profession:

Messrs. Kauffman, Brown, and Madden of Polk.

Also, the following committee on joint resolution relating to a return to specie payment:

Messrs. Hoag, Bolter, Seevers, Shaw, Harned, Craver, and Brush.

Communication from Secretary of State, Hon. J. T. Young, was taken from the speaker's table, relating to the publication of the 17th and 18th resolutions of the Fifteenth General Assembly, was read and passed on file.

Leave was granted Mr. Rees, to present a petition from the citizens of Webster county, praying the General Assembly to give the Homeopathic medical profession a due portion of the funds appropriated to the medical department of the State University, was read and referred to the Committee on State University.

Also, leave was granted Mr. Brush to present a similar petition from the citizens of Mitchell county, which was read and referred to the same committee.

Mr. Crawford of Dubuque, moved that when the House adjourn, it will be until to-morrow morning at 10 o'clock.

The motion prevailed.

Leave of absence was granted Mr. Dixon for the remainder of the week.

RESOLUTION.

Leave was granted Mr. Glover to offer the following resolution which was laid over under the rule:

Resolved, That the Register of the State Land Office be required to report to this House, a statement of the amount of land grant the State of Iowa is at liberty to resume on account of the failure of the McGregor and Missouri River Railroad Company, to complete its road to a junction with the Sioux City and St. Paul Railroad in the time provided by law; that the report shall designate the amount in the several counties; including in the report, but distinguishing lands claimed by the McGregor and Missouri River Railway Company under act of Congress of May 12, 1864, which are also claimed by the Sioux City and St. Paul Railway Company by virtue of said act.

Mr. Smith introduced H. F. No. 36, A bill for an act to amend section 1738 of the Code, and to provide for the compensation of the members of the board of school directors.

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

At 12 o'clock and five minutes, on motion of Mr. Crawford of Dubuque, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 19, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. J. W. Monser.

Journal of yesterday read and approved.

The Speaker announced the following standing committees:

Private Corporations—Messrs. Johnson of Benton, Case, Crawford of Dubuque, Scott, Benton, Mentzel, and Deweese.

Centennial 1876—Messrs. SeEVERS, Clark of Johnson, Campbell, Horton, Stone, Hobbs, Bolter, and Given.

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, relative to the appointment of committees to visit the different State institutions.

J. A. T. HULL, *Secretary*.

PETITIONS.

Mr. Given presented a petition from Mrs. Malinda Baldwin of Des Moines, asking for an appropriation of \$579.

Referred to the Committee on Claims.

Mr. Case presented a petition from the citizens of Bremer county, asking for such measures as will give the Homeopathic medical profession a due portion of the funds appropriated to the medical department of the State University.

Read and referred to the Committee on State University.

Mr. Hall presented a petition from the board of supervisors of Hardin county, asking a change in certain criminal statutes of the Code.

Referred to the Judiciary Committee.

Mr. Hall presented a petition from the citizens of Hardin county, asking for such measures as will give the Homeopathic medical profession a due portion of the funds appropriated for the medical department of the State University.

Referred to the Committee on State University.

Mr. Manning presented a similar petition from the citizens of Carroll county.

Referred to the Committee on State University.

Mr. Fuller presented a petition from the board of supervisors of Fayette county, asking for a change in the criminal statutes of the Code.

Read and referred to the Judiciary Committee.

Mr. McElderry presented a petition from the citizens of Union county asking for measures to prevent the driving of herds of cattle from one county into another to graze.

Referred to the Committee on Agriculture.

Mr. Ure presented a petition from the Board of Supervisors of Linn county, asking for a change in the criminal statute of the Code.

Referred to the Judiciary Committee.

Mr. Glover presented a petition from the board of supervisors of Dickinson county, asking for the passage of an act to authorize the bonding of county indebtedness.

Referred to the Committee on County and Township Organizations.

Mr. Jaqua presented a petition from the citizens of Tama county, asking for such measures as will give the Homeopathic medical profession a due portion of the funds appropriated for the Medical Department of the State University.

Referred to the Committee on State University.

Mr. McCartney presented a petition from the citizens of Benton county, in relation to capital punishment.

Referred to Judiciary Committee.

REPORTS OF COMMITTEES.

Mr. Madden, of Polk, submitted a report from the special committee on clergymen, which was adopted:

REPORT OF COMMITTEE ON CHAPLAIN SERVICES.

Your committee appointed to make arrangements for chaplain services in House, respectfully report the names of the following clergymen who have signified their willingness to act as chaplains of the House; and we recommend that they officiate in alphabetical order, except as they may otherwise arrange among themselves.

Names:

Rev. Geo. R. Baker, Rev. T. S. Berry, Rev. J. P. Cowan, Rev. A. L. Frisbie, Rev. C. A. Gelwick, Rev. W. J. Gill, Rev. W. W. King, Rev. J. W. Monser, Rev. J. R. Murphy, Rev. — Miles, Rev. H. H. Oneal, Rev. — Rees, Rev. A. B. Robbins, Rev. G. W. Smith, Rev. — Telene.

All of which is respectfully submitted.

WM. G. MADDEN, *Chairman*.

WM. M. BROOKS.

DES MOINES, IOWA, January 19th, 1876.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of chapter 3, title 23 of the Code relating to the fees of witnesses, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it pass.

JOHN Y. STONE, *Chairman*.

Ordered passed on file.

The resolution laid over under rule thirty-four was taken up and read.

Mr. Reed of Howard, moved that the resolution be adopted.

Mr. Gilliland moved that the resolution be referred to the Committee on Public Lands, which motion prevailed.

RESOLUTION.

Leave was granted Mr. Mueller to offer a resolution which was read and passed on file:

Resolved, That the officers and members of the State Horticultural Society respectfully invite the officers and members of the Sixteenth General Assembly to visit the rooms of this society at Sherman Hall at their convenience, and that a committee be appointed to deliver this resolution to the House and Senate.

G. B. BRACKETT, *President*.

INTRODUCTION OF BILLS.

Mr. Proudfoot introduced H. F. No. 37, A bill for an act to authorize the trustees of townships to regulate or prohibit the sale of intoxicating liquors not prohibited by the laws of the State.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Morse of Wright, introduced H. F. No. 38, A bill for an act to amend chapter 1 of title 21 of the Code.

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

Mr. Graves introduced H. F. No. 39, A bill for an act to create a Bureau of Agriculture.

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

Mr. McCartney introduced H. F. No. 40, A bill for an act to amend section 1813 of the Code.

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

Mr. Jaqua introduced H. F. No. 41, A bill for an act to amend section 1495 of chapter 4, tile 11 of the Code of Iowa, relating to partition fences.

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

Mr. Graves introduced H. F. No. 42, A bill for an act to amend section 3793 of the Code, in relation to compensation of county treasurers.

Referred to Committee on Compensation of Public Officers.

Mr. Bush introduced H. F. No. 43, A bill for an act to extend the time named in an act making a grant of land to the McGregor & Sioux City Railroad Company.

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

Mr. Williams introduced H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code.

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

Mr. Reed of Jackson introduced H. F. No. 45, A bill for an act to amend section 1774 of chapter 9, title 12 of the Code.

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

Mr. Clark of Johnson, introduced H. F. No. 46, A bill for an act to increase the number of Judges of the Supreme Court.

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

COMMITTEE REPORT.

Leave was granted Mr. Gilliland to submit the following report from the Committee on Mileage:

MR. SPEAKER.—Your special Committee on Mileage, beg leave to make the following report.

S. B. GILLILAND, *Chairman.*

NAME.	MILES.	AMOUNT.
Allen.....	286	\$42.90
Auld.....	400	60.00
Baker.....	280	42.00
Benton.....	250	37.50

NAME.	MILES.	AMOUNT.
Birchard.....	370	\$55.50
Bolter.....	380	57.00
Brooks.....	346	51.90
Brown.....	560	84.00
Brush.....	504	75.60
Bush.....	426	63.90
Calvin.....	456	68.40
Campbell.....	230	34.50
Case.....	420	63.00
Chapman.....	560	84.00
Christy.....	254	38.10
Clark of Johnson.....	240	36.00
Clark of Marion.....	104	15.60
Cleveland.....	196	29.40
Colvin.....	80	12.00
Craver.....	110	16.50
Crawford of Dubuque.....	560	84.00
Crawford of Scott.....	352	52.50
Danforth.....	528	79.20
Deweese.....	48	7.20
Dixon.....	172	25.80
Elliott.....	114	17.10
Evans.....	76	11.40
Fuller.....	500	75.00
Gibbons.....	322	48.30
Gilliland.....	478	71.70
Giltner.....	184	27.60
Given.....
Glendenning.....	320	48.00
Glover.....	528	79.20
Graves.....	560	84.00
Gray.....	312	46.80
Hall.....	212	31.80
Harned.....	180	27.00
Hemenway.....	322	48.30
Hoag.....	472	69.65
Hobbs.....	360	54.00
Homer.....	358	53.70
Horstman.....	394	59.10
Horton.....	328	49.20
Hotchkiss.....	226	33.90
Hunt.....	202	30.30
Irwin of Lee.....	322	48.30
Irwin of Warren.....	76	11.40
Jaqua.....	390	58.50
Johnson of Benton.....	220	33.00
Johnston of Dubuque.....	582	87.30
Johnson of Winneshiek.....	528	79.20
Jordan.....	350	52.50
Kauffman.....	280	42.00
Lane.....	300	45.00
Lathrop.....	444	66.60
Lynch.....	354	53.10
McCartney.....	400	60.00
McCune.....	314	47.10
McElderry.....	382	57.30
McHugh.....	524	78.60
McNeil.....	340	51.00
Madden of Polk.....	20	3.05

NAME.	MILES.	AMOUNT.
Madden of Taylor.....	438	\$65.70
Madson.....	184	27.60
Manning.....	160	24.00
Maris.....	140	20.00
Mentzel.....	650	97.50
Mills.....	150	22.50
Moffit.....	325	48.75
Morse of Adams.....	440	66.00
Morse of Wright.....	340	51.00
Mueller.....	384	67.60
Norris.....	70	10.50
Palmer.....	410	61.50
Proudfoot.....	76	11.40
Rae.....	240	36.00
Reed of Howard.....	522	78.30
Reed of Jackson.....	522	78.30
Rees.....	176	26.40
Robinson.....	282	42.30
Said.....	320	48.00
Scott.....	304	45.60
Seevers.....	120	18.00
Shaw.....	338	53.70
Shepardson.....	500	75.00
Simmons.....	220	33.00
Smith.....	50	7.50
Stone.....	320	48.00
Stuart.....	478	71.70
Stuckey.....	264	39.60
Thayer.....	450	67.50
Tice.....	90	13.50
Underwood.....	240	36.00
Ure.....	300	45.00
White.....	650	97.50
Williams.....	220	33.00
Wilson.....	60	9.00
Young.....	474	71.10
Mr. Speaker.....	330	49.50

Mr. Hemenway moved the report be recommitted back to the committee.

The motion did not prevail.

Mr. Crawford of Dubuque moved to amend by adopting the report on mileage of the Fifteenth General Assembly.

The motion was lost.

The report as corrected 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 concurrent resolution, in which the concurrence of the House is asked:

Concurrent resolution relating to the appointment of a new visiting committee.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Lynch introduced H. F. No. 47, A bill for an act to amend section 936 of the Code, in relation to the publication of road laws.

Read first and second time.

Mr. Lynch moved that the rule be suspended and the bill be read a third time now.

Mr. Danforth moved to refer the bill to the Committee on Roads and Highways.

The motion prevailed.

Mr. Dewese introduced H. F. No. 40, A bill for an act requiring supervisors of highways to preserve and maintain section corners as established by county surveyors.

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

Mr. Seevers introduced H. F. No. 49, A bill for an act to repeal section 4275 of the Code, and enact a substitute therefor.

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

Also, H. F. No. 50, A bill for an act to repeal sections 4337 and 4338 of the Code, and enact a substitute therefor.

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

Also, H. F. No. 51, A bill for an act to repeal section 390 of the Code, and enact a substitute therefor.

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

Also H. F. No. 52, A bill for an act to repeal section 4291 of the Code, and enact a substitute therefor.

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

Mr. Given introduced H. F. No. 53, A bill for an act for the encouragement of the militia, and for appropriation therefor.

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

Also H. F. No. 54, A bill for an act to amend section 3775 of the Code, in relation to state and district officers.

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

Mr. Reed of Howard, introduced H. F. No. 55, A bill for an act to repeal section 1 of chapter 39, of the Public Acts of the Fifteenth General Assembly, and to enact a substitute therefor.

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

Mr. Crawford of Scott, introduced H. F. No. 56, A bill for an act to amend chapter 1, title 6 of the Code.

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

Mr. Robinson introduced H. F. No. 57, A bill for an act to repeal section 3777, title 24, chapter 2 of the Code, relating to the payment of short-hand reporters.

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

Mr. Smith introduced H. F. No. 58, A bill for an act to repeal section 989, chapter 2 of title 7 of the Code, and to enact a substitute therefor.

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

Mr. Giltner introduced H. F. No. 59, A bill for an act to amend section 1475 of the estray law.

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

Mr. Lynch introduced H. F. No. 60, A bill for an act to amend section 463 of the Code.

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

Mr. Manning introduced H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

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

Mr. Baker introduced H. F. No. 62, A bill for an act to repeal section 4421 of the Code.

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

Mr. Stuckey introduced H. F. No. 63, A bill for an act to quiet and confirm the title of certain lands in Appanoose county, Iowa, in Geo. Campbell.

Read first and second time, and referred to a Special Committee of three with Mr. Baker of Lucas county as chairman.

Mr. Stone moved the appointment of a committee of two to notify the Senate that the House is now ready to receive them in joint convention.

The motion prevailed and the Speaker appointed Messrs. Stone, and Mueller, as such committee.

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

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

Committee from the Senate, Senators Murphy and Miller, announced that the Senate was ready to meet the House in joint convention.

The committee appointed to notify the Senate that the House was ready to meet the Senate in joint convention, then appeared and reported that they had performed that duty.

The Sergeant-at-Arms announced the Honorable Senate who came into the hall and took the seats assigned them.

JOINT CONVENTION.

Lieutenant Governor Newbold called the joint convention to order and stated its object.

The Senate journal was then read

The House journal was then read.

The whole number of votes cast was one hundred and forty-five, of which Samuel J. Kirkwood received one hundred and eight, and Shepard Leffler thirty-seven.

Senator Cooley then offered the following joint resolution which was adopted:

Resolved by the General Assembly of the State of Iowa, in Joint Session assembled, Pursuant to the act of congress regulating the time and manner of holding elections for Senators in Congress,

approved July 25, 1866, that Samuel J. Kirkwood be declared the Senator elect from this State in the Congress of the United States, for the term of six years from the fourth of March, A. D. 1877.

Senator Jessup moved that the joint convention do now dissolve, which motion prevailed.

The House was then called to order by the speaker.

RESOLUTION.

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

Resolved, That from and after this date the House hold but one session a day until otherwise ordered.

Mr. Hotchkiss moved that the House adjourn.

At 12 o'clock and 10 minutes the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

RESOLUTIONS.

Mr. Glover offered the following resolution, which was referred to the Committee on the Suppression of Intemperance:

Resolved, That the Committee on the Suppression of Intemperance be requested to report a bill for an act requiring all sellers of beverages to make sworn reports of the kind and quantity of beverages sold by them; that the reports be made annually, or oftener; each report in duplicate—one copy to be filed in the office of the Clerk of the District Court of the county in which the sales mentioned in the report are made; the other copy to be transmitted by the clerk of said county to the Secretary of State; and that the bill make proper provision to secure the filing of the report, by declaring non-compliance a misdemeanor, punishable by fine on conviction thereof.

Mr. Reed of Jackson offered the following resolution, which was referred to the Committee on Roads and Highways:

Resolved, That the Committee on Roads and Highways be directed to inquire into the expediency of defining what bridges should be erected and repaired by the county—and those to be erected and repaired by the township trustees—and report by bill or otherwise.

Mr. Gibbons offered the following resolution, which was referred to the Committee on Constitutional Amendments:

Be it resolved by the House of Representatives, the Senate concurring: That the following amendments to the Constitution of the State of Iowa be and the same are hereby proposed:

1st. No county, or other political or municipal corporation shall be

permitted to loan its credit to, or in any manner become responsible for the debts or obligations of any person, association, or corporation, unless the question be first submitted to a vote of the tax-paying inhabitants of the county or other political or municipal corporation, at a special election called for that purpose, in the manner provided by law, and the same approved by a two-thirds vote, at which election no one shall be permitted to vote for or against such proposition who does pay an annual tax on real estate of at least five dollars; and but one single object shall be submitted at any one time, which object shall be distinctly stated in the call for such special election.

2d. No county, or other political or municipal corporation shall be allowed to become indebted in any manner, or for any purpose, to an amount in the aggregate exceeding five per centum on the value of the taxable property within such county or other political or municipal corporation, to be ascertained by the last State and county tax lists previous to the incurring of such indebtedness, nor contract or assume any indebtedness, to be paid out of the annual revenue of such county, political, or municipal corporation, when such corporation is indebted to the amount herein specified.

Mr. Brooks offered the following resolution which was referred to the Committee on Constitutional Amendments:

Be it resolved by the General Assembly of the State of Iowa; That the following amendments to the Constitution of the State of Iowa, be and are hereby proposed:

1st. That no public funds, either state, county, city, or township or other public moneys, or revenues of any character or description whatever, shall be appropriated to or used in the establishment, support or maintenance of any seminary, school, college, or other institution of learning, or of charity whatsoever, unless the same shall have been established by the laws of the State, and be under its full control; nor shall any State institution ever be under the control of any religious denomination.

2d. The General Assembly shall enact such laws as shall or may be necessary to carry out and enforce the provisions of the foregoing section.

Resolved further, That these resolutions proposing to amend the Constitution of the State of Iowa, are hereby referred to the General Assembly to be chosen at the general election in 1877, and the Secretary of State shall cause the same to be published for three months previous to the time of said election in one newspaper in each congressional district.

Mr. Lathrop offered the following resolution which was adopted:

Resolved by the House of Representatives, That the Secretary of State be directed to have five hundred copies of Governor Carpenter's biennial message, and five hundred of Governor Kirkwood's inaugural address printed in the Bohemian language; five hundred in Swedish; five hundred in Norwegian; five hundred in Holland, and one thousand five hundred in German.

On motion of Mr. Rees, the translation of the different languages to be done without expense to the State.

The motion prevailed.

Leave was granted Mr. Clark of Marion to introduce H. F. No. 64, A

bill for an act to enable independent school districts to divide their districts.

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

The Speaker announced the following special committee on H. F. No. 63:

Messrs. Baker, Allen, and Palmer.

Leave was granted Mr. Clark of Johnson to move the following amendment to House Rule 52:

Add to Rule 52 "except as otherwise provided in Rule 62."

BILLS ON SECOND READING.

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of the Code, and enact a substitute therefor was taken up.

The report of the committee was adopted and the bill ordered to be engrossed for the third reading.

Mr. Stuart moved to take up Senate message.

The motion prevailed.

Concurrent resolution relative to a visiting committee to visit the State hatching house was taken up and concurred in.

Mr. SeEVERS moved that a committee of two be appointed to notify the Senate that the House was ready to go into joint convention.

The motion prevailed and the speaker appointed Messrs. SeEVERS, and Clark of Marion.

The committee immediately returned and announced that they had discharged that duty.

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

JOINT CONVENTION.

Lieutenant-Governor Newbold called the joint convention to order, and stated that the convention had met for the purpose of electing a State Printer, State Binder, and Warden of the State Penitentiary, and announced as teller on the part of the Senate, Senator Dows.

The Speaker announced as teller on the part of the House, Mr. Mc-Cartney.

The convention proceeded to the election of State Printer.

Senator Shane nominated Richard P. Clarkson, of Polk county.

The roll was called with the following result :

Whole number of votes cast.....	130
Necessary to choice.....	66
Of which R. P. Clarkson received.....	130

Mr. Clarkson having received a majority of all the votes cast, was declared duly elected State Printer.

Those voting for R. P. Clarkson were :

Messrs. Allen, Arnold, Auld, Bailey, Baker, Benton, Bestow, Bolter, Brooks, Brush, Bush, Calvin, Campbell of Shelby, Campbell of Jasper, Carr, Case, Chapman, Christy, Clark E. of Johnson, Clark R. of Johnson, Cleveland, Colvin, Conaway, Cooley, Craver, Crawford of Dubuque,

Danforth, Dashiell, Deweese, Dows, Dwelle, Elliott, Evans, Fuller, Gallup, Gear, Gibbons, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Gray, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hersey, Hitchcock, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Johnston, Jordan, Kauffman, Lane, Lathrop, Lovell, Lynch, McCartney, McCoid, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzell, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Moffit, Morse of Adams, Morse of Wright, Mueller, Newton, Nichols, Norris, Palmer, Perkins, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Rumble Said, Scott, SeEVERS, Shane, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Teale, Thornburg, Tice, Underwood, Ure, White, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wilson of Washington, Wonn, Wood, Woolson, Wright, Young of Cass, and Young of Clinton.

The Convention then proceeded to the election of State Binder.

Mr. Graves nominated H. A. Perkins, of Dubuque county.

The roll was called, with the following result:

Whole number of votes cast.....	121
Necessary to a choice.....	61
Of which H. A. Perkins received.....	121

Mr. Perkins, having received a majority of all the votes cast, was declared duly elected State Binder.

Those voting for H. A. Perkins were:

Messrs. Allen, Arnold, Auld, Bailey, Benton, Bestow, Brooks, Brush, Bush, Calvin, Campbell of Shelby, Campbell of Jasper, Carr, Case, Chapman, Clark E. of Johnson, Clark R. of Johnson, Cleveland, Colvin, Conaway, Cooley, Craver, Crawford of Dubuque, Danforth, Dashiell, Deweese, Dows, Dwelle, Evans, Fuller, Gallup, Gear, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Gray, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hersey, Hitchcock, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Johnston, Jordan, Kauffman, Lane, Lathrop, Lovell, Lynch, McCartney, McCoid, McCune, McElderry, McHugh, McNeill, Madden of Polk, Manning, Maris, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Moffit, Morse of Adams, Morse of Wright, Mueller, Newton, Nichols, Norris, Palmer, Pease, Perkins, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Rothert, Rumble Said, Scott, SeEVERS, Shane, Shaw, Shepardson, Simmons, Smith, Stone, Teale, Thornburg, Tice, Underwood, Ure, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wilson of Washington, Wood, Woolson, Wright, and Young of Cass.

The Convention then proceeded to the election of Warden of the State Penitentiary.

Mr. Irwin of Lee, nominated Seth H. Craig of Pottawattamie county.

Mr. Clark of Marion, nominated Jonathan Jones of Marion county.

The roll was called, with the following result:

Whole number of votes cast.....	129
Necessary to a choice.....	65
Of which Seth H. Craig received.....	125
Of which Jonathan Jones received.....	4

Mr. Craig having received a majority of all the votes cast, was declared duly elected Warden of the State Penitentiary.

Those voting for Seth H. Craig were,

Messrs. Allen, Arnold, Auld, Bailey, Baker, Benton, Bestow, Bolter, Brooks, Brush, Bush, Calvin, Campbell of Shelby, Campbell of Jasper, Carr, Chapman, Christy, Clark E. of Johnson, Clark R. of Johnson, Cleveland, Colvin, Conaway, Cooley, Craver, Crawford of Scott, Danforth, Dashiell, Dows, Dwelle, Elliott, Evans, Fuller, Gallup, Gear, Gibbons, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Gray, Hall, Harmon, Harned, Hartshorn, Hebard, Hemenway, Hersey, Hitchcock, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Johnston, Jordan, Lane, Lathrop, Lovell, Lynch, McCartney, McCoid, McCune, McCalderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Maginnis, Maris, Mentzel, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Morse of Adams, Morse of Wright, Mueller, Newton, Norris, Palmer, Pease, Perkins, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Rumble, Said, SeEVERS, Shane, Shepardson, Simmons, Smith, Stone Stuckey, Teale, Tice, Underwood, Ure, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wilson of Washington, Wonn, Wood, Woolson, Wright, Young of Cass, and Young of Clinton.

Those voting for Jonathan Jones were,

Messrs. Clark of Marion, Crawford of Dubuque, Stuart, and White.

The following certificates were then signed and duly attested.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, January 19, 1876. }

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 Wednesday, the 19th day of January, A. D., 1876, for the purpose of electing a State Printer, R. P. Clarkson 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 presence of the joint convention, this 19th day of January, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

J. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

S. L. DOWS,
Teller of the Senate.

JOHN McCARTNEY,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, January 19, 1876. }

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 Wednesday the 19th day of January, A. D., 1876, for the purpose electing a State Binder, H. A. Perkins 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 19th day of January, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.
J. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

S. L. DOWS,
Teller of the Senate.

JOHN McCARTNEY,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, January 19, 1876. }

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 Wednesday the 19th day of January, A. D., 1876, for the purpose of electing a Warden of the Penitentiary, Seth H. Craig 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 19th day of January, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.
J. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

S. L. DOWS,
Teller of the Senate.

JOHN McCARTNEY,
Teller of the House of Representatives.

Senator Young moved that the joint convention do now dissolve. The motion prevailed and the convention dissolved.

House called to order by the Speaker.

On motion, of Mr. Wilson, the House adjourned at 3 o'clock and fifteen minutes.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 20 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. A. L. Frisbie.

Journal of yesterday was read.

On motion, of Mr. Danforth, the further 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 refuses to concur in House amendment to Senate resolution relative to printing Rules of this General Assembly.

J. A. T. HULL, *Secretary.*

On motion of Mr. Reed of Jackson, the House took up Senate messages.

Mr. Reed of Jackson moved that the House recede from its amendment to concurrent resolution in relation to printing the Rules.

The motion prevailed.

On motion of Mr. Reed of Jackson, the House concurred in the Senate resolution.

PETITIONS.

Mr. Given presented a petition from William Monahan, asking for relief.

Referred to the Committee on Claims.

Also, a petition from the Mayor and citizens of Des Moines, asking for an appropriation to enable the militia to make a creditable representation at the Centennial.

Referred to the Committee on Military Affairs.

Mr. Hall presented a petition from the citizens of Hardin county, asking for such measures as will give the Homeopathic Medical Profession a due portion of the funds appropriated for the medical department of the State University.

Read and referred to the Committee on State University.

REPORT OF COMMITTEE.

Mr. Bush, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred H. F. No. 16, for amending article 11, section 1, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

BUSH, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Seevers introduced H. F. No. 65, A bill for an act to repeal subdivision one of sections 796 and 835 of the Code.

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

Also, H. F. No. 66, A bill for an act to repeal section 908 of the Code, and enact a substitute therefor.

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

Also, H. F. No. 67, A bill for an act to repeal subdivisions one and two of section 834 of the Code, and enact a substitute therefor.

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

Also, H. F. No. 68, A bill for an act to amend section 1428 of the Code.

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

Also, H. F. No. 69, A bill for an act to amend section 906 of the Code.

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

Mr. Lynch introduced H. F. No. 70, A bill for an act empowering cities to extend their former limits.

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

Mr. Reed of Howard introduced H. F. No. 71, A bill for an act to amend chapter 69 of the Public Laws of 1874.

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

Mr. Case introduced H. F. No. 72, A bill for an act to allow criminals to testify in their own behalf.

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

Mr. Stone introduced H. F. No. 73, A bill for an act to provide for copying certain old rosters in the Adjutant General's office.

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

Mr. Homer introduced H. F. No. 74, A bill for an act to amend section 1362, chapter 1, title 9 of the Code.

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

Mr. Hotchkiss introduced H. F. No. 75, A bill for an act to reduce the number of grand and petit jurors.

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

Mr. Cleveland introduced H. F. No. 76, A bill for an act in relation to the trespassing of stock.

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

Mr. Colvin introduced H. F. No. 77, A bill for an act to prevent pauperism.

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

Mr. Birchard introduced H. F. No. 78, A bill for an act to amend chapter 986 of the Code.

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

Mr. Fuller introduced H. F. No. 79, A bill for an act to amend chapter 12, title 25 of the Code, relating to preliminary examinations.

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

Mr. Harned introduced H. F. No. 80, A bill for an act to repeal section 3173 of the Code.

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

Mr. Campbell introduced H. F. No. 81, A bill for an act to increase the pay of County Surveyors.

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

Mr. Wilson introduced H. F. No. 82, A bill for an act providing for the creation of a board of charities.

Read first and second time, referred to a special committee of five, and ordered printed.

Mr. Baker introduced H. F. No. 83, A bill for an act to repeal section 4243 of the Code.

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

Also, H. F. No. 84, A bill for an act to amend section 4275 of the Code.

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

Mr. Hobbs introduced H. F. No. 85, A bill for an act to repeal section 4241 of the Code.

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

Mr. Reed of Howard, introduced H. F. No. 86, A bill for an act to amend section 3800 of the Code, to increase the compensation of county surveyors.

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

Also H. F. No. 87, A bill for an act to amend section 3774 of the Code.

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

Mr. Clark of Johnson introduced H. F. No. 88, A bill for an act to extend aid to the State University.

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

Mr. Reed of Jackson, introduced H. F. No. 89, A bill for an act to repeal sections 3318 and 3319 of the Code, and enact a substitute therefor.

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

RESOLUTIONS.

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

WHEREAS, The business of mining coal is now being extensively carried on in the vicinity of the capitol square and Governor's square, in East Des Moines, and

WHEREAS, The undermining of these squares will permanently injure them and render them of no avail for their contemplated uses, therefore

Resolved, That a committee of three be appointed to examine said mines by survey or otherwise, and ascertain whether any property of the State is being encroached upon, and report by bill or otherwise.

Mr. Shaw offered the following resolution:

Resolved, That the Committee on Military Affairs be directed to inquire into the expediency of providing for a contingent fund of not exceeding five hundred dollars, to be placed in the hands of the Governor, to enable him to forward in special cases, and where other means are not provided, disabled soldiers in this State to the "National Homes for disabled soldiers" at Milwaukee, Wis., and Dayton, Ohio.

Mr. Williams moved to refer the resolution to the Committee on Judiciary.

The motion did not prevail.

The resolution was adopted.

Leave was granted Mr. Allen to introduce H. F. No. 90, A bill for an act to amend section 1055 of the Code, and to further define the duties of the Adjutant General.

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

Mr. Case offered the following joint resolution, which was referred to the Committee on Ways and Means:

Be it Resolved by the General Assembly of the State of Iowa:

WHEREAS, On the 2d day of January, 1862, the sum of \$2,086.73, belonging to the general revenue of the State of Iowa, was robbed from the treasury of Bremer county, Iowa; and

WHEREAS, Proof has been furnished to the Auditor of the State of Iowa, by evidence in writing, that said county of Bremer had at the date aforesaid a suitable safe for the safe keeping of said funds, and in which, at the time of the robbery or theft, the same were deposited, and that the proper officers had used due care for the protection of said funds, and have used due diligence for the recovery of the money aforesaid and the arrest of the criminals; and that notwithstanding the said sum remains irrecoverable, and charged against said county, and that said county ought to be discharged from liability therefor;

Therefore, the Auditor of State is hereby authorized and directed to give the said county of Bremer credit for \$1,635 5-100, the amount still charged against said county, which said amount was robbed from the treasury of said county as aforesaid.

Mr. Birchard offered the following preamble and resolution, relating to postage on third class mail matter:

1st. WHEREAS, The question of cheap postage to persons living

remote from the lines of express companies, especially the rural districts is of vital importance to the prosperity of the country, and the convenience to the inhabitants.

2nd. WHEREAS, Congress at midnight on the last day of the session of 1875, passed an amendment to the Sundry Civil Appropriation Bill, doubling the postage on third class mail matter, and in the hurry of an adjournment members did not understand the damage they were doing their constituents, to the benefit of the express companies,

Therefore be it resolved by the General Assembly of the State of Iowa, That our Senators be instructed, and our Representatives in Congress be requested, to use their influence to have the postage on third class mail matter restored to rates which prevailed one year ago. That the Secretary of State be instructed to forward a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Danforth moved to strike out the second preamble.

The motion prevailed.

The resolution as amended was adopted.

INTRODUCTION OF BILLS.

Leave was granted Mr. Crawford of Scott to introduce H. F. No. 91, A bill for an act to amend the last paragraph of section 678, chapter 5, title 5 of the Code.

Read first and second time.

Mr. Crawford of Scott moved that the rule be suspended and the bill be read a third time now.

Mr. Reed of Jackson moved to refer the bill to the Committee on County and Township Organizations.

The motion prevailed.

Leave was granted Mr. Elliott to introduce H. F. No. 92, A bill for an act to amend chapter 1, title 6 of the Code concerning the assessment of taxes.

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

Leave was granted Mr. Gibbons to introduce H. F. No. 93, A bill for an act to amend section 769 of the Code concerning deputies.

Read first and second time.

Mr. Gibbons moved that the rule be suspended and the bill be read a third time now.

On motion of Mr. Horton, the bill was referred to the Committee on Judiciary.

BILLS ON SECOND READING.

On motion of Mr. Given, the House took up bills on second reading.

H. F. No. 12, A bill for an act to repeal section 38 of the Code relating to references in amendatory acts and to enact a substitute therefor, with report of committee recommending that it do pass with amendments was considered and the report adopted.

Mr. Given moved to amend by striking out in lines 17 and 18 the words "and name of the chapter and number of the section," and insert in lieu thereof "and subject of the chapter or section."

The motion to amend prevailed.

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

The Speaker announced Committee on resolution relative to the examination of Mines, Messrs. Given, Rees and Shaw.

On H. F. No. 82, A bill for an act providing for the creation of a Board of Charities: Messrs. Wilson, Hobbs, Reed of Howard, Hemenway, and Stuart.

RESOLUTIONS.

Leave was granted Mr. Reed of Jackson, to offer the following resolution.

Resolved, That the postmasters of this General Assembly are hereby directed to retain all mail matter committed to their care that has not sufficient postage stamps thereon.

Mr. Shaw moved to amend by adding "and that the mail carrier be instructed to bring back to the post office all mail that is not sufficiently stamped."

The motion as amended prevailed.

The resolution as amended was adopted.

Leave was granted Mr. Johnston of Dubuque, to offer the following resolution.

WHEREAS, There is a scarcity of the Reports of the Auditor of State for the year 1875, and there being very valuable information in said reports, therefore

Be it resolved by the House, the Senate concurring, That there be printed for distribution 2000 copies of said reports.

On the adoption of the resolution Mr. Bolter demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Auld, Brooks, Calvin, Case, Clark of Johnson, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Evans, Gilliland, Given, Gray, Hall, Hemenway, Homer, Horstman, Horton, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, McElderry, McHugh, Madden of Polk, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Ure, Wilson, and Young—53.

The nays were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brown, Brush, Bush, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Elliott, Fuller, Gibbons, Giltner, Glendenning, Glover, Graves, Harned, Hoag, Hobbs, Hotchkiss, Irwin of Warren, Kauffman, Lane, Lynch, McCune, McNeill, Madden of Taylor, Madson, Mentzel, Rae, Reed of Howard, Reed of Jackson, SeEVERS, Stuckey, Tice, Underwood, White, Williams, and Mr. Speaker—43.

Absent or not voting:

Messrs. Crawford of Dubuque, Dixon, McCartney, and Thayer.

So the resolution was adopted.

Leave was granted Mr. Smith to offer the following resolution:

Resolved, That the Secretary of State be requested to furnish members of the General Assembly with a list of the amount of postage

necessary for sending the different reports of State officers through the mails.

Mr. Glover moved to amend, by striking out all that relates to members of the General Assembly, and in lieu thereof post up a copy in the post office.

The motion prevailed.

The resolution as amended was adopted.

Leave was granted Mr. McCune to offer the following resolution, which was not adopted:

Resolved, That the Committees on Judiciary and State University be requested to confer and inquire into the expediency of so changing the law that the argument terms of the Supreme Court of Iowa, which are now required to be held at Davenport, be hereafter held at Iowa City. *Provided*, That such terms may be held at Iowa City, without expense to the State for room, library, fuel or light; and that the committees report to the House at an early day.

Mr. Given moved to reconsider the vote by which H. F. No. 12, A bill for an act to repeal section 38 of the Code, etc., was ordered to be engrossed for a third reading.

The motion prevailed.

Mr. Reed of Jackson, moved to refer to the Committee on Judiciary; pending the question, at 12 o'clock, on motion, of Mr. Brown, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 21, 1876 }

House met pursuant to adjournment, Speaker in the Chair.

Prayer by the Rev. C. A. Gelwicks.

Journal of yesterday read.

On motion, of Mr. Gilliland, the further 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 bill in which the concurrence of the House is asked.

S. F. No. 52, A bill for an act to legalize the acts of the council of the city of Mt. Pleasant, in relation to the levy of taxes.

J. A. T. HULL, *Secretary*.

UNFINISHED BUSINESS.

The question recurring on the motion to refer H. F. No. 12, A bill for an act to repeal section 38 of the Code, &c., to the Committee on Judiciary prevailed.

On motion of Mr. Elliott, H. F. No. 92, A bill for an act to amend chapter 1, title 6, of the Code, was referred to the Committee on Ways Means.

PETITIONS.

Mr. Fuller presented a petition from the citizens of Fayette county, asking for such measures as will give to the homeopathic medical profession a due portion of the funds appropriated for the medical department of the State University.

Referred to the Committee on State University.

Mr. Bolter presented a similar petition from the citizens of Harrison county.

Referred to the Committee on State University.

Mr. Shepardson presented a petition from the board of supervisors of Floyd county, asking for a change in the criminal statutes of the State.

Read and referred to the Judiciary Committee.

REPORTS OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 3, A bill for an act to repeal section 573 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 10, A bill for an act to repeal section 3370 of chapter 7, title 20, of the Code, relating to the disposal of fines and forfeitures, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 19, A bill for an act to so change the regulations in regard to juries as to enable juries to render their verdict in accordance with the agreement of three fourths of their number, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and to re-enact section 3812 of the

Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words and figures "of 1873," where the same occur immediately after the word "Code" in the bill and in the title thereof; and that, with this amendment, the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 32, A bill for an act to legalize certain taxes, and to provide for the collection thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 33, A bill for an act to amend section 3861 of chapter 2, part 4, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 56, A bill for an act to amend chapter 1, title 6, of the Code, as to listing and assessing personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Ways and Means.

JOHN Y. STONE, *Chairman*.

Ordered passed on file.

Mr. SeEVERS, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred a joint resolution relative to State revenue stolen from Bremer county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be passed.

W. H. SEEVERS, *Chairman*.

Ordered passed on file.

Mr. MADDEN, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 59, A bill for an act to amend sections 1474 and 1475 of the estray law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

WM. G. MADDEN, *Chairman*.

Ordered passed on file.

The Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of the Code, relating to fees of witnesses, and enacting a substitute therefor.

M. C. JORDAN, *Chairman.*

INTRODUCTION OF BILLS.

Mr. White introduced H. F. No. 94, A bill for an act to amend section 1539, chapter 6 of the Revision of 1873, in relation to selling intoxicating liquors.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Gilliland introduced H. F. No. 95, A bill for an act to amend section 287 of the Code.

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

Mr. Graves introduced H. F. No. 96, A bill for an act to resume all the lands and rights conferred upon the McGregor & Sioux City R. R. Company.

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

Mr. Horton introduced H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code.

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

Mr. Hemenway introduced H. F. No. 98, A bill for an act requiring the keeping of lists of certain officers.

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

Also, H. F. No. 99, A bill for an act to amend sections 530 and 532 of the Code.

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

Also, H. F. No. 100, A bill for an act to protect fruit and ornamental trees.

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

Mr. Bolter introduced H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and appropriate money therefor.

Read first and second time, and referred to the Committee on Fish and Game, and ordered printed.

Mr. Graves introduced H. F. No. 102, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly of the State of Iowa.

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

Mr. Simmons introduced H. F. No. 103, A bill for an act to amend sections 240 and 241, chapter 10, title 3 of the Code, in relation to juries.

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

Mr. Tice introduced H. F. No. 104, A bill for an act to repeal section 1495, chapter 4, title 11 of the Code, in relation to partition fences.

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

Mr. Palmer introduced H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending schools in adjoining districts, and to enact a substitute therefor.

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

Mr. Chapman introduced H. F. No. 106, A bill for an act to amend section 983, chapter 2, title 7, of the Code.

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

Mr. Graves introduced H. F. No. 107, A bill for an act to protect the public against fraud and extortion in the sale of tickets for transportation.

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

Mr. Lane introduced H. F. No. 108, A bill for an act to amend section 3853 of the Code of Iowa.

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

Mr. Madden of Polk, introduced H. F. No. 109, A bill for an act to repeal section 1, chapter 25, acts of the Fifteenth General Assembly, relating to town and city lots.

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

Mr. Harned introduced H. F. No. 110, A bill for an act to change the name of Petersburg in Keokuk county.

Read first and second time, when Mr. Harned 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.

The question recurring upon its passage, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—96.

The nays were none.

Absent or not voting:

Messrs. Dixon, McCartney, Thayer, and Ure—4.

So the bill passed and the title was agreed to.

Mr. Hunt introduced H. F. No. 111, A bill for an act to amend section 1 of chapter 28 of the laws of the Fifteenth General Assembly.

Read first and second time, and referred to the Committee on County and Township Organizations, and ordered printed.

Mr. Ure introduced H. F. No. 112, A bill for an act to amend subdivision 24 of section 303, chapter 2, title 4 of the Code, to allow boards of supervisors to make additional appropriations for bridges.

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

Mr. SeEVERS introduced H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts with county officers.

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

Mr. Read of Howard introduced H. F. No. 114, A bill for an act to legalize the levy of certain bridge taxes in Howard county, Iowa.

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

Mr. Brooks introduced H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12 of the Code, relating to compensation of school officers.

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

Also H. F. No. 116, A bill for an act to establish a State educational board of examiners.

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

Mr. Birchard introduced H. F. No. 117, A bill for an act to amend section 1507, chapter 4 of the Code.

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

RESOLUTIONS.

Mr. Smith offered the following joint resolution, and moved that it be referred to the Committee on Constitutional Amendments, and printed:

The motion did not prevail.

Joint resolution agreeing to a proposed amendment of section one of article 2 and section 4 of article three of the Constitution of the State of Iowa:

WHEREAS, The Fifteenth General Assembly of the State of Iowa, did in due form, by a majority of the members elected to each of the two houses, agree to a proposed amendment to the Constitution, as follows, to wit:

1st. Strike from section 1 of article 2 of said Constitution the word "male."

2d. Strike from section 4 of article 3 of said Constitution, the word "male;" and,

WHEREAS, Said proposed amendments were entered upon the journals of both houses, with the yeas and nays taken thereon, and referred to the legislature to be chosen at the general election to be held in the year A. D., 1875; and the same having been published as provided by law, for three months previous to the time of the election of this, the Sixteenth General Assembly; therefore,

Be it resolved by the General Assembly of the State of Iowa;

That the said amendments are hereby ratified, agreed to and confirmed, and the same shall be submitted to the people at the next general election, for their approval or rejection.

It shall be the duty of the Secretary of State to see that the provisions of this joint resolution are carried into effect in the manner provided by law.

On motion of Mr. Given, the resolution was referred to the Committee on Constitutional Amendments.

Mr. Danforth offered the following resolution :

Resolved, That all bills involving an appropriation of money from the treasury for the support of the various institutions, shall be presented on or before the 5th day of February next.

Mr. SeEVERS moved to amend by striking out the "5th day of February," and inserting the "1st." The motion prevailed, and the resolution as amended was adopted.

Mr. Brown offered the following resolution, which was referred to the Committee on Schools :

WHEREAS, Our present system of county superintendency of schools, from reasons not necessary here to enumerate, has proved in some localities an almost entire failure, and

WHEREAS, Other states, further advanced in educational matters than our own, have abolished that office and others are contemplating such action ; therefore,

Be it resolved by this General Assembly, That the House Committee on Schools be respectfully invited to give this matter their attention, and see if they in their wisdom can devise some measure which will be likely to prove an improvement over the present system, and if so to report to this House in the form, of a bill, the results of their deliberations.

BILLS ON SECOND READING.

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of the Code, relating to fees of witnesses, and enacting a substitute therefor, was read a third time.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs, Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—97.

The nays were none.

Absent or not voting:

Messrs. Dixon, McCartney, and Thayer—3.

So the bill passed and the title was agreed to.

On motion of Mr. Deweese the House took up Senate messages.

S. F. No. 52, A bill for an act to legalize the act of the council of the city of Mount Pleasant, in relation to the levy of taxes.

Read first and second time.

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, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliot, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—89.

The nays were:

Messrs. Bush, Crawford of Dubuque, Rees, and White—4.

Absent or not voting:

Messrs. Bolter, Dixon, Gibbons, Hunt, McCartney, Rae, and Thayer—7.

So the bill passed and the title was agreed to.

Leave of absence was granted Messrs. Hunt and Graves until Monday noon.

Mr. Gilliland moved that the House do now adjourn.

At 11 o'clock and 50 minutes the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 22, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. T. S. Berry.

Journal of yesterday read.

On motion, of Mr. Wilson, the further 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 bill and joint resolution in which the concurrence of the House is asked:

S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette.

Joint resolution in reference to the improvement of the navigation of the Upper Mississippi river.

Also the Senate has passed without amendment House joint resolution relative to postage on third class mail matter.

Concurrent resolution relative to stamps on bank checks.

Concurrent resolution relative to printing two thousand additional copies of the Auditor's report.

J. A. T. HULL, *Secretary.*

REPORT OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 72, A bill for an act to repeal section 4556 of the Code and render competent as witnesses in their own behalf defendants in criminal cases, beg leave to report that they have had the same under consideration, have ordered the same printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 77, A bill for an act to prevent pauperism, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 78, A bill for an act to reduce the number of grand and petit jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 80, A bill for an act to repeal part of section 3173, chapter 2, title 19, Code of 1873, regulating appeals to the supreme court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 89, A bill for an act to repeal sections 3318 and 3319 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 93, A bill for an act to amend section 767 of the Code of 1873, concerning deputies, beg leave to report that they have had the same under consideration, have ordered it printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 114, a bill for an act to legalize the levy of certain bridge taxes in the county of Howard, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JOHN Y. STONE, *Chairman.*

Ordered passed on file.

Mr. Brooks, from the Committee on Schools submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 36, A bill for an act to amend section 1738 of the Code, and to provide for the compensation of members of the board of school directors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 5, A bill for an act to regulate public shows, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Cities and Towns.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12, of the Code, relating to the compensation of school officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with this amendment: that the publication clause be stricken out.

W. M. BROOKS, *Chairman.*

Ordered passed on file.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 2, A bill for an act to amend an act entitled an act to amend sections 289 and 290 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Mr. Horton, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 47, A bill for an act to amend section 936, relating to the publication of roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 78, A bill for an act to amend chapter 986 of the Code, relating to road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 58, A bill for an act to repeal section 989, chapter 2, title 7 of the Code, and to enact a substitute therefor, relating to the powers and duties of road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CHAS. C. HORTON, *Chairman.*

Ordered passed on file.

Mr. Bush, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred a resolution instructing our Senators and Representatives in Congress to secure an amendment to the Constitution of the United States, providing for the election of United States Senators by direct vote of the electors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred House resolution to amend section 3, article 3 of the Constitution, beg leave to report that that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred House resolution for amending the Constitution to prevent the use of public funds for sectarian purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, as the same provisions are covered by a resolution previously referred to this Committee.

BUSH, *Chairman.*

Ordered passed on file.

Mr. Irwin of Lee, from the Committee on Penitentiaries, submitted the following report:

MR. SPEAKER:—Your Committee on Penitentiaries, to whom was referred H. F. No. 23, A bill for an act to provide for the continuance of the work on the additional penitentiary at Anamosa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JOHN N. IRWIN, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Johnson of Winneshiek, introduced H. F. No. 118, A bill for an act to define who shall be eligible to the office of county superintendent.

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

REPORT OF SPECIAL COMMITTEES.

Leave was granted Mr. Hoag, to make a report from the Special Committee of seven on Joint Resolutions.

MR. SPEAKER:—Your Special Committee, Hoag, Bolter, Seevers, Shaw, Harned, Craver, and Brush, to whom was referred financial joint resolution introduced by Mr. Bolter, have instructed me to report that we have had the same under consideration and that your committee unanimously recommend that the second paragraph of the preamble be amended by striking out the words, "*with an attentive ear to the voice of wealth and*" in the first, second, and third lines of said paragraph, and that your committee being equally divided failed to agree on any farther recommendation, than that the resolution as amended be reported back to the House and that your committee be discharged. All of which is respectfully submitted.

E. B. HOAG, *Chairman.*

Mr. Stone, moved that the report and resolution be made a special order for Wednesday, February 2, at 2:30 P. M.

M. McHugh introduced H. F. No. 119, A bill for an act relating to Mutual Insurance companies.

Read first and second time, and referred to Committee on Insurance.

Mr. Irwin of Lee, introduced H. F. No. 120. A bill for an act to provide for the taxation of Loan and Building Associations.

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

Mr. Shaw Introduced H. F. 121, A bill for an act asking for the relief of E. Blakesley.

Read first and second time, and referred to the Committee on Claims. Also, H. F. No. 122, A bill for an act in relation to liens on real estate.

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

Also, H. F. No. 123, A bill for an act asking for the relief of Louis Kinzie.

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

Mr. Hotchkiss introduced H. F. No. 124, A bill for an act to amend section 803 of the Code, exempting mortgaged real estate.

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

Mr. Fuller introduced H. F. No. 125, A bill for an act to amend sections 1527, 1537, and 1538, title 11, chapter 6 of the Code, in relation to intoxicating liquors.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Gibbons introduced H. F. No. 126, A bill for an act in relation to fees of witnesses in Justices and Police Courts.

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

Mr. Lynch introduced H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes.

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

Mr. Johnston of Dubuque introduced H. F. No. 128, A bill for an act to amend certain sections of the Code relative to the report of the treasurers of school districts.

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

Mr. Williams introduced H. F. No. 129, A bill for an act to repeal section 1507, of chapter 4, title 11 of the Code, relative to fences.

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

Mr. Hall introduced H. F. No. 130, A bill for an act to legalize the incorporation of the town of Ackley in Hardin county, Iowa.

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

Mr. Lane introduced H. F. No. 131, A bill for an act to amend section 9, of chapter 160, of the Ninth General Assembly.

Read first and second time, when Mr. Lane moved that the rule be suspended and the bill read a third time now.

The motion was lost, and the bill was referred to the Judiciary Committee.

Mr. Wilson introduced H. F. No. 132, A bill for an act to punish carelessness in the use of firearms.

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

Mr. Johnston of Dubuque introduced H. F. No. 133, A bill for an act empowering township clerks to administer oaths.

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

Also, H. F. No. 134, A bill for an act relative to cattle ways across public highways.

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

Mr. Morse introduced H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies.

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

Mr. Clark of Johnson, introduced H. F. No. 136, A bill for an act to authorize cities, towns, and counties to settle and adjust certain indebtedness.

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

RESOLUTION.

Mr. Tice offered the following resolution which was not adopted:

Resolved, That when this House adjourn it be until Monday next, two o'clock p. m.

On motion of Mr. Johnston of Dubuque, the oath of office was administered by the Speaker to Miss Anna Smith, postmaster.

Leave of absence was granted Messrs. Tice, Rae, Madden of Polk, Baker and Mills until Tuesday morning.

Leave was granted Mr. Giltner to introduce H. F. No. 137, A bill for an act to amend section 1474 and 1475, chapter 3, in reference to estrays.

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

Leave was granted Mr. Kauffman to present a memorial from the religious society of Friends, which was read and referred to the Committee on Judiciary.

Leave was granted Mr. Glover to call up H. F. No. 2, A bill for an act to amend chapter 9, of the Public laws, of the Fifteenth General Assembly.

The report of the committee was adopted.

Mr. Glover moved to amend by adding a publication clause without expense to the State.

The motion prevailed.

Mr. Bush moved to amend, add to section 1: "Provided that the total of said bonded indebtedness shall not exceed 5 per cent. of the assessed valuation of the real and personal property in said counties."

Mr. Danforth moved that when this House adjourn it will be until Monday at 2 o'clock and 15 minutes p. m.

The motion prevailed.

The Speaker announced the following Visiting Committees to start January 24th and 25th:

To the Anamosa Penitentiary—Messrs. Madden of Polk, and McNeill.

Fort Madison Penitentiary—Messrs. Wilson, and Jaqua.

Deaf and Dumb Asylum—Messrs. Gilliland, and Rees.

Orphan's Home at Glenwood—Messrs. Deweese, and Madson.

To start January 28th to 31st:

Insane Asylum at Independence—Messrs. Giltner, and Brown.

Insane Asylum at Mt. Pleasant—Messrs. Reed of Howard, and Auld.

Reform School—Messrs. McCartney, and Reed of Jackson.

Fish Hatchery at Anamosa—Messrs. Case, and Bolter.

To start February 2d to 3d:

Blind Asylum at Vinton—Messrs. Robinson, and Mueller.

Agricultural College and Farm—Messrs. Mills, and Lane.

State University at Iowa City—Messrs. Brooks, and Thayer.

Soldier's Orphan's Homes at Davenport and Cedar Falls—Messrs. Horton and Underwood.

Mr. Clark of Johnson, moved to refer H. F. No. 2, with pending amendment to the Committee on Judiciary.

The motion prevailed.

On motion of Mr. Johnston of Dubuque, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, 2:15 O'CLOCK, P. M., JAN. 24, 1876 }

House met pursuant to adjournment, Speaker in the Chair.

Prayer by the Rev. J. P. Cowan.

Journal of Saturday read.

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

PETITION.

Mr. Young presented a petition from the citizens of Lincoln township, Clinton county, praying for the abolishment of a 5 per cent. railroad tax levied in 1870.

MESSAGES FROM THE GOVERNOR.

A message was received from the Governor in relation to the election of Managers of the various State institutions; also a message in relation to the Centennial, together with the report of the Hon. Robt. Lowry, of the United States Centennial Commission.

All of which were passed on file.

Leave was granted Mr. Rees to introduce H. F. No. 138, A bill for an act to provide for redeeming lands and town lots sold for taxes, in certain cases.

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

Also, to introduce H. F. No. 139, A bill for an act to amend sections 3507 and 3508 of the Code, title 21, chapter 1, in relation to Justices of the Peace.

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

Also, to introduce H. F. No. 140, A bill for an act to perpetuate evidence of original notices.

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

Mr. Irwin of Warren, presented a petition from the board of supervisors of Warren county asking for the passage of an act that will permit counties to fund their indebtedness.

Leave was granted Mr. Bolter to introduce H. F. No. 141, A bill for an act requiring Railroad Companies to fence their right of way in certain cases.

Read first and second time, and referred to the Railroad Committee, and ordered printed.

Leave was granted Mr. Gilliland to introduce H. F. No. 142, A bill for an act apportioning the State into Representative Districts.

Read first and second time, and referred to the Committee on Senatorial and Representative Districts, and ordered printed.

Mr. Colvin presented a petition from the citizens of Boone county, asking for a change in the road laws.

Referred to the Committee on County and Township Organizations.

Mr. Bush presented a petition from the McGregor & Missouri R. R. Company, asking for an extension of time for the construction of the line of railroad from Algona to Sheldon.

Referred to the Committee on Railroads, and ordered printed.

Mr. Hall presented a petition from the citizens of the State of Iowa, asking for such measures as will give the Homeopathic medical profession a due portion of the funds appropriated for the medical department of the State University.

Referred to the Committee on State University.

REPORTS OF COMMITTEES.

Mr. Robinson from the Committee on County and Township Organizations submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code, relating to township officers, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 74, A bill for an act to amend section 1362 of chapter 1, title 9 of the Code, relating to the support of the poor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 91, A bill for an act to amend the last paragraph of section 678, chapter 5, title 5 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 98, A bill for an act to enable and require county auditors to keep lists of city, township, and school district officers, justices of the peace and constables, amendatory of sections 397 and 1736 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 55, A bill for an act to repeal section 1 of chapter 39 of the public acts of the Fifteenth General Assembly, and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of section 1 of said bill the word "may" in the second line, and inserting "shall" in lieu thereof; also by striking out of the third line of said section the words "in any year," and inserting in lieu thereof, "A. D. 1876;" also by inserting in parenthesis, after the word "divide," in said third line, the words "if not already divided;" also by adding to said section the following: "and may redivide their respective counties as aforesaid every three years thereafter;" and that, as so amended, the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 95, A bill for an act to amend chapter 1, title 6, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

• G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred a communication of B. R. Vale, in regard to section 999, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 39, A bill for an act to create a bureau of agriculture, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

WM. G. MADDEN, *Chairman*.

Ordered passed on file.

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12, of the Code, in relation to children attending schools in adjoining districts, and to enact a substitute therefor beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments, to insert the word "any" after "in" in the seventh line of section 1, and after the word district in the ninth line, insert the words "and one mile or more by the nearest traveled highway from any school in."

WM. M. BROOKS, *Chairman*.

Ordered passed on file.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 86, A bill for an act to amend section 3800, Code of 1873, to increase the compensation of county surveyor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 57, A bill for an act to repeal section 3777, title 23, chapter 2, of the Code, relating to the payment of short hand reporters, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 81, A bill for an act to amend section 3800, chapter 2, title 23, of the Code, relating to compensation of county surveyor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to

the House with the recommendation that it be so amended that the latter clause of section 1, shall read "for certified copy of the plat and field notes fifty cents per hour" and that so amended it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 22, A bill for an act to repeal section 12, chapter 2, title 1 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

LOUIS CASE, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr Given introduced H. F. No. 143, A bill for an act to repeal section 1160 of the Code, relating to mutual insurance companies, and enact a substitute therefor.

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

Mr. Brown introduced H. F. 144, A bill for an act to establish a State Board of Health and define its duties.

Read first and second time, and referred to a Special Committee of 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 passed the following bill in which the concurrence of the House is asked.

S. F. No. 73, A bill for an act in relation to tax sales and redemption of property in counties having two county seats.

J. A. T. HULL, *Secretary.*

INTRODUCTION OF BILLS RESUMED.

Mr. Stuart introduced H. F. No. 145, A bill for an act to repeal sections 985 and 3077 of the Code, and enact a substitute therefor.

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

Mr. Danforth introduced H. F. No. 146, A bill for an act to secure the owners and operators of threshing machines in the collection of their wages.

Referred to the Judiciary Committee.

Mr. Norris introduced H. F. No. 147, A bill for an act to amend chapter 2, title 18, section 3074 of the Code.

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

Mr. Smith introduced H. F. No. 148, A bill for an act to authorize the treasurer of State to transfer the moneys arising from the sale of Agricultural College lands and scrip to the general revenue fund.

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

Mr. Hobbs introduced H. F. No. 149, A bill for an act to repeal sections 1427, 1428, and 1433 of the Code, and chapter 26 of the public acts of the Fifteenth General Assembly.

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

Also, H. F. No. 150, A bill for an act to repeal subdivision 30 of section 214, chapter 4, of the Code, and to enact a substitute therefor.

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

Mr. Christy introduced H. F. No. 151, A bill for an act to amend sections 2623 and 2624, title 27, chapter 6 of the Code.

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

Mr. Howard introduced H. F. No. 152, A bill for an act to repeal section 3791, chapter 2, title 23, of the Code of 1873, defining the compensation of the Boards of County Supervisors.

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

Mr. Robinson introduced H. F. No. 153, A bill for an act to repeal subdivision 2, of section 886, chapter 1, title 6, of the Code, and chapter 28 of the public acts of the Fifteenth General Assembly, and to enact a substitute therefor.

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

Mr. Hall introduced H. F. No. 154, A bill for an act appropriating money to pay the expenses of the Reform School Investigation Committee.

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

Mr. Palmer introduced H. F. No. 155, A bill for an act to amend section 3800, chapter 2, title 23 of the Code, in relation to compensation of county officers.

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

Mr. Glover introduced H. F. No. 156, A bill for an act creating the Fourteenth Judicial District, and providing for the election of District and Circuit Judges and District Attorney therein.

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

Mr. Clark of Johnson, introduced H. F. No. 157, A bill for an act to enable the First Universalist Parish of Iowa City to transfer a portion of its property.

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

RESOLUTION.

Mr. Given offered the following resolution :

WHEREAS, The organization of this General Assembly was perfected on Tuesday, January 11, 1876 ; and

WHEREAS, Doubts exist as to whether the action of this General Assembly in voting for United States Senator in Congress, on Tuesday, January 18, 1876, is in conformity with the acts of Congress requiring

such election to be held on the second Tuesday after the meeting and organization of the Legislature; therefore

Resolved by the House of Representatives the Senate concurring, That each House shall on Tuesday, the 25th day of January, 1876, proceed to the election of a United States Senator in Congress, for the time and in the manner prescribed by law, and that at 12 o'clock, meridian, of January 26, 1876, the two Houses shall convene in joint assembly to compare and read their respective journals of such election and to declare the result as provided by law.

Mr. Clark of Johnson, offered the following amendment:

"Not intending however to negative hereby, or imply invalidity in, the action of either House, or of the two Houses in joint convention heretofore on the 18th and 19th day of January, 1876, respecting the election of a United States Senator."

Mr. Tice moved to refer the resolution, with pending amendment, to a special committee of three, with instructions to report to-morrow morning, after the reading of the journal.

The motion to refer did not prevail.

The amendment offered by Mr. Clark of Johnson was adopted.

The resolution as amended was adopted.

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

WHEREAS, The consolidation of the Soldiers' Orphans' Homes is contemplated by certain members of the General Assembly; therefore

Resolved by the House, the Senate concurring, That it is the sense of this body that the interest of the State would be best served by the appointment of but one committee to visit the two Homes, located at Cedar Falls and Davenport.

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

Resolved, That during the absence of the committees appointed by the Speaker of this House, to visit and report on the several State institutions, no bill, resolution, or other measure offered by any member of any such committee, and now in the possession of this House, shall come up for final action during the necessary absence of the mover or author thereof, while in the discharge of his duty as a member of such committee.

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

Resolved, That the Committee on Roads and Highways be requested to inquire into the expediency of so changing the law that the road tax in the township, or a portion thereof, may be applied where the same may be most needed for the improvement of roads in such township, without restriction to the particular road district in which the tax may be assessed, or from which paid.

Mr. Reed of Howard 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 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 con-

cursing, That both Houses of the General Assembly will adjourn on Thursday, the 27th day of January, inst., until Thursday, the 3d day of February next, and that the various visiting committees to such institutions be required to perform their duties, respectively, during such recess, and report to their respective Houses on or before the 4th day of February next.

Mr. Gibbons moved to lay the resolution on the table.

Mr. Reed of Jackson, demanded the yeas and nays, which were as follows.

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Bush, Calvin, Campbell, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Elliott, Evans, Gibbons, Glendenning, Graves, Gray, Harned, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Kauffman, McCalderry, McHugh, Mentzel, Morse of Adams, Mueller, Norris, Reed of Jackson, Said, Smith, Stone, Stuckey, Underwood, White, Young, and Mr. Speaker—44.

The nays were:

Messrs. Brooks, Brown, Brush, Chapman, Clark of Johnson, Danforth, Deweese, Fuller, Giltner, Given, Glover, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Johnson of Benton, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCune, McNeill, Madden of Polk, Madden of Taylor, Manning, Moffit, Morse of Wright, Palmer, Proudfoot, Reed of Howard, Robinson, Scott, Seever, Shaw, Shepardson, Simmons, Stuart, Thayer, Tice, Ure, Williams, and Wilson—45.

Absent or not voting:

Messrs. Baker, Case, Dixon, Gilliland, Jaqua, Madson, Maris, Mills, Rae, and Rees—10.

So the motion to lay on the table did not prevail.

Mr. Reed of Jackson, moved to refer the resolution to a special committee of three.

The motion did not prevail.

Mr. Brooks moved to amend by striking out Thursday, January, 27th, and inserting Wednesday, January 26th, and by striking out Thursday, February 3d, and inserting Wednesday, February 2d.

Mr. Gibbons moved a call of the House, which was ordered.

The clerk proceeded to call the roll, pending which, on motion of Mr. Smith, further proceedings under the call were dispensed with.

Mr. Tice moved that the House now adjourn.

The motion did not prevail.

Mr. Danforth moved to amend the amendment by striking out Wednesday, February 2d, and inserting Thursday, February 3d.

The motion to amend the amendment did not prevail.

The amendment did not prevail.

Mr. Williams offered the following substitute:

Resolved that the House of Representatives the Senate concurring, Adjourn from Saturday, the 29th of January, 1876, till the 7th day of February, 1876, 2'clock, P. M., and that the chairman so fix the committees that they may visit all the various institution during recess.

On motion, of Mr. Smith, the House adjourned at 4 o'clock and two minutes.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 25th, A. D., 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. T. S. Berry.

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

MESSAGE FROM THE SENATE.

The following message was received from the Senate and passed on file.

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:

S. F. No. 24, A bill for an act regulating the jurisdiction of justices of the peace.

S. F. No. 38, A bill for an act to amend chapter 4, title 16 of the Code, in relation to estates of decedents.

S. F. No. 42½, A bill for an act relating to the recording of United States and State patents for lands.

J. A. T. HULL, *Secretary.*

UNFINISHED BUSINESS.

The question recurring on the adoption of the substitute offered by Mr. Williams, on motion of Mr. Brooks, the further consideration of the question was indefinitely postponed.

PETITIONS.

Mr. Evans presented a petition from the citizens of Sheldahl in relation to independent school districts in that vicinity.

Referred to the Committee on Schools.

Mr. Robinson presented a petition from the board of supervisors of Emmet county, Iowa, asking for a law to enable townships to aid works of internal improvement.

Referred to the Committee on Railroads.

Mr. Glendenning presented a petition from the citizens of Wayne county asking for such measures as will give the homeopathic medical profession a due portion of the funds appropriated for the Medical Department of the State University.

Referred to the Committee on State University.

Mr. Lynch presented a petition from Philip Harvey, asking for relief.

Referred to the Committee on Claims.

Mr. Given presented a petition from the citizens of the City of Des

Moines, asking for an appropriation to enable the militia of the State to make a respectable showing at the Centennial at Philadelphia.

Referred to the Committee on Military Affairs.

Mr. Crawford of Dubuque, presented a petition from the board of supervisors of Dubuque county, asking for such measures as will enable boards of supervisors to appropriate money for the erection of public buildings.

Referred to Committee on Public Buildings.

Mr. Reed of Jackson, presented a petition from the board of supervisors of Jackson county, asking for a change in the criminal statutes of the Code.

Referred to the Committee on County and Township Organizations.

Mr. Bush of Hancock, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred House resolution to amend the Constitution so as to prohibit the use of public moneys or revenue for sectarian purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Add the words "or creed," and strike out the words "nor shall sectarianism, atheism or infidelity be ever taught therein," and that as thus amended it do pass. As to the last amendment, to strike out, Gibbons of Lee dissents.

BUSH, *Chairman.*

Ordered passed on file.

Mr. Gibbons submitted the following minority report:

MR. SPEAKER:—As a member of your Committee on Constitutional Amendments, to whom was referred the following concurrent resolution to amend the Constitution, to-wit:

"That no public funds, moneys, or revenues whatever shall be appropriated or used in the establishment, support, or maintenance of any school, seminary, college, or institution of learning or charity unless the same shall have been established by the laws of the State of Iowa and under its control; nor shall any institution established, supported, and maintained at the public expense, be under the control of any religious denomination, nor shall sectarianism, atheism, or infidelity be ever taught therein." I beg leave to submit the following minority report:

The majority of your committee recommend that the words "or creed," be added after the words "religious denominations." In this recommendation I fully concur; but dissent from the recommendation of the majority to strike out the words "nor shall sectarianism, atheism, or infidelity be ever taught therein." As the resolution was introduced by me, I take the liberty of stating the reasons why I cannot agree with the recommendation of the majority.

Concerning our duties as citizens of this Republic to which we owe allegiance, and the people of this State whose servants we now are, it should be our urgent desire to look above and beyond the trifles and foibles of party in matters of great moment to the peace, quietude and universal prosperity of all the people of every political shade and religious belief. In such matters, we should act upon principles that are uniform and universal, and conformable to the dictates of the immutable laws of truth, right and justice.

Prompted by these motives, I am in favor of a public common school system such as will afford facilities of mental culture to the youth of all this broad land sufficient to qualify them for the ordinary avocations of life—where the Jew and the Gentile, the atheist and the christian—every one who wishes to avail himself of such facilities and partake of the common bounty of a common people, where he may do so without having his manhood insulted or his conscience wounded by the teachings of any sect, creed or denomination, whether catholic, protestant or pagan. In the words of President Grant, whose saying and sentiments, in this respect, will be quoted and cherished by generations yet to come.

“Encourage free schools, and resolve that not one dollar appropriated for their support shall be appropriated to the support of any sectarian schools. Resolve that neither the State nor Nation, nor both combined, shall support institutions of learning other than those sufficient to afford every child growing up in the land the opportunity of a good common school education, unmixed with sectarian, pagan, or atheistical dogmas. Leave the matter of religion to the family altar, the church, and the private schools, supported entirely by private contributions. Keep the church and the state forever separate.” This is verily a manly and patriotic declaration of principles—principles as old as the Declaration of American Independence, and as dear to the heart of every true American as was the great principles of Magna-Charta to the English barons.

Then let us unanimously proclaim and declare, not one dollar of the school money “shall be appropriated to the support of any sectarian schools.” And by so doing we must, necessarily, abolish the reading and teaching of the Bible in the public schools. Until we do so they will not cease to be sectarian schools. The Jewish Rabbi and the Catholic Priest have the same right to enter and teach the children of their flocks who attend the public schools, the things which are essential to eternal salvation from their religious standpoint, as much so as those who take the Bible as a rule of faith and morals have a right to insist on the Bible being taught in these schools. Yet, should the Rabbi or Priest demand this right, such a demand would cause a revolution which would be felt from the Rio Grand to Maine, from the Atlantic to the Pacific,—while every intelligent man of impartial judgment will say that the demand of the one would be no more inconsistent than the claim of the other,—and why? Because, those who take the Bible as their rule of faith and morals maintain that every one has the right to interpret the Bible for himself; and, if so, then the reading and teaching of the Bible make the schools protestant sectarian, as much so as they would be catholic sectarian, in case the priest should be allowed to teach and explain the dogmas of the Roman Catholic Church. What right has either the one or the other religious denomination to compel the jew, atheist, infidel or pagan, to contribute to the support and maintenance of sectarian schools? None whatever! Each christian denomination may exercise the right to send missionaries abroad to christianize the heathens, while at home, to heathenize the christian, by an over-zealous solicitude (?) of each other's eternal welfare. This is christian privilege—yet neither the one nor the other nor all combined, have the right to exact from the citizen, by way of

taxation, one cent for the support of sectarian schools. To do so is an arbitrary usurpation of the inalienable rights guaranteed to all men by the Constitution. If this Assembly should pass the resolution as amended and reported by the majority, it will have the effect to keep alive and embitter the strife. Let us then be worthy of our trust, and uninfluenced by any consideration or motive, other than the well being of all classes, draw a line of demarcation between religion and politics. Let us heal all differences on this point, and proclaim and declare that religion and politics, church and state, shall be separated forever; so that every citizen may bear that straightforward, manly, and patriotic allegiance to the state—free, unswayed, and untrammelled. That in our business relations, in politics, in everything which pertains to our duty towards each other as a humane and enlightened people, we may meet on the broad platform of universal fellowship regardless of our differences in matters of religion,—differences which hate can never reconcile.

JOHN GIBBONS.

Mr. Bolter moved to print two thousand copies of the minority report, which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Clark of Marion, introduced H. F. No. 158, A bill for an act defining the duties of sheriffs and other officers in executing the death penalty.

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

Also, H. F. No. 159, A bill for an act to amend section 1507 of chapter 4 of the Code, in relation to partition fences.

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

Mr. Johnson of Winneshiek, introduced H. F. No. 160, A bill for an act to repeal section 1176, chapter 9, title 12 of the Code, relating to the compensation of county superintendents and to enact a substitute therefor.

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

Mr. Hemenway introduced H. F. No. 161, A bill for an act to amend section 2254 of the Code, relating to the accounting of guardians.

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

Also, H. F. No. 162, A bill for an act to amend sections 3818, 3829, 4413, and 414 of the Code, relating to criminal prosecutions.

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

Also, H. F. No. 163, A bill for an act to amend sections 894 and 895, relating to the service of notices of tax sale of land.

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

Mr. Elliott introduced H. F. No. 164, A bill for an act to amend sections 215 and 532, chapter 10, title 4 of the Code, concerning the election of marshal in cities of the second class.

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

Mr. Rae introduced H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

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

Also, H. F. No. 166, A bill for an act to legalize the sale of certain school lands in Cherokee county.

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

RESOLUTIONS.

Mr. Brown offered the following resolution which was adopted:

Be it resolved by the House of Representatives, That in the event of no recess being taken, that the House will not take up or debate the bill relating to capital punishment, the bill for an increase of judges salaries, or the Constitutional amendment relating to female suffrage during the absence of any of the Committees.

Mr. White offered the following resolution, and on its adoption demanded the yeas and nays:

WHEREAS, For a term of years we have had a law to prohibit the sale of intoxicating beverages, and

WHEREAS, Said law has failed to accomplish the purpose for which it was enacted; and

WHEREAS, Under said law the evils of and the crimes committed under the influence of intemperance, are increasing; therefore be it

Resolved, That it is the sense of this House that a judicious license law would be productive of greater good, and more beneficial in its results, than the present prohibitory law.

Mr. Stone moved to refer the resolution to the Committee on Suppression of Intemperance.

The motion prevailed.

The communication from the Governor, relating to the beginning and termination of terms of office of the Regents and Trustees of the various State institutions, was taken up, read, and referred to the various committees relating to those subjects.

The communication relating to the Centennial Commission, was read and referred to the Committee on Centennial, on motion of Mr. Clark of Johnson.

Leave was granted Mr. Gibbons to call up H. F. No. 93, A bill for an act to amend section 767 of the Code of 1873, concerning deputies.

Mr. Gibbons moved that the rule be suspended and the bill be considered, engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag,

Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McDerry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—90.

The nays were none.

Absent or not voting:

Messrs. Case, Clark of Johnson, Dixon, Gilliland, Irwin of Lee, Jaqua, Madson, Mills, Rees, and Wilson—10.

So the bill passed, and the title was agreed to.

On motion of Mr. Gibbons, the House took up Senate messages.

S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette, was read first and second time, and referred to the Committee on Judiciary.

Joint resolution in reference to the improvement of the navigation of the Upper Mississippi river, was taken up and read and adopted.

S. F. No. 73, A bill for an act to repeal chapter 46 of the laws of the Fifteenth General Assembly, concerning taxes in Lee county, was read first and second time.

Mr. Gibbons moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

On motion of Mr. Hobbs the bill was referred to the Committee on Ways and Means, and ordered printed.

S. F. No. 24, A bill for an act regulating the jurisdiction of justices of the peace.

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

S. F. No. 38, A bill for an act to amend chapter 4, title 16 of the Code, in relation to the estate of decedents.

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

S. F. No. 42, A bill for an act relating to the recording of the United States patent for lands.

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

On motion of Mr. Reed of Howard, H. F. No. 114, A bill for an act to legalize the levy of certain bridge taxes in the county of Howard, with report of committee recommending it do pass was taken up, considered, and the report of the committee was adopted.

Mr. Reed of Howard, moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Dewese, Elliott, Evans, Fuller, Gibbons, Given, Glendenning, Glover, Graves, Gray,

Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winnebiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Young, and Mr. Speaker—85.

The nays were:

Messrs. Crawford of Dubuque, Scott, and White—3.

Absent or not voting:

Messrs. Bush, Case, Crawford of Scott, Dixon, Gilliland, Giltner, Hall, Jaqua, Madson, Manning, Rees, and Wilson—12.

So the bill passed and the title was agreed to.

BILLS AND RESOLUTIONS ON SECOND READING.

House resolution in reference to an amendment to the Constitution, was taken up and discussed.

Mr. Gibbons moved to amend by striking out "five hundred" and insert "three hundred."

Mr. Bolter moved to amend the amendment by striking out "three hundred" and insert "one hundred."

On motion of Mr. Stuckey, the resolution was referred to the Committee on Judiciary.

H. F. No. 3, A bill for an act to repeal section 573 of the Code, was taken up and indefinitely postponed.

H. F. No. 10, A bill for an act to repeal section 3370 of the Code, was taken up and indefinitely postponed.

H. F. No. 19, A bill for an act to change the regulations in regard to juries, etc., was taken up, with report of the committee recommending that it be indefinitely postponed, and concurred in.

On motion, of Mr. Williams, H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code, was taken from the files and referred to the Committee on Agriculture.

Leave was granted Mr. Given to introduce H. F. No. 167, A bill for an act to repeal section 1558 of the Code, relating to intoxicating liquors, and to enact a substitute therefor.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Leave was granted Mr. Bush to introduce H. F. No. 168, A bill for an act to repeal sections 1745, 1754, 1755, and 1772, and enact a substitute therefor.

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

By leave, Mr. Shaw introduced H. F. No. 169, A bill for an act to amend section 819 of the Code of 1873.

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

Leave was granted Mr. Giltner to introduce H. F. No. 170, A bill for act to amend section 1774, chapter 9 of the Code.

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

H. F. No. 24, A bill for an act to repeal chapter 32 of the acts of the Fifteenth General Assembly, was then taken up and the report of the committee that it do pass with amendment, was concurred in.

The bill was then ordered engrossed for a third reading.

Mr. Clark of Johnson, moved to reconsider the vote by which H. F. No. 19 was indefinitely postponed, A bill for an act to change the regulations in regard to juries.

The motion prevailed, and on motion, of Mr. Clark of Johnson, the bill was recommitted to the Committee on Constitutional Amendments.

H. F. No. 32, A bill for an act to legalize the collection of certain taxes was taken up.

On motion of Mr Stone the bill was recommitted to the Judiciary.

H. F. No. 33, A bill for an act to amend section 3861, of chapter 2, part 4, of the Code, was then taken up 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 concurred in the following resolutions of the House.

Resolution in relation to one committee visiting the orphan's homes at Cedar Falls and Davenport.

Resolution relative to meeting in joint assembly, at meridian, on Wednesday, January 26, 1876, for the purpose of comparing the journals of the two Houses, touching the election of United States Senator.

R. B. BAIRD,

Second Assistant Secretary.

The Speaker announced special committee on H. F. No. 144, A bill for an act to establish a State Board of Health, Messrs. Brown, Johnson of Benton, and Given.

Mr. Given moved that the House proceed to the election of United States Senator for the term commencing March 4, 1877. The motion prevailed.

The Speaker appointed Messrs. Reed of Howard, and Gibbons tellers.

Mr. Stone nominated Samuel J. Kirkwood.

Whereupon the roll was called, with the following result:

Whole number of votes cast.....	68
Mr. Kirkwood received.....	66
Mr. Stoneman received.....	1
Mr. Baker received.....	1

Those voting for Mr. Kirkwood were,

Messrs. Allen, Auld, Benton, Brooks, Brush, Bush, Calvin, Campbell, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Danforth, Deweese, Evans, Fuller, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Homer, Horton, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman,

Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Tice, Underwood, Ure, and Mr. Speaker—66.

Those voting for Mr. Stoneman were, Mr. Brown.

Those voting for Mr. Baker were, Mr. Thayer.

Absent or not voting,

Messrs. Baker, Birchard, Bolter, Case, Christy, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Gibbons, Gilliland, Gray, Harned, Hobbs, Horstman, Hotchkiss, Hunt, Jaqua, Johnston of Dubuque, Lynch, Madden of Taylor, Madson, Mentzel, Mueller, Reed of Jackson, Rees, Stuart, Stuckey, White, Wilson, and Young—32.

On motion of Mr. Given, a committee of two was appointed to notify the Senate that the House was ready to meet them in joint convention at 12 o'clock, meridian, Wednesday, January 26, 1876.

The Speaker appointed Messrs. Given and Hunt said committee.

On motion of Mr. Brown, the House adjourned at 12 o'clock, meridian.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 26, A. D., 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. H. H. Oneal.

Journal of yesterday was read.

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

PETITIONS.

Mr. Shaw presented a petition from the citizens of Anamosa, praying that the so-called McGregor Western R. R. land grant be given to the Iowa, Dakota and Black Hills Railway Company.

Read and referred to Committee on Railroads.

Mr. Lane presented a petition from the board of supervisors of Cerro Gordo county, asking for a change in the criminal statute so as to lessen the expenses of counties in criminal cases.

Read and referred to Committee on Judiciary.

Mr. Mills presented a memorial from the State Horticultural Society, Read and referred to the Committee on Horticulture.

Mr. Robinson presented a petition from the citizens of Emmet county, asking for an appropriation from the unexpended appropriation of 1874 for the relief of the grasshopper sufferers, to assist in securing title to lands.

Read and referred to Committee on Appropriations.

Mr. Brooks presented a petition from the citizens of Fremont county, asking for legislation to encourage the building of railroads.

Read and referred to Committee on Railroads.

Mr. McCartney presented a petition from citizens of Benton county, asking that the Homeopathic medical profession receive its due portion of the funds appropriated to this department of the State University.

Read and referred to Committee on State University.

Mr. Irwin of Warren, presented a petition from the board of supervisors of Warren county, asking a change in the statute to lessen the expenses of counties in criminal cases.

Read and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Seevers, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 113, a bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts with the several county officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass as amended, by striking out the word "actual," in the third line of section 2, and inserting in lieu thereof the word "necessary"; and also recommend that the bill be printed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 104, A bill for an act to repeal section 1495, chapter 4, title 11 of the Code of 1873, in relation to partition fences, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Agriculture.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 124, A bill for an act to amend section 803 of the Code, exempting mortgaged real estate from taxation to the amount secured by the mortgage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means direct me to report a bill for an act to regulate circuses and other shows, with the recommendation that it be printed and passed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 68, A bill for an act to amend section 1428 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be printed and passed.

SEEVERS, *Chairman.*

Ordered passed on file.

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 40, A bill for an act to amend section 1813 of the Code of 1873, relating to the duties of directors of independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 128, A bill for an act to amend sections 1745 and 1751, of chapter 9, title 12 of the Code, relating to the duties of district treasurers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 45, A bill for an act to amend section 1774, of chapter 9, title 12 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

W. M. BROOKS, *Chairman.*

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 31, A bill for an act to amend section 518 of the Code, in regard to the duties of mayors of cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 70, A bill for an act empowering cities to extend their corporate limits, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by inserting the words "in addition to the method now provided by law" in the first line after the word "that," and that the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER—Your Committee on Cities and Towns, to whom was referred H. F. No. 99, A bill for an act to amend sections 530, and 532, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following :

MR. SPEAKER :—Your Committee on Cities and Towns, to whom was referred H. F. No. 60, A bill for an act to amend section 473 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "to regulate and license agents selling by sample" in second and third lines, and the words "drinking saloons" in sixteenth line, and that with these amendments the bill do pass.

Ordered passed on file.

Also, the following :

MR. SPEAKER :—Your Committee on Cities and Towns, to whom was referred H. F. No. 7, A bill for an act to repeal section 390 of the Code, relating to township officers and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following :

MR. SPEAKER :—Your Committee on Cities and Towns, to whom was referred H. F. No. 5, A bill for an act to regulate public shows, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that its further consideration be indefinitely postponed.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Mr. Horton, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred H. F. No. 145, A bill for an act to repeal sections 985 and 8077 of the Code, and enact substitutes therefor, and ordered printed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred H. F. No. 48, A bill for an act requiring road supervisors to preserve section corners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER :—Your Committee on Roads and Highways, to whom

was referred H. F. No. 106, A bill for an act to amend section 983, chapter 2, title 7 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

CHAS. C. HORTON, *Chairman.*

Ordered passed on file.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, respectfully report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 52, A bill for an act to legalize the acts of the council of the city of Mount Pleasant in relation to the levy of taxes.

S. F. No. 16, A bill for an act to legalize the incorporation of the Clermont Printing Company.

Memorial and joint resolution in reference to securing a commercial highway by water between the Mississippi river and Lake Michigan *via* the valleys of the Fox and Wisconsin rivers.

MCNEILL, *Chairman.*

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 103, A bill for an act to amend sections 240 and 241, chapter 10, title 3 of the Code, in relation to jurors, beg leave to report that they have had the same under consideration, ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows:

Insert in line 24 of the bill after the word "sheriff" the words "or his deputy," and in line 25 after the word "auditor" the words "or his deputy," and to insert in the bill as section two the accompanying amendment, and that as thus amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 126, A bill for an act in relation to fees of witnesses in Justices' courts and Police courts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 157, A bill for an act to enable the First Universalist Parish of Iowa City to transfer a portion of its property, beg leave to report that they have had the same under consideration, ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 132, a bill for an act to punish carelessness in the use of fire-arms, beg leave to report that they have had the same under consideration, ordered it printed, and have instructed me to report the same

back to the House with the recommendation that it do pass after being amended as follows: Strike out the second and third sections, and all after the word "days" in the first section, and also the word "and," in the thirtieth line, and insert the word "or" in lieu thereof.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 32, A bill for an act to legalize the levy of certain taxes and to provide for the collection thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 46, A bill for an act to increase the number of Judges of the Supreme Court, beg leave to report that they have had the same under consideration, have agreed upon the accompanying substitute therefor, ordered it printed, and have instructed me to report the same back to the House with the recommendation that as thus amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 61, A bill for an act in relation to evidence in actions upon an account, beg leave to report that they have had the same under consideration, and have adopted a substitute for the same, ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 85, A bill for an act to repeal section 4241 of the Code of 1873, which provides that the substance of the testimony on preliminary examinations shall be written out, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered the same printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 122, A bill for an act in relation to liens on real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 51, A bill for an act to repeal section 3908 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Add the accompanying amend-

ment to the bill, also insert the words "place designated by law" after the word "such" in line 11, chapter 2, also insert the words "not specially authorized by law" after the word "investment" in line 14 of chapter 2, and that as thus amended the bill do pass.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Simmons introduced H. F. No. 171, A bill for an act to amend section 859, chapter 2, title 6, of the Code in relation to the collection of delinquent taxes.

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

Mr. Danforth introduced H. F. No. 172, A bill for an act to amend section 765, of the Code, in relation to the power of commissioners.

Read first and second time, when Mr. Danforth moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

Upon the question shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordon, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Taylor, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—90.

The nays were none.

Absent or not voting:

Messrs. Case, Dixon, Gilliland, Jaqua, McNeill, Madden of Polk, Madson, Robinson, Rees, Wilson—10.

So the bill passed and the title was agreed to.

Mr. Glendenning introduced H. F. No. 173, A bill for an act to enforce the liquor law of the State and to repeal chapter 47 of the Code.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Glendenning introduced H. F. No. 174, A bill for an act to repeal chapter 47, title 25 of the Code.

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

Mr. Irwin of Lee, introduced H. F. 175, A bill for an act to repeal portion of chapter 6, title 11 of the Code, pertaining to intoxicating liquors.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Deweese introduced H. F. No. 176, A bill for an act to provide for surveying and platting of cemeteries.

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

Mr. Kauffman introduced H. F. No. 177, A bill for an act to amend chapter 2, title 16 of the Code of 1873, to entitle parties interested to a jury on probate of will.

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

Mr. Gibbons introduced H. F. No. 178, A bill for an act for a substitute for H. F. No. 20.

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

Mr. Baker introduced H. F. No. 179, A bill for an act to enable jurors in certain cases to secure their fees in Justice Courts.

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

Mr. Craver introduced H. F. No. 180, A bill for an act to amend section 2132, chapter 8, title 14, of the Code, relating to mechanic's liens.

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

Mr. Johnston of Dubuque, introduced H. F. No. 181, A bill for an act to amend section 303, of the Code, in relation to the powers of boards of supervisors.

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

Also, H. F. No. 182, A bill for an act to repeal section 295, of chapter 2, title 4, of the Code, and enact a substitute therefor.

Read first and second time, and referred to the Committee on County and Township Organizations, and ordered printed.

Mr. Smith introduced H. F. No. 183, A bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, and 1954, of chapter 6, title 13, and to repeal paragraph 3, of section 3797, of the Code.

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

Mr. Howard introduced H. F. No. 184, A bill for an act to add to section 872, chapter 2, title 6 of the Code of 1873, relating to tax sales.

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

Mr. Mills introduced H. F. No. 185, A bill for an act in relation to evidence on book account.

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

Mr. Seevers introduced H. F. No. 186, A bill for an act to regulate public shows.

Read first and second time, and ordered printed.

BILLS ON SECOND READING.

Mr. Clark of Marion, moved that H. F. No. 33, A bill for an act to amend section 3861, of chapter 2, part 4 of the Code, be taken from the files and referred to a Special Committee of one.

The motion prevailed.

The Speaker announced Clark of Marion as such Committee.

H. F. No. 59, A bill for an act to amend section 1874 of the Code.

On motion of Mr. Williams, the bill was referred to the Committee on Agriculture.

H. F. No. 72, A bill for an act to allow criminals to testify in their own behalf, was taken up, and, on motion of Mr. Clark of Johnson, passed on the files and ordered printed.

On motion of Mr. Shaw, H. F. No. 122, A bill for an act in relation to liens on real estate, was ordered printed.

H. F. No. 78, A bill for an act to amend chapter 986 of the Code of 1873, in relation to roads, was taken up, considered, and the House refused to order it engrossed for a third reading.

H. F. No. 80, A bill for an act to repeal part of section 3173 of the Code, was taken up and indefinitely postponed.

H. F. No. 89, A bill for an act to repeal sections 3318 and 3319, and enact a substitute therefor, was taken up and indefinitely postponed.

H. F. No. 86, A bill for an act to amend section 1738 of the Code, and to provide for the compensation of members of the board of school directors, was taken up, and, on motion of Mr. Smith, referred to the Committee on Compensation of Public Officers.

H. F. No. 115, A bill for an act to amend section 1733, chapter 9, title 12 of the Code, relating to the compensation of school officers, was taken up, and the report of the committee adopted.

Mr Brooks moved to amend by inserting after the word "year" "exclusive of money received from the treasurer of the preceding year."

The motion to amend prevailed.

Mr. Crawford of Dubuque moved to amend by striking out "one per cent." and inserting "five per cent."

A committee from the senate were announced, and stated that the Senate was ready to meet the House in joint convention.

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

The Sergeant-at-Arms announced the Honorable Senate, who came into the hall and took seats assigned them.

JOINT CONVENTION.

The convention was called to order by Lieutenant Governor Newbold, who stated that the object of the convention was to compare the journals of both houses, of that part relating to the election of United States Senator, and announced Senator Woolson as teller on part of the Senate.

The Speaker announced Mr. Danforth teller on part of the House.

The secretary of the Senate read that portion of the journal relating to the election of United States Senator.

The clerk of the House read that portion of the journal relating to the election of United States Senator.

Whole number of votes cast.....	112
Of which Samuel J. Kirkwood received.....	104

Whereupon, Samuel J. Kirkwood having received a majority of all

the votes cast, was declared duly elected United States Senator for six years from the 4th day of March, A. D. 1877.

Senator Young offered the following resolution, which was adopted:

Resolved by the General Assembly of the State of Iowa, in Joint Session assembled, Pursuant to the act of Congress regulating the time and manner of holding elections for Senators in Congress, approved July 25th, 1866, that Samuel J. Kirkwood be declared the Senator elect from this State in the Congress of the United States for the term of six years from the 4th of March, 1877.

On motion, of Mr. Williams, the joint convention dissolved.

House called to order by the speaker.

The question recurring on the amendment offered by Mr. Crawford of Dubuque, the amendment did not prevail.

Mr. Johnston of Dubuque, moved to strike out "one per cent" and insert "two per cent."

The motion did not prevail.

Mr. Tice moved to amend by striking out "one per cent." and insert "one-half per cent."

On motion, of Mr. Bush, the House adjourned at 12 o'clock and fifteen minutes.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 27, A. D., 1876. }

House met pursuant to adjournment, Speaker in the Chair.

Prayer by the Rev. J. P. Cowan.

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 without amendment.

H. F. No. 114, A bill for an act to legalize the levy of certain bridge taxes in the county of Howard, Iowa.

Also, that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Concurrent resolution instructing the visiting committee to examine the stone quarries of the Anamosa prison.

J. A. T. HULL, *Secretary.*

UNFINISHED BUSINESS.

H. F. No. 115, A bill for an act to amend section 1733 of the Code was taken up.

The question recurring on the amendment to strike out one per cent and insert one-half per cent, the amendment did not prevail.
The bill was ordered engrossed for a third reading.

PETITIONS.

Mr. Stewart presented a petition from the citizens of Sabula, Jackson county, praying that the so-called McGregor Western Railroad Land Grant be given to the Iowa, Dakota and Black Hills Railway Company.

Read and referred to Committee on Railroads.

Mr. Palmer presented a petition from the citizens of Boylan's Grove, Butler county.

Mr. Crawford of Dubuque, from the citizens of Dubuque,

Mr. Mentzel, from the citizens of Guttenberg, Clayton county,

Mr. Fuller, from citizens of Fayette county, and

Mr. Graves, from the citizens of Dubuque, asking for the same.

All of which were referred to Committee on Railroads.

Mr. Maris presented a petition from the citizens of Guthrie county, praying that the act abolishing capital punishment be not repealed.

Referred to Committee on Judiciary.

Mr. Given presented a petition from the citizens of Des Moines, and a bill, asking for legislation to enforce reciprocity between express companies.

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

Mr. White presented a petition from the citizens of Volga City, Clayton county, asking for transfer of land grant from the McGregor Western Railroad to the Iowa, Dakota & Black Hills Railway Company.

Referred to the Committee on Railroads.

Mr. Baker presented a memorial from the State Horticultural Society which was read and referred to Committee on Horticulture.

Mr. Smith presented a petition from citizens of Lincoln township, Madison county, asking for legislation to compel the establishment of schools in certain cases.

Read and referred to Committee on Schools.

Mr. Shaw presented a petition from citizens of Wyoming, Jones county, praying for a constitutional amendment to provide for a uniform system of free schools.

Read and referred to Committee on Constitutional Amendments.

Mr. Graves presented a petition from the citizens of Dubuque, asking that the Homeopathic Medical Profession receive a due portion of the funds appropriated to the Medical Department of the State University.

Read and referred to the Committee on State University.

REPORTS OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 33, A bill for an act to legalize the incorporation of the town

of Fayette, beg leave to report that they have had the same under consideration, have ordered the same printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 131, A bill for an act to repeal section 9 of chapter 160 of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 52, A bill for an act to repeal section 4291 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. Nos. 49, 50, 62, 83, and 84, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the accompanying substitute be adopted in lieu of all of said bills and that the bill herewith reported do pass. The substitute has been ordered printed by the committee.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words and figures "of 1873," where the same occur immediately after the word "Code," in the bill and in the title thereof; and that with this amendment the bill do pass.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

Mr. Moffit, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER:—Your Committee on Police Regulations, to whom was referred H. F. No. 26, A bill for an act relating to the law of negligence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be printed and referred to the Judiciary Committee.

A. MOFFIT, *Chairman.*

Ordered passed on file.

Mr. Rae, from the Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on elections, to whom was referred H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of electors of President and Vice President, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

GEORGE RAE, *Chairman.*

Ordered passed on file.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code.

M. C. JORDAN, *Chairman.*

Mr. Scott, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred H. F. No. 53, A bill for an act for the encouragement of the militia and for appropriations therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred resolution asking for appropriation of \$400, to be placed in the hands of the Governor, to provide for sending disabled soldiers to the National Home, finding that there is now in the treasury \$1,385.89 Governor's contingent fund unexpended, and believing it proper that so much thereof as may be necessary be used for the purpose mentioned in said resolution, no further action is deemed necessary, and have instructed me to report the same back to the House with the recommendation that no further action be taken upon it.

R. G. SCOTT, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Homer introduced H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to fees of township trustees.

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

Mr. Danforth introduced H. F. No. 189, A bill for an act to amend section 3809 of the Code, in relation to the compensation of township clerk.

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

Mr. Hoag introduced H. F. No. 190, A bill for an act to amend section 3793, in relation to compensation of county treasurers.

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

Mr. Given introduced H. F. No. 191, A bill for an act to amend subdivision 4, section 796, of the Code, in relation to bridge tax.

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

Mr. Maris introduced H. F. No. 192, A bill for an act to repeal section 1, chapter 40, of the laws of the Fifteenth General Assembly, in regard to corporations.

Read first and second time, and referred to Committee on Private Incorporations.

Mr. Graves introduced H. F. No. 193, A bill for an act making a grant of lands to the Iowa, Dakota & Black Hills Railway Company, and to execute the trust conferred by acts of Congress, approved May, 12, 1864.

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

Mr. Johnson of Winneshiek, introduced H. F. No. 194, A bill for an act to amend section 1, chapter 57, in relation to normal institutes, of the laws of the Fifteenth General Assembly.

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

Mr. Gibbons introduced H. F. No. 195, A bill for an act providing requirements for printed conditions in policies of insurance and to prevent fraud in same.

Read first and second time, and referred to the Committee on Insurance and ordered printed.

Mr. Gibbons introduced H. F. No. 196, A bill for an act relating to life insurance and to prevent injustice to the assured.

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

Mr. Thayer introduced H. F. No. 197, A bill for an act to establish a board of railroad commissioners and prescribe their powers and duties.

Read first and second time, and referred to the Committee on Railroads and ordered printed.

Mr. Hall introduced H. F. No. 198, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads.

Read first and second time, and referred to the Committee on Railroads and ordered printed.

Mr. Lynch introduced H. F. No. 199, A bill for an act requiring executors and administrators of deceased persons to be residents of the State, and to provide for trials by jury on the admission of wills to probate.

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

Mr. Shaw introduced H. F. No. 200, A bill for an act to enable the

directors of any independent school district to borrow money from one fund to pay the debts of another.

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

RESOLUTIONS.

Mr. Crawford of Scott presented the following resolutions, adopted by the Catholics of Davenport, on the school question, which were read:

Mr. Crawford of Scott moved that the resolution be printed.

Mr. Gibbons moved to amend by referring to the Committee on Suppression of Intemperance.

The motion did not prevail.

Mr. Seevers moved to lay the resolution on the table.

The motion prevailed.

Mr. Rees offered the following resolution, which was referred to the Committee on Ways and Means.

Resolved, That the Committee on Ways and Means be instructed to prepare a bill, and submit the same to the House at the earliest practical day, abolishing the present system of selling real property for taxes, and authorizing the several counties of the State, through their boards of supervisors, to become the purchasers of all real estate sold for delinquent taxes, in the name and for the use and benefit of said counties, and to sell the same, as now provided by law. (Code, Title 13, Chap. 2.) The proceeds of all such sales shall first go to payment of all *legal* taxes due and chargeable to said real estate, and the excess go to the temporary school fund of the several counties respectively.

Mr. Lane offered the following resolution:

Resolved by the House, the Senate concurring, That the Secretary of State be hereby authorized to suitably pack and ship to the address of each member, or to any person whom he may desire, his proportionate number of census reports and other heavy documents, except those that may have sent the same on their own account.

Mr. Shaw moved to amend by inserting after the word "member," in fifth line, "or any person to whom he may desire."

The motion to amend prevailed.

The resolution as amended was adopted.

Leave was granted Mr. Irwin of Lee to submit a report from the Committee on Penitentiary.

MR. SPEAKER:—Your Committee on Penitentiary, to whom was referred H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass as amended.

J. N. IRWIN, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

H. F. No. 77, A bill for an act to prevent pauperism, was taken up, and on motion of Mr. Stone the bill was passed on file.

H. F. No. 47, A bill for an act to amend section 936 of the Code, etc.

Mr. Lynch 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. Allen, Auld, Baker, Brooks, Brush, Bush, Calvin, Campbell, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Elliot, Evans, Fuller, Gibbons, Given, Glendenning, Graves, Harned, Hemenway, Hobbs, Homer, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCune, McHugh, Madden of Taylor, Manning, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Simmons, Smith, Stuart, Thayer, White, Williams, Wilson, and Young—63.

The nays were:

Messrs. Benton, Birchard, Christy, Crawford of Scott, Danforth, Glover, Gray, Horton, Jordan, Lathrop, McElderry, Maris, Moffit, Scott, SeEVERS, Stuckey, Tice, Underwood, and Ure—19.

Absent or not voting:

Messrs. Bolter, Brown, Case, Deweese, Dixon, Gilliland, Giltner, Hall, Hoag, McCartney, McNeill, Madden of Polk, Madson, Reed of Jackson, Shaw, Shepardson, Stone, and Mr. Speaker—18.

So the bill passed and the title was agreed to as amended.

Mr. Allen moved to amend the title by substituting "A bill for an act for establishing roads."

The motion did not prevail.

Mr. Bush moved to amend the title by adding after the word "road" the word "notices."

The motion to amend prevailed.

On motion of Mr. Given, H. F. No. 7 was taken up, A bill for an act to repeal section 390, in relation to township officers and to enact a substitute therefor.

Mr. SeEVERS moved that when the House adjourn it adjourn to 2 o'clock P. M. Carried.

Mr. Given moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brush, Bush, Calvin, Campbell, Case, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover,

Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry, McHugh, Madden of Taylor, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—88.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brown, Chapman, Clark of Marion, Dixon, Gibbons, McCartney, McNeill, Madden of Polk, Madson, Reed of Jackson, and Shepardson—12

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Bolter until Monday next.

Mr. Crawford of Scott, moved that the resolution "expressive of the sentiments of the Catholics of Davenport on the school question," be taken from the table.

The motion prevailed.

The resolution was then, on motion, referred to Committee on Constitutional Amendments.

On motion of Mr. Crawford of Dubuque, the House adjourned—11:55 o'clock.

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order—the Speaker in the chair.

H. F. No. 75 was taken up.

House refused to order the bill engrossed for a third reading.

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 S. F. Nos. 17 and 18, A bill for an act to increase the number of Judges of the Supreme Court.

Also, that the Senate has passed, without amendment,

H. F. No 172, A bill for an act to amend section 765 of the Code, in relation to the power of commissioners appointed by the Governor.

J. A. T. HULL, *Secretary.*

H. F. No. 58 was taken up, and ordered engrossed for a third reading.

H. F. No. 23 was taken up, and referred to Committee on Appropriations.

Resolution on constitutional amendment relating to the use of public funds, was taken up, and on motion of Mr. Seevers, indefinitely postponed.

H. F. No. 74 was taken up, A bill for an act to amend section 1362 of chapter 1, title 9 of the Code, relating to support of the poor.

The report of the Committee, recommending indefinite postponement, was adopted.

H. F. No. 91 was then taken up, A bill for an act to amend the last paragraph of section 678, chapter 5, title 5 of the Code.

The House refused to order the bill engrossed for a third reading.

H. F. No. 97, was taken up, A bill for an act to amend section 1362 of the Code, relating to the care of the poor.

Mr. Bush moved to amend by striking out the word "Iowa" in the bill.

Carried.

Mr. Gibbons moved to amend by striking out section 1, and inserting the following:

In no case shall widows or families of soldiers or other persons in families requiring public relief, be sent to the county poor house, when they can and prefer to be relieved out of the poor house to the extent above provided.

The motion to so amend did not prevail.

Mr. Given moved to amend by adding after the word "supervisor" the words "overseer of the poor."

Mr. Danforth moved to amend the amendment by adding the words "under the direction of the board of supervisors."

The amendment to the amendment prevailed and so the amendment as amended was adopted and the bill ordered engrossed for a third reading.

H. F. No. 98 was taken up, A bill for an act to require the keeping of lists of certain officers.

Leave was granted Mr. Hemenway to withdraw his bill.

H. F. No. 55, A bill for an act to repeal section 1 of chapter 39 of the public acts of the Fifteenth General Assembly, was then taken up with the report of the committee recommending amendments.

The first amendment was adopted. Second amendment was adopted. Third amendment was adopted.

Mr. Clark of Marion moved to strike out "may" and insert "shall." The motion did not prevail.

Mr. Robinson moved to amend by inserting "and four" after the word "one."

The motion prevailed.

All of the amendments offered by the committee were adopted.

Mr. Hobbs moved to amend by adding to section 1: Nothing herein contained shall be construed to have the effect to lengthen or diminish the term of office of any member of the board of supervisors.

Mr. Bush moved to refer the bill and amendments to the Committee on County and Township Organizations.

The motion prevailed.

H. F. No. 95, A bill for an act to amend section 287 of the Code.

Mr. McElderry asked leave to withdraw, which was granted.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending school, and the report of the committee, was then taken up and the report adopted.

The bill was then ordered engrossed for a third reading.

Leave was granted Mr. Irwin of Lee, to call up H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly and for other purposes.

Report of committee recommending a substitute was considered.

Mr. Bush moved that the bill and substitute be ordered printed.

The motion prevailed.

On motion of Mr. Bush it was made a special order for Tuesday, February 1, at 11 o'clock A. M.

H. F. No. 39, A bill for an act to create a bureau of agriculture, was taken up.

House refused to order it engrossed for a third reading.

H. F. No. 81, A bill for an act to amend section 3800, chapter 2, of title 23, of the Code, was taken up.

The report of the committee recommending amendments was adopted.

Mr. Given moved to amend the report of the committee by adding after the word *hour* "for the time engaged in making the same."

The motion to amend prevailed.

Mr. Williams moved to amend by striking out the words "four dollars per day," and insert "five dollars per day."

Mr. Bush moved to amend the amendment by adding the words "for each day of ten hours or fraction thereof."

Mr. Brooks moved that the bill and amendments be recommitted to the Committee on Compensation of Public Officers.

The motion prevailed.

Mr. Bush moved that the House adjourn.

Lost.

Mr. Scott from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following memorial and find the same correctly enrolled.

Memorial and joint resolution in reference to the improvement of the navigation of the Upper Mississippi river.

SCOTT, *Chairman.*

Mr. Jordan from the Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12, of the Code, relating to the compensation of school officers.

M. C. JORDAN.

Leave was granted Mr. Smith to introduce H. F. No. 201, A bill for an act to make it the duty of the boards of directors of independent districts to build additional school-houses in certain cases.

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

On motion of Mr. Clark of Johnson, the House took up Senate messages.

Substitute for S. F. Nos. 17 and 18, A bill for an act to increase the number of Judges of the Supreme Court.

Read first and second time.

The question being, shall the bill be ordered engrossed for a third reading? Mr. Clark of Marion demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Allen, Calvin, Clark of Johnson, Colvin, Craver, Crawford of Scott, Fuller, Given, Glendenning, Glover, Graves, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, McCune, McElderry, Manning, Maris, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, SeEVERS, Shaw, Simmons, Smith, Stone, Thayer, Underwood, Ure, Williams, and Mr. Speaker—45.

The nays were:

Messrs. Baker, Birchard, Brush, Bush, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Elliott, Evans, Gibbons, Gray, Harned, Hoag, Horstman, Horton, Hotchkiss, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McHugh, Madden of Taylor, Mentzel, Moffit, Mueller, Rees, Stuart, Stuckey, Tice, White, Wilson, and Young—37.

Absent or not voting:

Messrs. Auld, Benton, Bolter, Brooks, Brown, Case, Deweese, Dixon, Gilliland, Giltner, Hall, Kauffman, McCartney, McNeill, Madden of Polk, Madson, Reed of Jackson, and Shepardson—18.

So the bill was ordered engrossed for a third reading.

Leave was granted Mr. Given to offer the following resolution, which was adopted:

Resolved, That the Speaker is hereby authorized and requested to appoint such additional number of paper-folders not exceeding two, when, and as the wants of the House may require.

Leave was granted Mr. Craver to offer the following resolution, which was adopted:

Resolved, That there be printed on a slip of paper of a suitable size to paste on the blank space of page sixteen of the rules of the Sixteenth General Assembly all the sections wherein errors occur, so as to read according to the amendments adopted by this House.

On motion, of Mr. Chapman, the House adjourned at 4 o'clock P. M.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 28, 1876. }

House called to order by the Speaker.

Prayer by the Rev. W. H. W. Rees.

Journal of yesterday was read.

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

The following petitions were received:

Mr. White presented petition from citizens of Elkport, Clayton county, praying for transfer of grant of land from McGregor Western R. R. to the Iowa, Dakota and Black Hills R. R.

Also, from Mr. Wilson from the citizens of Buena Vista county, making the same prayer.

Petitions referred Committee on Railroads.

Mr. Fuller presented a petition from the citizens of Fayette county, asking that the Constitutional amendment to strike the word "male" from our State Constitution be submitted to the people.

Read and referred to Committee on Constitutional Amendments.

Mr. Given presented petition from H. W. Maxwell and other citizens of Polk county for a change of venue in police courts.

Read and referred to Committee on Judiciary.

Mr. Rae presented a petition from citizens of Crawford county, asking that the word "male" be stricken from the State Constitution.

Read and referred to Committee on Constitutional Amendments.

Mr. Underwood presented a petition from the Executive Committee of State Grange of Iowa, praying for an act to secure bank depositors.

Read and referred to Committee on Banks and Banking.

Mr. Hobbs presented a petition from citizen of Fort Madison, asking for an appropriation that will enable the militia of this State to have a representation at the Centennial.

Read and referred to Committee on Military Affairs.

Mr. Fuller presented a petition from citizens of Fayette county, asking for transfer of grant of lands from McGregor Western Railroad to Iowa, Dakota & Black Hills Railroad Company.

Read and referred to Committee on Railroads.

Mr. Mentzel presented petitions from the citizens of Cox Creek and Sperry townships, Clayton county, asking that the above recited transfer be made to the Iowa, Dakota & Black Hills Railway.

Read and referred to Committee on Railroads.

Mr. Campbell presented a petition from the citizens of Shelby county, asking that the death penalty be restored.

Read and referred to Committee on Judiciary.

Mr. Ure presented a petition from citizens of Linn county, asking an amendment to chapter 38 of the laws of Thirteenth General Assembly, that boards of supervisors may make appropriations for bridge purposes in certain cases.

Read and referred to the Committee on County and Township Organizations.

REPORTS OF COMMITTEES.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations to whom was referred H. F. No. 41, A bill for an act to amend section 1495 of chapter 4, title 11 of the Code of Iowa, relating to partition fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 181, A bill for an act to amend section 303, chapter 2 of title 4, of the Code, relating to powers of the boards of supervisors, and to enlarge such powers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred petition of the board of supervisors of Jackson county, for legislation to reduce costs in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Judiciary.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 133, A bill for an act empowering township clerks to administer oaths, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of the fourth line of section one the word "commissioners" and inserting in lieu thereof the word "supervisors," and that as amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 183, A bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, and 1954, of chapter 6, title 13, and to repeal the third paragraph of section 3797 of chapter 2, title 23 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Mr. Scott, from the Committee on Military, submitted the following report:

MR. SPEAKER:—Your Committee on Military, to whom was referred H. F. No. 90, A bill for an act to amend section 1055 of the Code, and to further define the duties of the Adjutant General, beg leave to report that they have had the same under consideration and have instructed me to report a substitute back to the House with the recommendation that it do pass.

SCOTT, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Given introduced H. F. No. 202, A bill for an act to reimburse Polk county for expenses incurred in trial of cases against State officers.

Read first and second time, and referred to Committee on Appropriation.

Mr. Robinson introduced H. F. No. 203, A bill for an act for the relief of B. F. Jenkins.

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

Mr. Glover introduced H. F. No. 203, A bill for an act to resume lands granted to the McGregor and Sioux City Railroad Company, and to grant lands, etc., to Primghar and Algona Railroad Company.

Read first and second time, and referred to Committee on Railroads, and ordered printed.

Mr. Allen introduced H. F. No. 205, A bill for an act to amend section 3791 of chapter 2, title 23 of the Code of 1873.

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

Mr. Maris presented H. F. No. 206, A bill for an act to amend section 1464 of the Code.

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

Mr. Seevers introduced H. F. No. 207, A bill to amend chapter 6, title 13, of the Code.

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

Also, H. F. No. 208, A bill for an act to repeal section 1955 of the Code, and enact a substitute therefor.

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

Mr. Gilliland introduced H. F. No. 209, A bill for an act to amend section 93 of the Code of 1873.

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

Mr. Hobbs introduced H. F. No. 210, A bill for an act apportioning the State into representative districts and declaring the ratio of representation for the Seventeenth General Assembly.

Read first and second time, and referred to the Committee on Senatorial and Representative Districts, and ordered printed.

Mr. Fuller introduced H. F. No. 211, A bill for an act to repeal sec-

tion 1587, chapter 2, title 12 of the Code, relating to the State University and to enact a substitute therefor.

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

Mr. Chapman introduced H. F. No. 212, A bill to regulate the place of bringing suit upon certain bonds.

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

Mr. Gibbons introduced H. F. No. 213, A bill for an act relating to cities organized and existing under special charter.

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

Also, H. F. No. 214, A bill for an act to empower cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers.

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

Mr. Hunt introduced H. F. No. 215, A bill for an act to provide for the erection of the west wing of the Deaf and Dumb Asylum at Council Bluffs.

Read first and second time, and referred to the Committee on Deaf and Dumb Asylum.

Mr. Bush introduced H. F. No. 216, A bill for an act to repeal section 1800, relating to independent districts.

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

Mr. Mills introduced H. F. No. 217, A bill for an act to repeal section 2, title 7, of the Code, and offer a substitute therefor.

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

Mr. Johnston of Dubuque, introduced H. F. No. 218, A bill for an act to amend section 3791, of the Code of 1873.

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

Mr. Clark of Johnson, introduced H. F. No. 219, A bill for an act to amend section 1799, of the Code, relating to the change of township lines.

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

Also, H. F. No. 220, A bill for an act appropriating money for the aid and maintenance of the State University.

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

Also, H. F. No. 221, A bill for an act to amend chapter 44 of the Code, relating to the State Historical Society.

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

Mr. Johnston of Dubuque, introduced H. F. No. 222, A bill for an act to amend section 629 of the Code.

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

Mr. Campbell introduced H. F. No. 223, A bill for an act to amend sections 1537 and 1538 of the Code of 1873, relating to the sale of intoxicating liquors.

Read first and second time, and referred to the Committee on 'Suppression of Intemperance.

Mr. Manning introduced H. F. No. 224, A bill for an act to repeal sections 133, 134, 135, and 136 of chapter 1, title 3, of the Code.

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

Mr. Madden of Taylor introduced H. F. No. 225, A bill for an act to amend chapter 70 of the acts of the Fifteenth General Assembly, in reference to the restraining of stock.

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

Mr. Moffit introduced H. F. No. 226, A bill for an act to build sidewalks on north and east sides of the State Arsenal.

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

RESOLUTIONS.

Mr. Kauffman offered the following resolution, which was referred to the Committee on Constitutional Amendments, and ordered printed.

Joint resolution, agreeing to, ratifying and confirming amendments to the State Constitution:

WHEREAS, The Fifteenth General Assembly of Iowa, did, in due form, by a majority of the members elected to each of the two Houses, agree to certain proposed amendments to the Constitution as follows:

First—Strike from section 1, of article 2 of said Constitution the word "male."

Second—Strike from section 4, of article 3 of said Constitution the word "male."

And entered the same on the journals thereof, and referred the same to the legislature to be chosen at the next general election, and the same having been published, as provided by law, for three months previous to the time of making the choice of this the Sixteenth General Assembly.

Therefore, be it Resolved by the General Assembly of the State of Iowa, That the said amendments, and each of them are hereby ratified.

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

Resolved, That when the House adjourn it adjourn to 2 p. m., Monday, January 31st, 1876.

On motion, of Mr. Smith, the joint resolution, relating to the submission to the people of the amendment to the State Constitution to strike out the word "male," was ordered printed.

Communication on Speaker's table from William L. Wilson of the Morehead Clay Works, Philadelphia, Pennsylvania, was taken up and referred to the Committee on Claims.

Leave of absence was granted to Messrs. Stuckey, Morse of Adams, Jordan, Ure, Moffit, McCune, Simmons, Manning, Horstman, and Graves until Tuesday morning.

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

Resolved, That when this House adjourn, it adjourn to meet at two o'clock p. m. on Monday next.

Leave was granted Mr. Bush to present a petition asking for a change in the criminal statute of the State, which was referred to the Committee on Judiciary.

Also, petition from the bar of Kossuth county, asking for an increase of Judges of District Court, which was referred to the Committee on Judicial Districts.

BILLS ON SECOND READING.

H. F. No. 57, A bill for an act to repeal section 3774 of the Code, was taken up and considered, and ordered engrossed for a third reading.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and liquidate the revenue, etc., was taken up, the report of the committee adopted, and ordered engrossed for a third reading.

H. F. No. 124, A bill for an act to amend section 803 of the Code, was taken up.

The recommendation of the committee to indefinitely postpone was adopted.

H. F. No. 68, A bill for an act to amend section 1428 of the Code, was taken up and ordered engrossed for a third reading.

H. F. No. 40, A bill for an act to amend section 1813 of the Code, was taken up and passed on file.

H. F. No. 128, A bill for an act to amend certain sections of the Code relating to the report of Treasurers of School Districts, was taken up and ordered engrossed for a third reading.

H. F. No. 45, A bill for an act to amend section 1774 of the Code, was taken up and passed on file.

H. F. No. 31, A bill for an act to amend section 518 of the Code, was taken up.

Mr. Crawford of Dubuque moved to amend by adding, "Provided the provisions of this act shall not apply to cities organized under special charter."

Amendment was lost.

The bill was then ordered engrossed for a third reading.

RESOLUTIONS.

Leave was given Mr. Williams to offer the following resolution:

Resolved, That in view of the fact the very large number of the members now excused from the House of Representatives, no important legislation can be had in their absence,

Be it therefore Resolved, That when this House adjourn, it be till Tuesday next at 10 o'clock A. M.

Mr. Seevers moved to amend so as to read, "that when the House adjourn, it be until 2 o'clock P. M.

Amendment carried.

The resolution as amended was then adopted.

Leave was given Mr. Johnston of Dubuque, to offer resolution as follows, which was adopted:

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives the Senate concurring, That the Secretary of State shall furnish to each county auditor within the State, a printed slip containing each law that goes into effect from and after publication, as soon as possible after the same is published in the newspapers.

H. F. No. 70, A bill for an act to empower cities to extend their corporate limits, was taken up. The report of the Committee was concurred in.

Mr. Bush moved to amend by inserting "territory" in lieu of "surface"; the amendment was adopted—bill was then ordered engrossed for a third reading.

Leave was granted Mr. Lane to withdraw H. F. No. 131 from the consideration of the House.

Leave was granted Mr. Given to introduce H. F. No. 227, A bill for an act to repeal section 1865 of the Code, relating to loans of the school fund, and to enact a substitute therefor.

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

Mr. Bush moved that the House adjourn.

The motion prevailed.

House adjourned.

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order by the Speaker

Leave was granted Mr. Colvin to withdraw H. F. No. 77 from the consideration of the House.

H. F. No. 60, A bill to amend section 473 of the Code, was taken up.

First amendment recommended by the committee was adopted.

Second amendment concurred in.

Mr. Clark of Johnson, moved to amend by inserting before the words "kept for hire" the word "commonly."

Mr. Bush moved that the bill be recommitted to the Committee on Cities and Towns and ordered printed.

The motion prevailed.

H. F. No. 99, A bill for an act to amend section 530 and 532 of the Code, was taken up. House refused to order engrossed for a third reading.

H. F. No. 5, A bill for an act to regulate public shows, was taken up and considered.

Mr. Clark of Johnson, moved to amend by substituting H. F. No. 186, A bill for an act to regulate circuses and other public shows.

Mr. Hotchkiss moved to amend by striking out the word "public" and inserting the word "traveling." The amendment prevailed. The bill was then ordered engrossed for a third reading.

H. F. No. 48, A bill for an act requiring supervisors of highways to preserve and maintain the section corners as established by county surveyors and file reports with township clerks, was taken up.

Mr. Williams moved that the bill be referred to the Committee on Agriculture.

Motion prevailed.

H. F. No. 106, A bill for an act to amend section 983, chapter 2, title 7 of the Code of 1873, relating to duties and powers of road supervisors, was taken up.

Mr. Smith moved that the further consideration of the bill be indefinitely postponed.

Motion prevailed.

H. F. No. 145, A bill for an act to repeal the following sections of the Code: section 985, title 7, chapter 2, and section 3077, title 18, chapter 2, and to enact substitutes therefor, was taken up.

Mr. Seevers moved to strike out the second section, which motion prevailed.

Mr. Danforth moved to amend section 985 by adding after the word "attending," in the 9th line, the words, "shall then proceed to collect the same by distress and sale in the same manner as is provided by law for the collection of taxes."

Mr. Gibbons moved to refer to Committee on Judiciary, with instructions to report a substitute.

Mr. Williams moved to amend by referring to Committee on Roads and Highways, which motion prevailed.

Leave of absence was granted Messrs. Wilson, Gray, Tice, Brooks, Fuller, and Crawford of Dubuque.

Mr. Bush moved to adjourn.

The motion did not prevail.

REPORTS OF COMMITTEES.

Mr. Scott, from Committee on Enrolled Bills, made a report that said committee had examined H. F. No. 114, A bill for an act to legalize the levy of certain bridge taxes in the county of Howard, Iowa, and found the same correctly enrolled.

R. G. SCOTT, *Chairman*.

Report passed on file.

Mr. Shaw, from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER:—Your Committee on Banks and Banking, to whom was referred H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the

recommendation that it be amended by striking out all after "deemed," in the 7th line, and before "entitled," in the 9th line, and so amended that it do pass.

WM. T. SHAW, *Chairman.*

Ordered passed on file.

Mr. Maris, from Committee on Engrossed Bills made the following report:

MR. SPEAKER.—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 58, A bill for an act to repeal section 989, chapter 2, of title 7 of the Code, and to enact a substitute therefor.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending school in adjoining districts, and to enact a substitute therefor.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code, relating to the care of poor (in families.)

Mr. Gibbons moved that H. F. Nos. 213 and 214 be printed, and the House agreed to the same.

RESOLUTION.

Leave was granted Mr. McElderry to offer the following resolution:
Resolved, That when this House adjourn, it shall be till 10 o'clock a. m. on Tuesday, February 1st.

Mr. Danforth moved to amend by striking out "Tuesday at 10 o'clock" and inserting "Monday at 2 o'clock."

Mr. Clark of Marion moved that the resolution and amendments be laid on the table, which prevailed.

Leave was granted Mr. Hunt to introduce H. F. No. 228, A bill for an act to amend the fifth paragraph of section 3814 of the Code, relating to the compensation of experts as witnesses.

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

Mr. Birchard moved that the House adjourn. The motion did not prevail.

Mr. Hobbs moved that when the House adjourn, it adjourn until 10:30 a. m. Tuesday.

Mr. Bush moved to amend by inserting Monday instead of Tuesday. The motion was lost.

Mr. Gilliland moved a call of the House. Pending the call of the House, Mr. Hobbs moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Clark of Marion, demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Baker, Clark of Johnson, Craver, Danforth, Elliott, Evans, Fuller, Glover, Hall, Hobbs, Horstman, Johnson of Benton, Johnston of Dubuque, McElderry, Mueller, Norris, Palmer, Proudfoot, Rees,

SeEVERS, STUART, THAYER, TICE, UNDERWOOD, WHITE, WILLIAMS, and YOUNG—27.

The nays were:

Messrs. Allen, Benton, Birchard, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Deweese, Gibbons, Gilliland, Given, Glendenning, Harned, Hoag, Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Winneshiek, Kauffman, Lathrop, Lynch, McHugh, Maris, Mentzel, Morse of Wright, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Smith, Stone, and Mr. Speaker—43.

Absent or not voting:

Messrs. Auld, Bolter, Brooks, Brown, Case, Crawford of Dubuque, Dixon, Giltner, Graves, Gray, Hemenway, Irwin of Lee, Jordan, Lane, McCartney, McCune, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mills, Moffit, Morse of Adams, Reed of Howard, Shepardson, Simmons, Stuckey, Ure, and Wilson—30.

So the motion did not prevail.

Mr. Benton moved that the House adjourn. At 4 o'clock P. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 29, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. J. Telleen.

Journal of yesterday read.

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

Mr. Stuart moved that the vote whereby H. F. No. 145 was referred to the Committee on Judiciary, be reconsidered.

The motion prevailed.

The question recurring on the motion to refer to the Committee on Judiciary, the motion did not prevail.

On motion of Mr. Stuart, the bill was taken up for consideration.

Mr. Gibbons moved to strike out the words "for each day," and insert the word "such."

The motion to strike out was lost.

Mr. Robinson moved to strike out all after the word "two," in the second line of section 1, and add the following: "Be, and the same is hereby repealed, and in lieu thereof is enacted the following."

The amendment prevailed.

Mr. Stuart moved to add to Mr. Robinson's amendment the following words: "As a substitute."

The amendment to the amendment prevailed.

Mr. Gibbons moved to strike out the words "said person," and insert the words "not the head of a family."

The motion did not prevail.

Mr. Chapman moved to amend by inserting, after the words "poll tax," in the first line of section 985, the words "or any person having a real or personal property road tax."

The motion to so amend was lost.

The bill was then ordered engrossed for a third reading.

PETITIONS.

Mr. White presented a petition from the citizens of Littlepost, Clayton county, in relation to transfer of grant from the McGregor Western Railroad to the Iowa, Dakota, & Black Hills Railroad.

Mr. Mentzel presented a further petition from the citizens of Clayton county, making same prayer.

The petitions were read and referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School investigation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, and recommend that the substitute do pass.

W. DANFORTH, *Chairman.*

Ordered passed on file.

Mr. Seevers, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 56, A bill for an act to amend chapter 1, title 6, of the Code, as to listing and assessing personal property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

SEEVERS, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Mueller introduced H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts and disbursements at each general election.

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

Mr. Given introduced H. F. No. 230, A bill for an act to repeal sections 3903, and 3904, chapter 4, title 24, of the Code, relating to larceny in the night time, and to enact a substitute therefor.

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

Mr. Johnson of Benton, introduced H. F. No. 231, A bill for an act

authorizing a change of venue from mayors and police courts in prosecutions arising under the ordinances of cities and incorporated towns, to justices of the peace.

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

RESOLUTION.

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

WHEREAS, The title to the lands known as lands of the Des Moines River Grant, up and along the Des Moines river, above the mouth of the Raccoon fork, after long years of litigation are still unsettled, therefore

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed and our Representatives requested to use their utmost influence, and so vote for such Congressional legislation as will, as far as just and practicable, secure the settlers on the lands of said grant titles to their homes and forever settle the title to and ownership of the lands of this grant.

Resolved, That the Secretary of State be and is hereby instructed to forward a duly certified copy of the foregoing preamble and joint resolution to each of our Senators and Representatives in Congress.

Mr. Rees also presented petition from citizens of Webster county, asking that the Constitutional amendment to strike the word male from the State Constitution, be submitted to the people:

And a petition from the board of supervisors of Webster county, the mayor and city council of Fort Dodge and one thousand two hundred citizens of said county, asking that our members of Congress be requested to secure effective legislation so as to finally and definitely settle the conflicting titles and claims to the so-called Des Moines river lands.

The petitions were read and referred to the proper committees.

BILLS ON SECOND READING.

H. F. No. 103, A bill for an act to amend sections 240 and 241 of the Code, was taken up and the recommendation of the committee was concurred in.

Bill ordered engrossed for a third reading.

H. F. No. 126, A bill for an act relating to fees of witnesses in justices and police courts, was taken up.

Mr. Gibbons moved to amend "ten cents per mile in going to and returning" in lieu of "now provided by law."

The motion prevailed.

Leave was granted Mr. Gibbons to withdraw the bill.

Leave of absence was granted Mr. Thayer until Wednesday.

Leave of absence was granted Messrs. Johnson of Benton and Craver until Tuesday.

Leave of absence was granted Mr. Rees until Thursday and Messrs. Seevers and Underwood were granted leave of absence until Tuesday.

H. F. No. 157, A bill for an act "to authorize the First Universalist

Parish of Iowa City" together with the report of the committee was then taken up.

Mr. Clark of Johnson, moved that the rule be suspended and the bill be read a third time now.

The motion prevailed.

The question recurring on the passage of the bill, the yeas and nays were as follows.

The yeas were:

Messrs. Allen, Baker, Benter Birchard, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Gibbons, Gilliland, Given, Glendenning, Glover, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winnebiek, Kauffman, Lathrop, Lynch, McElderry, McHugh, McNeill, Madden of Taylor, Maris, Mentzel, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Smith, Stone, Stuart, White, Williams, Young, and Mr. Speaker—67.

The nays were none.

Absent or not voting:

Messrs. Auld, Bolton, Brooks, Brown, Case, Dixon, Elliott, Fuller, Giltner, Graves, Gray, Hemenway, Horstman, Johnson of Benton, Jordan, Lane, McCartney, McCune, Madden of Polk, Madson, Manning, Mills, Moffit, Morse of Adams, Mueller, Shepardson, Simmons, Stuckey, Thayer, Tice, Underwood, Ure, and Wilson—33.

So the bill passed and the title was agreed to.

RESOLUTIONS.

Leave was granted Mr. Williams to offer the following resolution:

WHEREAS, A large number of the members of the House have been excused, or are absent visiting the various State institutions; therefore

Resolved, That when this House adjourn, it be until 10 A. M., Tuesday.

The resolution was lost.

Leave was granted Mr. Smith to offer the following resolution, which was adopted.

WHEREAS, The chief clerk is ill and the first assistant is suffering from severe indisposition; therefore

Resolved, That J. H. Stevenson be appointed temporary clerk until otherwise ordered.

Leave was granted Mr. Shaw to introduce H. F. No. 232, A bill for an act to amend section 1539 of the Code.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Norris moved that H. F. Nos. 175 and 167 be ordered printed.

The motion prevailed.

Mr. Glendenning moved that all bills before the Committee on Suppression of Intemperance be ordered printed.

The motion did not prevail.

On motion of Mr. Danforth, J. H. Stevenson, temporary clerk, came forward and took the oath of office.

H. F. No. 132, A bill for an act to punish carelessness in the use of firearms, was taken up, together with the report of the committee.

The first amendment recommended by the committee was adopted; the second amendment recommended by the committee was adopted.

Mr. Seevers moved that the bill with amendments be re-referred to the Judiciary Committee.

Leave was granted Mr. McElderry to introduce H. F. No. 233, A bill for an act to repeal section 3789 of the Code, and enact a substitute therefor, in relation to sheriff's fees, was read first and second time and referred to the Committee on Compensation of Public Officers.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes, was taken up and considered, and ordered engrossed for a third reading.

Leave of absence was granted the Sergeant-at-Arms until Tuesday.

H. F. No. 61, A bill for an act in relation to evidence in actions on accounts, was taken up. The report of the committee recommending a substitute was adopted.

Mr. Bush moved to amend by inserting after the word "verified," where it occurred the first time, the words, "separate from the petition."

The motion prevailed.

The bill was ordered engrossed for a third reading.

On motion of Mr. Campbell of Dubuque the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 31st, A. D., 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. M. N. Miles.

Journal of Saturday read and approved.

Leave of absence was granted Mr. Morse of Adams until Tuesday.

INTRODUCTION OF BILLS.

Mr. Birchard introduced H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1 of the Code.

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

Mr. Colvin introduced H. F. No. 235, A bill for an act to prevent pauperism.

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

Mr. Harned introduced H. F. No. 236, A bill for an act to amend sections 404, 405, 406, 843, 853, 857, and 865, relating to the collection of taxes.

Read first and second time, and referred to a Special Committee of five of which Mr. Bush is chairman, and ordered printed.

PETITION.

Leave was granted Mr. Gilliland to present a petition from the citizens of Plymouth county, praying that certain lands may be given to the Iowa, Dakota and Black Hills Railroad Company.

Read and referred to the Committee on Railroads.

The Speaker announced Messrs. Bush, Harned, Irwin of Lee, Young, and Benton as Special Committee on H. F. No 236.

BILLS ON SECOND READING.

H. F. No. 27, A bill for an act relating to the appointment of sundry city officers was taken up, together with the report of the committee.

Mr. Given moved to strike out the word "this" in the 18th line and insert in lieu thereof the word "said."

The motion prevailed.

Mr. Given moved to amend by adding: "and the mayor shall have the power to veto any ordinance passed by the city council in the same manner as the same power may be exercised by the Governor of the State."

The motion did not prevail.

Mr. Gibbons moved to amend by striking out "during the pleasure of the mayor," in the 12th line and inserting in lieu thereof "for the term of one year and until their successors are appointed and qualified."

The motion prevailed.

Mr. Hobbs moved to amend by adding to the fifteenth line: "But the Mayor may, for good cause, remove any of said officers."

The motion prevailed.

Mr. Given moved to strike out "him," in the thirteenth line, and insert "the Mayor."

The motion prevailed.

Mr. Given moved to refer the bill to the Committee on Cities and Towns.

The motion prevailed.

H. F. No. 52, A bill for an act to amend section 4291 of the Code, was then taken up, together with the report of the committee, and the House refused to order the bill engrossed.

H. F. Nos. 49, 50, 62, 83, and 84, to repeal sections 4275, 4337, 4338, 4421, and 4293 of the Code, was taken up, with the substitute reported by the committee.

On motion of Mr. Gibbons, the substitute was passed on file, and ordered printed.

Leave was granted Mr. Rees to introduce H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of the construction of railroads since the 1st of January, 1868.

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

Leave was granted Mr. McCartney to introduce H. F. No. 238, A

bill for an act making further appropriations for the College for the Blind.

Read first and second time, referred to the Committee on College for the Blind, and ordered printed.

S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette, was then taken up and passed on file.

Leave was granted Mr. Norris to present a petition from the citizens of Dallas county, asking for the ratification of the action of the Fifteenth General Assembly, to submit the question of striking the word "male" from the State Constitution, to a vote of the people.

Referred to the Committee on Constitutional Amendments.

Mr. Gilliland moved that the House adjourn.

The motion did not prevail.

H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the electors of President and Vice President, was then taken up and ordered engrossed for a third reading.

Leave was granted Mr. Maris to make the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 70, A bill for an act empowering cities to extend their corporate limits.

H. F. No. 31, A bill for an act to amend section 518 of the Code, in relation to the duties of Mayors of cities.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes, and to provide for the collection thereof.

H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

MARIS, *for Committee.*

H. F. No. 53, A bill for an act to make appropriations for the encouragement of the Militia, was then taken up and the House refused to order the bill engrossed for a third reading.

H. F. No. 40, A bill for an act to amend section 1813 of the Code, and leave was granted Mr. McCartney to withdraw the bill.

H. F. No. 41, A bill for an act to amend section 1495 of the Code, in relation to partition fences, was then taken up and ordered engrossed for a third reading.

On motion of Mr. Stone, the time for the introduction of appropriation bills, was extended until the 5th of February.

Mr. Rees moved that the Visiting Committee to the Reform School be instructed to visit the female branch of the school in Lee county.

The motion prevailed.

Mr. Kauffman moved that the House do now adjourn.

At 12 o'clock M., the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 1, 1876. }

House met pursuant to adjournment, Speaker in the chair.
 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 resolutions in which the concurrence of the House is asked:

S. F. No. 23, A bill for an act to amend section 56 of chapter 12 of title 4 of the Code in relation to plats.

S. F. No. 44, A bill for an act to amend section 3809 of the Code.

S. F. No. 50, A bill for an act providing a proper seal for the office of Adjutant-General of the State and that he be authorized to administer oaths.

S. F. No. 62, A bill for an act to amend section 921 of the Code, relating to the width of roads in certain cases.

S. F. No. 72, A bill for an act to repeal section 963 of the Code, and to enact a substitute therefor.

S. F. No. 86, A bill for an act to amend chapter 2, title 16 of the Code of 1873, relating to probate of wills.

Substitute for S. F. No. 25, A bill for an act to amend Section 3084, chapter 2, title 18 of the Code.

Joint resolution agreeing to amendment to section 4, article 3 of State Constitution.

Concurrent resolution relative to printing the message of Governor Carpenter and the Inaugural of Governor Kirkwood in German.

I am also directed to inform your honorable body that the Senate has passed the following bill and joint resolution without amendment:

H. F. No. 93, A bill for an act to amend section 767 of the Code of 1873, concerning deputies.

Joint resolution relative to settlers on Des Moines river lands.

Also, that the Senate has passed House resolution instructing the Secretary of State to send printed slips of each law taking effect on publication, to county auditors, with the following amendment: insert the word "general" between the words "each" and "law," in which the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

PETITIONS.

Mr. Seevers presented a petition from the citizens of Mahaska county asking that the word "male" be stricken from the State Constitution.

Referred to Committee on Constitutional Amendments.

Mr. Morse of Wright presented a petition from citizens of Wright county, asking that the lands granted to the McGregor & Sioux City

Railroad Company be given to the Iowa, Dakota & Black Hills Railroad Company.

Referred to the Railroad Committee.

Mr. Rae presented a petition from the bar of Ida county asking for a division of the Fourth Judicial District.

Referred to the Committee on Judicial Districts.

Mr. Calvin presented a petition from citizens of Buchanan county asking for an amendment to the Constitution that will prohibit the use of public funds for the support of sectarian schools.

Referred to the Committee on Schools.

Mr. Madden of Polk presented a petition asking for an appropriation to enable the militia of the State to make a representation at the Centennial.

Referred to the Committee on Military Affairs.

Mr. Dewese presented a petition from citizens of Jasper county, asking that the law repealing capital punishment remain as it now is.

Referred to the Judiciary Committee.

Mr. Allen presented a petition from citizens of Henry county, asking for such measures as will restrain horses and cattle from running at large.

Referred to the Committee on Agriculture.

Mr. Bolter presented a petition from citizens of Harrison county, asking for an appropriation that will enable the militia of the State to have a representation at the Centennial.

Referred to the Committee on Military Affairs.

Mr. Birchard presented a similar petition from citizens of Scott county, asking for a similar appropriation.

Referred to the Committee on Military Affairs.

Mr. Johnson of Benton presented a similar petition from citizens of Benton county.

Referred to the Committee on Military Affairs.

Mr. Christy presented a petition from citizens of Van Buren county, asking for the restoration of the death penalty.

Referred to the Committee on Judiciary.

Mr. Reed of Jackson presented a petition from citizens of Jackson county, asking that the lands granted the McGregor & Sioux City Railroad Company be granted to the Iowa, Dakota & Black Hills Railroad Company.

Referred to the Committee on Railroads.

Mr. Gray presented a petition from citizens of Muscatine county, asking for certain changes in the Code in relation to the destruction of weeds.

Referred to the Committee on Roads and Highways.

Mr. Campbell presented a petition from citizens of Shelby county, asking that a Chair of Homeopathy be established in the State University.

Referred to the committee on State University.

Mr. Mills presented a petition from citizens of Marshall county, asking that the land granted to the McGregor & Sioux City Railroad Company be granted to the Iowa, Dakota & Black Hills Railroad Company.

Referred to the Committee on Railroads.

Mr. McCartney presented a petition from citizens of Benton county, asking for the restoration of capital punishment.

Referred to the Committee on Judiciary.

Also, a petition from citizens of Benton county, protesting against the taxation of churches.

Referred to the Committee on Ways and Means.

REPORT OF COMMITTEES.

Mr. Seevers, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 169, A bill for an act to amend section 819 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 171, A bill for an act to amend section 859 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 138, A bill for an act to provide for redeeming lands and town lots for taxes in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. Nos. 65, 66, 67, 69, 20, 178, and 120, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with a substitute therefor and recommend that the same be printed and passed.

SEEVERS, *Chairman.*

Ordered passed on file.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 134, A bill for an act to construct cattle ways across public highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

MADDEN, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Given introduced H. F. No. 239, A bill for an act to repeal section 4562 of the Code, relating to the subpoenaing of witnesses in criminal cases.

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

Mr. Horton introduced H. F. No. 240, A bill for an act to provide for the building of an asylum at Glenwood, in Mills county, for the idiotic and feeble minded children of the State.

Read and referred to a special committee of seven, of which Mr. Stone is chairman, and ordered printed.

Mr. Crawford of Scott, introduced H. F. No 241, A bill for an act to repeal section 894, title 6, chapter 2 of the Code, and to enact a substitute therefor.

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

Mr. Graves introduced H. F. No. 242, A bill for an act for the relief of the Iowa Home of the Friendless.

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

Mr. Palmer introduced H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto any excess of revenue due to said counties excepting State taxes.

Read first and second time, and referred to Committee on Claims.

Mr. Williams introduced H. F. No. 244, A bill for an act requiring supervisors of highways to preserve and maintain the corners of land surveys within their respective districts.

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

Mr. Glendenning introduced H. F. No. 245, A bill for an act for the prevention of keeping billiard tables in drinking saloons.

Read first and second time, and referred to Committee on Suppression of Intemperance.

Mr. Colvin introduced H. F. No 246, A bill for an act to change the road tax on railroads to a bridge tax.

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

Mr. Rae introduced H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1, of the Code, and to enact a substitute therefor.

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

RESOLUTIONS.

Mr. Reed of Howard, offered the following resolution, which was adopted.

Resolved, That in the future, unless otherwise ordered, the House of Representatives will hold two sessions daily, commencing at the time prescribed in rule No. 41, of the rules of this House.

Mr. Glover offered the following resolution, which was referred to the Committee on Railroads:

WHEREAS, The McGregor & Missouri River Railway Company are

about to apply to the Iowa Legislature for an extension of time to complete their road to its terminus, or intersection with the Sioux City & St. Paul Railroad, in O'Brien county, by procuring the passage of an act providing therein that they construct their road to Emmetsburg, in Palo Alto county, in 1876, to some point on the east line of range 36, or within one mile of Spencer, Clay county, in 1877, and to said intersection in 1878; and

WHEREAS, Said McGregor & Missouri River Railway Company have impliedly called upon the people of Clay county for an expression of their opinion upon said proposition as proposed, by causing to be published in the Clay County *News* the form of said act; and

WHEREAS, The length of time sought in said proposed act, to be obtained from said legislature, would be manifestly unjust to the people of Clay and O'Brien counties, in too many particulars to be here enumerated; therefore be it

Resolved, By the people of Clay county, in mass convention assembled, that we desire the extension, completion and operation of said railroad from Algona to its said intersection in said O'Brien county, in 1876; but in the event that this cannot be accomplished, we earnestly and unanimously desire that said railroad be, at all events, completed and in operation to section 7, (to Spencer) township 96, range 36, in Clay county, Iowa, by the 1st day of November, 1876, or the resumption by the State of so much of the lands granted to said railroad company by chapter 58 of the Twelfth General Assembly as remain as yet uncertified.

Resolved, That what we want is a railroad in the shortest possible time, on the line fixed by said land grant act above named.

Resolved, That our delegate selected to go to Des Moines, be and is hereby instructed to use every effort to secure the completion of a railroad to section 7, township 96, range 36, Clay county, Iowa, and the location of the depot on said section, in the present year 1876.

That it is the sense of this meeting that the preference should be given, in regranteeing the lands, to the Milwaukee & St. Paul Company, if it will build the road to Spencer in 1876.

That in case the grant is made to the last named company, or to the McGregor & Missouri River Company, the time for the completion of said railroad to certain points should be specified in it, and the grant should be made upon such conditions that if said company fail to build the road, or any part thereof, within the time or times specified in the grant, it shall forfeit all claims that it may have to the unpatented lands now held in reserve for the McGregor & Missouri River Railroad for road already built, the acceptance of an extension by the company to be an agreement on its part to forfeit said lands unless the terms of extension are strictly complied with.

PETITION.

Leave was granted Mr. Jordan to present a petition from citizens of Linn county, giving the board of supervisors power to appropriate moneys for the construction of bridges.

Read and referred to the Committee on County and Township Organizations.

REPORT OF COMMITTEE.

Leave was granted Mr. Bush to submit the following report from the Committee on Constitutional Amendments:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred joint resolution to strike out the word "male" from the Constitution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

BUSH, *Chairman.*

Ordered passed on file.

JOINT RESOLUTION.

Mr. Bush offered the following resolution:

Joint resolution, agreeing to amend the Constitution by striking the word "male" from article 6, section 1, in relation to militia:

Be it Resolved by the House of Representatives, the Senate concurring, That the following amendment to the Constitution of the State of Iowa, be proposed and submitted to the consideration of the Seventeenth General Assembly, for ratification:

1st. Strike the word "male" from section 1, article 6, of said Constitution.

By order of the Committee on Constitutional Amendments.

BUSH, *Chairman.*

Mr. Glendenning moved that the resolution be indefinitely postponed.

Mr. Stuart moved that the resolution be made a special order for Tuesday, February 8th, A. D. 1876; at 2 o'clock P. M.

The motion prevailed.

Mr. Gibbons moved that the joint resolution agreeing to a proposed amendment of section 1 of article 2, and section 4 of article 3, of the Constitution of the State of Iowa, be taken up.

The motion did not prevail.

By leave, Mr. Hemenway introduced H. F. No. 248, A bill for an act to establish and maintain a school for teachers.

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

Leave was granted Mr. Hotchkiss to withdraw H. F. No. 124.

BILLS ON SECOND READING.

H. F. 181, A bill for an act to amend section 303 of the Code, in relation to the powers of boards of supervisors, was then taken up.

Mr. Tice moved to strike out "30,000 inhabitants" and insert "20,000 inhabitants."

The motion prevailed.

Mr. Johnston of Dubuque, moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question then recurring on the passage of the bill, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Birchard, Bolter, Brush, Bush, Calvin, Campbell, Chapman, Christy, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Evans, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McHugh, McNeill, Madden of Polk, Manning, Mentzel, Moffit, Morse of Wright, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Said, Scott, SeEVERS, Shaw, Shepardson, Smith, Stone, Stuart, Tice, White, Williams, Young, and Mr. Speaker—61.

The nays were:

Messrs. Baker, Benton, Colvin, Danforth, Elliott, Gray, Hotchkiss, Jaqua, Johnson of Benton, Jordan, Kauffman, McCartney, Madson, Maris, Mills, Morse of Adams, Norris, Rae, Ure, and Wilson—20.

Absent or not voting:

Messrs. Brooks, Brown, Case, Clark of Johnson, Clark of Marion, Dixon, Fuller, Glendenning, Hoag, McCune, McElderry, Madden of Taylor, Mueller, Rees, Robinson, Simmons, Stuckey, Thayer, and Underwood.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, on motion of Mr Stone it was taken up; the report of the committee recommending a substitute was considered, and substitute adopted.

Mr. Given moved to amend: strike out "may" in sixth line, and insert "shall."

The motion did not prevail.

On motion of Mr. Clark of Marion, the substitute was considered by sections.

Mr. Clark of Marion moved to strike out section one.

Mr. Given moved to reconsider the vote by which the House adopted the resolution requiring two sessions per day.

The motion prevailed.

The question recurring on the adoption of the resolution, Mr. SeEVERS moved to amend by inserting "after the 5th day of February."

The motion prevailed.

The resolution as amended was adopted.

Mr. Clark of Johnson, moved that the vote by which the House requested the committee to visit the Reform School in Lee county, be reconsidered.

The motion prevailed.

The question recurring on the motion for the committee to visit said institution was lost.

Leave was granted Mr. Glover to introduce H. F. No. 249, A bill for an act to extend the time named in an act making a grant of land to

the McGregor and Sioux City Railroad Company on the forty-third parallel.

Read first and second time and referred to the Committee on Railroads, and ordered printed.

On motion of Mr. Johnson of Winnesheik, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 2. 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. M. Fording.

Journal of yesterday was read.

On motion of Mr. Wilson, the further 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 bills and resolution, in which the concurrence of the House is asked:

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same.

S. F. No. 6, A bill for an act to amend section 3793 of the Code of Iowa, in relation to compensation of county officers.

S. F. No. 55, A bill for an act to amend chapter 7 of title 14 of the Code, in relation to assignments for benefit of creditors.

Substitute for S. F. No. 57, A bill for an act to destroy noxious weeds in highways.

S. F. No. 59, A bill for an act to amend section 289 and section 290 of the Code of 1873, title 4, chapter 1, of counties.

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code, relating to the publication of the reports of the supreme court.

S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

Resolution relative to publishing certain laws in the *Iowa Staats Anzeiger*.

Also, that the Senate has passed without amendment H. F. No. 157, A bill for an act to enable the First Universalist Parish of Iowa City to transfer a portion of its property.

J. A. T. HULL, *Secretary*.

The question recurring on the motion to strike out section 1, of substitute for H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly and for other purposes.

REPORT OF COMMITTEE.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

H. F. No. 93, A bill for an act to amend section 767, of the Code of 1873, and a joint resolution relating to the titles to lands in the Des Moines valley.

MCNEILL, *Chairman.*

SPECIAL ORDER.

Mr. Giltner moved that the further consideration of the substitute for H. F. No. 6, be postponed until Thursday, February 3d, at eleven o'clock A. M.

The motion prevailed.

Mr. Crawford of Scott, moved that special order on specie resumption be postponed until Monday, February 8th, at 10:30 A. M.

The motion prevailed.

REPORT OF COMMITTEE.

Mr. Jordan submitted a report on Engrossed Bills.

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 14, A bill for and act to amend section 660 of the Code, in relation to the election of electors of President and Vice President.

M. C. JORDAN, *Chairman.*

On motion of Mr. Given S. F. No. 6, A bill for an act in relation to the compensation of county treasurers, was then taken up and referred to the Committee on Compensation of Public Officers.

PETITIONS.

Mr. Gibbons presented a petition from Joseph Metz asking for relief. Referred to the Committee on Claims.

Mr. Fuller presented a petition from the citizens of Fayette county asking that the lands given to the McGregor & Sioux City Railroad Company be given to the Iowa, Dakota & Black Hills Railroad Company.

Referred to the Committee on Railroads.

Mr. Case presented a similar petition from citizens of Bremer county.

Referred to Committee on Railroads.

Mr. Madden of Polk, presented a petition from citizens of Iowa, asking that the law repealing capital punishment remain as it is.

Referred to Committee on Constitutional Amendments.

Mr. Hunt presented a petition from citizens of Pottawattamie county, asking that the word "male" be stricken from the Constitution.

Referred to the Committee on Constitutional Amendments.

Mr. SeEVERS presented a petition from citizens of Mahaska county, asking for the establishment of a chair of Homeopathy.

Referred to the Committee on State University.

Mr. MADSON presented a petition from citizens of Wapello county, asking that the word "male" be stricken from the State Constitution.

Referred to the Committee on Constitutional Amendments.

Mr. HEMENWAY presented a similar petition from citizens of Black Hawk county.

Referred to Committee on Constitutional Amendments.

Mr. RAE presented a petition from citizens of Ida county, asking for such measures as will permit townships to vote taxes for the purpose of building railroads.

Referred to Committee on Railroads.

Mr. BAKER presented a petition from citizens of Lucas county, in relation to mechanic's liens.

Referred to Judiciary Committee.

Mr. CLEVELAND presented a petition from citizens of Keokuk county, asking for a change in the road laws.

Referred to the Committee on Roads and Highways.

Mr. CLARKE of JOHNSON, a petition from James Lee and others of Johnson county, asking for an appropriation to enable the militia of the State to have a representation at the centennial.

Referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 212, A bill for an act to regulate the place of bringing suit upon certain bonds, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out all after the word "proceeding," in line 12; and that, as thus amended, the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 12, A bill for an act to repeal section 38 of chapter 3, title 1 of the Code, relating to references in amendatory acts, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. Nos. 59, 104, and 137, A bill for an act in relation to

estrays, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that they do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 44, A bill for an act to repeal section 591 of the Code, in relation to township officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. G. MADDEN, *Chairman*.

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 80, A bill for an act to amend section 463 of the Code of 1873, title 4, chapter 10, of cities and incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that as amended it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 164, A bill for an act to amend sections 515, and 532, chapter 10, title 4 of the Code, concerning the elections of marshal in incorporated towns, and in cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 136, A bill for an act to authorize cities, towns, and counties to settle and adjust certain indebtedness and to provide for payment of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that as amended it do pass: adding the word "and" in first line between the words "cities and towns," and erasing the word "counties" in the second line.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 27, A bill for an act relating to the appointment of sundry city officials; sections 534, and 535 of the Code of 1873, title 9, chapter 10, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that as amended it do pass: adding the words "and council" after the word mayor in thirteenth line, and erasing all of the fifteenth line after the word "ordinance," and substituting therefor the words "and may be removed from their respective offices as is now provided in section 530 of the Code."

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 109, A bill for an act to repeal section 1, chapter 25, acts of the Fifteenth General Assembly, relating to towns and cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the substitute therefor herewith submitted do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Mr. Gilliland, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 87, A bill for an act to amend section 3774, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 54, A bill for an act to amend section 3775 of the Code, relating to State and District officers, beg leave to report that they have had the same under consideration, have provided a substitute therefor and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 155, A bill for an act to amend section 3800, chapter 2, title 23, of the Code, in relation to the compensation of county surveyors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "twenty-five cents," and inserting in lieu thereof "fifty cents," and that when so amended it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 189, A bill for an act to amend section 3809 of the Code, in relation to the compensation of township clerk, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

S. B. GILLILAND, *Chairman pro tem.*

Ordered passed on file.

Mr. Baker, from the Special Committee, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the House with the recommendation that it do pass.

D. M. BAKER, *Chairman.*

Ordered passed on file.

Leave was granted Mr. Tice to withdraw H. F. No. 104 from the consideration of the House.

On motion of Mr. Given, S. F. No. 6, A bill for an act to amend section 3793 of the Code, in relation to compensation of County Treasurers, was taken from the Speaker's table and read a first and second time, and referred to the Committee on Compensation of Public Officers.

INTRODUCTION OF BILLS.

Mr. Kauffman introduced H. F. No. 250, A bill for an act to amend chapter 6, title 11 of the Code.

Read first and second time, and referred to Committee on Suppression of Intemperance, and ordered printed.

Mr. Shaw introduced H. F. No. 251, A bill for the relief of Andrew Patterson.

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

Mr. Gibbons introduced H. F. No. 252, A bill for an act to enforce the speedy payment of workmen on works of internal improvement when discharged from such works.

Read first and second time, and referred to the Committee on Police Regulations and ordered printed.

Mr. Given introduced H. F. No. 253, A bill for an act appropriating money to defray the expenses of the committee appointed by Governor Carpenter to investigate the affairs of the Iowa Reform School.

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

Mr. Clark of Johnson moved that when the House adjourn, it be at 12:30 o'clock.

The motion prevailed.

Mr. Danforth introduced H. F. No. 254, A bill for an act to tax telegraph lines and telegraph companies.

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

Mr. Fuller introduced H. F. No. 255, A bill for an act to amend section 1540, chapter 6, title 11, of the Code, relating to intoxicating liquors.

Read first and second time, and referred to the Committee on Suppression of Intemperance.

Mr. Clark of Johnson introduced H. F. No. 256, A bill for an act amendatory of section 4315 of the Code, and providing for punishment of accessories after the fact.

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

Mr. Wilson introduced H. F. No. 257, A bill for an act directing county treasurers to make certain entries in the tax book.

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

Mr. Graves introduced H. F. No. 258, A bill for an act to amend section 12 of chapter 2, title 1 of the Code of 1873.

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

Mr. Smith moved to reconsider the vote by which the House agreed to adjourn at 12:30 p. m. to-day.

The motion prevailed.

On motion of Mr. Smith the House adjourned at 12 o'clock and 15 minutes.

HAIL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 3, A. D., 1876. }

House met pursuant to adjournment, Speaker in the Chair.

Prayer by the Rev. V. G. Boyington.

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:

S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the acts of the officers acting thereunder.

S. F. No. 19, A bill for an act to amend section 3789 of the Code.

S. F. No. 51, A bill for an act to amend section 3774 of the Code.

J. A. T. HULL, *Secretary*.

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

SENATE MESSAGES.

On motion of Mr. Danforth, the House took up Senate messages.

The concurrent resolution relating to the printing of the Governor's message and inaugural was not adopted.

The concurrent resolution relating to the amendment of the Constitution by striking the words "free white" from section 4, article 3 of the State Constitution, was then taken up, and referred to the Committee on Constitutional Amendments.

Substitute for S. F. No. 25, A bill for an act to amend section 3084, chapter 2, of title 18 of the Code, was then taken up.

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

S. F. No. 72, A bill for an act to repeal section 963 of the Code and to enact a substitute therefor, was then taken up.

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

S. F. No. 62, A bill for an act to amend section 921 of the Code, relating to the width of roads, was then taken up.

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

S. F. No. 50, A bill for an act providing a proper seal for the office of the Adjutant General of the State, was then taken up.

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

S. F. No. 44, A bill for an act to amend section 3809 of the Code, was then taken up.

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

S. F. No. 23, A bill for an act to amend section 560, chapter 12 of the Code, was then taken up, and referred to the Committee on Cities and Towns.

The concurrent resolution relating to sending slips of each law to the county auditors, was then taken up, and the Senate amendment to insert the word "general" before the words "each law," was concurred in.

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same, was then taken up.

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

S. F. No. 55, A bill for an act to amend chapter 7 of title 14, of the Code, in relation to assignments, was read a first and second time and referred to the Judiciary Committee.

Substitute for S. F. No. 57, A bill for an act to destroy noxious weeds in highways, was then taken up, read first and second time, and referred to the Committee on Agriculture.

S. F. No. 64, A bill for an act amending section 156, chapter 4, title 3 of the Code, was then taken up, read first and second time, and referred to the Committee on Judiciary.

S. F. No. 59, A bill for an act to provide for bonding county indebtedness.

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

S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

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

The concurrent resolution for publishing the laws of the Sixteenth General Assembly was then taken up and adopted.

S. F. No. 51, A bill for an act to amend section 3774 of the Code, was then taken up, read first and second time, and referred to the Committee on Compensation of Public Officers.

S. F. No. 19, A bill for an act to amend section 3789 of the Code, was then taken up, read first and second time, and referred to the Committee on Compensation of public Officers.

S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa.

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

The Speaker appointed as special committee on H. F. No. 40, Messrs. Stone, Horton, Hobbs, Clark of Johnson, Mentzel, Given, and Hunt.

The Speaker announced as additional paper folders, Miss Anna S. Wheaton and Miss Jennie Griffith.

PETITIONS.

Mr. Crawford of Scott presented a petition from citizens of Scott county, asking for the taxation of church property.

Referred to the Committee on Ways and Means.

Mr. McElderry presented a petition from the citizens and officers of the town of Creston, Union county, Iowa, asking for the legalization of the acts of town council of the town of Creston, Union county.

Leave was granted Mr. McElderry to introduce H. F. No. 259, A bill for an act to legalize the official acts of the town council of Creston, Iowa.

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

Mr. Gibbons presented a petition from Joseph Metz and others asking for relief.

Referred to the Committee on Claims.

Mr. Given presented a petition from H. F. Getchell and others asking for a change in the mechanic's lien law.

Referred to the Committee on Judiciary.

Leave was granted Mr. Hobbs to offer the following resolution, which was adopted :

Resolved, That Mrs. R. S. Pollard, be invited to read to the state officers, and to the members of the Senate and of this House, her centennial poem, and that for that purpose the use of this Hall be tendered immediately after adjournment, at 12 o'clock, m., to-morrow, February 4th.

Mr. Campbell presented a petition from citizens of Shelby county in relation to specie payments.

Read and referred to the Committee on Banks and Banking.

Mr. Madden of Polk, presented a petition from citizens of Polk county, asking that school boards may be authorized to loan surplus funds.

Leave was granted Mr. Madden to introduce H. F. No. 260, A bill for an act to amend section 1747 of the Code.

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

Mr. Gilliland presented a petition from citizens of Plymouth county, in relation to the incorporation of the Le Mars Cemetery Association.

Leave was granted Mr. Gilliland to introduce H. F. No. 261, A bill for an act to legalize the acts of incorporation of the Le Mars Cemetery Association.

Read first and second time, and referred with petition to the Committee on County and Township Organizations.

Leave was granted Mr. Brown to introduce H. F. No. 262, A bill for an act to amend section 4560 of the Code.

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

Leave was granted Mr. Brown to introduce H. F. No. 263, A bill for an act to amend section 831 of the Code.

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

Mr. Irwin of Lee, presented a petition from citizens of Keokuk, asking for an appropriation to enable the militia of the State to have a representation at the Centennial.

Referred to the Committee on Military Affairs.

REPORT OF COMMITTEE.

Mr. Seevers, from the Committee on Centennial, submitted the following report:

MR. SPEAKER:—The Committee on Centennial, of the House and Senate, to whom was referred the message of the Governor in reference to the Centennial Exposition, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying bill, with the recommendation that it be printed and passed.

W. H. SEEVERS, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Leave was granted Mr. Seevers to introduce H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources and products of the State at the Centennial Exposition.

Read first and second time, and ordered printed.

Leave was granted Mr. Kauffman to introduce H. F. No. 265, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

Read first and second time, referred to the Committee on Insane Asylum, and ordered printed.

Leave was granted Mr. Hobbs to introduce H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and enact a substitute therefor.

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

Leave was granted Mr. Morse of Adams to introduce H. F. No. 267, A bill for an act to amend section 900 of the Code of 1873.

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

Mr. McNeil submitted a report from the visiting committee on the Anamosa State Penitentiary, which was read and ordered printed.

The hour having arrived for the consideration of the special order, substitute for H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly and for other purposes, was taken up, the question recurring on the motion to strike out section 1.

Pending the discussion Mr. Given moved that when the House adjourn to-morrow it be until 2 o'clock P. M.

The motion prevailed.

Leave was granted Mr. Lynch to introduce H. F. No. 268, A bill for

an act repealing chapter 8 of the Code of 1873, and providing for mechanic's lien.

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

Leave was granted Mr. Chapman to offer the following, which was passed on file.

Copy of a resolution passed by the Delaware County Farmer's Institute, held at Earlville, Iowa, January 11 and 14, 1876.

TO THE LEGISLATURE OF IOWA :

Resolved, That we urge upon our legislature the importance of preventing by some measure the frequent and expensive change in text books in our common schools, such changes making a serious tax upon parents and also being injurious to the public.

Resolved, That all children between seven and fifteen years of age, unless excused by proper authority and for sufficient reason, be required to attend school at least four months each year, and for failing to do so the parents or guardian shall be fined at least two dollars for each scholar's absence, the fine to be for the benefit of the general school fund.

Resolved, That copies of these resolutions be forwarded to our county Representatives.

REPORT OF COMMITTEES.

Mr. McNeil, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

H. F. No. 157, A bill for an act to enable the First Universalist Parish of Iowa City to transfer property.

MCNEIL, *Chairman.*

Leave was granted Mr. Case, from the Committee on Compensation of Public Officers, to submit the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 258, A bill for an act to amend section 12, of chapter 2, title 1 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 6, A bill for an act to amend section 3793 of the Code of Iowa, in relation to compensation of county treasurers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by inserting the words "half of one" after the word "one" in the 25th line, and by striking out the clause, beginning in the twenty-seventh line, which reads "up to one hundred thousand dollars, and one-half per cent. on all sums over one hundred thousand dollars," and that when so amended it do pass.

LOUIS CASE, *Chairman.*

Ordered passed on file.

Leave of absence was granted Mr. Chapman until Tuesday next, and Mr. Harned until Wednesday next.

On motion of Mr. Stuart, the House adjourned at 12 o'clock and 25 minutes, P. M.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1876. }

House met pursuant to adjournment, Speaker in the chair,

Prayer by the Rev. V. G. Boyington.

Journal of yesterday read.

On motion of Mr. Brooks the further 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 bills in which the concurrence of the House it asked.

S. F. No. 79, A bill for an act to amend section 295, of chapter 2, title 4, of the Code, in relation to the residence of supervisors.

S. F. No. 89, A bill for an act to repeal section 4254, of chapter 13, and section 4691, of chapter 52, of title 25, of the Code of 1873, relating to taxation of costs in criminal cases.

S. F. No. 94, A bill for an act to repeal section 831, of the Code, relating to the correction of unjust or erroneous assessments, and to provide a substitute therefor.

J. A. T. HULL, *Secretary.*

UNFINISHED BUSINESS.

Special order substitute for H. F. No. 6. The question recurring on the motion of Mr. Clark of Marion, to strike out section 1, Mr. Gibbons demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Baker, Bolter, Brown, Christy, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Elliott, Evans, Gibbons, Gilliland, Given, Gray, Hobbs, Horstman, Hotchkiss, Hunt, Irwin of Lee, Johnston of Dubuque, Lynch, McElderry, McNeill, Madden of Polk, Madden of Taylor, Maris, Mentzel, Mueller, Rees, Stuckey, Thayer, White, and Young—32.

The nays were:

Messrs. Allen, Auld, Benton, Brooks, Bush, Calvin, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Danforth, Deweese, Dixon, Fuller, Giltner, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Homer, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McCune, McHugh, Madson, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Ræ, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Smith, Stone, Stuart, Tice, Ure, Wilson, and Mr. Speaker—58.

Absent or not voting:

Messrs. Birchard, Brush, Chapman Harned, Horton, Lathrop, Proudfoot, Simmons, Underwood, and Williams—10.

So the motion to strike out did not prevail.

RESOLUTION.

Mr. Given offered the following resolution:

Resolved, That H. F. No. 6, and the substitute therefor, be referred to a Special Committee of five, of whom Judge SeEVERS shall be chairman, to enquire and report by bill or otherwise, upon the advisability of permanently organizing the Additional Penitentiary at Anamosa, as a penitentiary, or of converting it to some other use, and if to be converted, then to what use.

Mr. Gibbons moved to amend by adding: "that the committee shall have power to send for persons and papers."

Mr. Stuart moved the previous question, which was seconded.

Mr. Gibbons demanded the yeas and nays on the previous question, which were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Brooks, Bush, Calvin, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Evans, Fuller, Gilliland, Giltner, Glendenning, Graves, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Said, Scott, Shaw, Smith, Stone, Stuart, Thayer, Tice, Ure, White, Young, and Mr. Speaker—69.

The nays were:

Messrs. Baker, Bolter, Brown, Christy, Clark of Marion, Danforth,

Dixon, Elliott, Gibbons, Given, Glover, Gray, Lynch, Madden of Taylor, Mueller, Proudfoot, Robinson, Seevers, Stuckey, Williams, and Wilson—21.

Absent or not voting:

Messrs. Birchard, Brush, Chapman, Harned, Horton, Lathrop, Rae, Shepardson, Simmons, and Underwood—10.

So the previous question was ordered.

The question then recurring on the adoption of the resolution offered by Mr. Given, Mr. Gibbons demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Bolter, Brooks, Christy, Craver, Crawford of Dubuque, Danforth, Elliot, Evans, Gibbons, Gilliland, Giltner, Given, Glover, Gray, Hall, Hemenway, Hobbs, Homer, Hotchkiss, Irwin of Lee, Johnston of Dubuque, McElderry, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mueller, Norris, Proudfoot, Rees, Said, Williams, Wilson, and Mr. Speaker—38.

The nays were:

Messrs. Benton, Brown, Bush, Calvin, Campbell, Case, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Deweese, Dixon, Fuller, Glendenning, Graves, Hoag, Horstman, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McHugh, McNeill, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Palmer, Reed of Howard, Reed of Jackson, Robinson, Scott, Seevers, Shaw, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Ure, White, and Young—53.

Absent or not voting:

Messrs. Birchard, Brush, Chapman, Harned, Horton, Lathrop, Rae, Simmons, and Underwood—9.

So the resolution was lost.

Mr Hobbs moved to strike out all after the first section except the publication clause.

Leave of absence was granted Mr. Graves until Tuesday.

On motion of Mr. Seevers the house adjourned until 2 P. M.

AFTERNOON SESSION.

2 O'CLOCK P. M.

The question recurring on the motion of Mr. Hobbs to strike out all after the first section of the substitute for H. F. No. 6.

Leave of absence was granted Messrs. Hotchkiss, Brush, Lynch, Birchard, Lathrop, and Rae, until Tuesday.

Leave was granted Mr. Lynch to introduce H. F. No. 270, A bill for an act to regulate the method of probating wills.

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

Leave was granted Mr. Lynch to present a petition from citizens of Des Moines county, asking for an appropriation to enable the militia of the State to have a representation at the Centennial.

Referred to the Centennial Committee.

Upon the question to strike out all after the first section except the publication clause, Mr. Gibbons demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Baker, Clark of Marion, Elliott, Evans, Gibbons, Gilliland, Hobbs, Horstman, Hotchkiss, Irwin of Lee, Johnston of Dubuque, Madden of Taylor, Mentzel, Norris, Stuckey, and Thayer—17.

The nays were:

Messrs. Auld, Benton, Brooks, Brown, Bush, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hoag, Homer, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Smith, Stuart, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—63.

Absent or not voting:

Messrs. Allen, Birchard, Bolter, Brush, Calvin, Chapman, Crawford of Dubuque, Giltner, Graves, Harned, Horton, Hunt, Jordan, Lathrop, Rae, Shepardson, Simmons, Stone, Underwood, and White—20.

So the motion to strike out did not prevail.

Mr. SeEVERS moved to strike out section three.

The motion prevailed.

Mr. Given moved to amend by striking out, in the first line of section four, "and salary of deputy warden," and insert in lieu thereof the word "of" before the word "clerk."

The motion prevailed.

Mr. Given moved to amend section five (5) by striking out the words "commissioners provided for in section three of this act," and insert in lieu thereof the words "warden, under the direction of the Executive Council."

The motion prevailed.

Mr. Given moved to insert after the word "may" in the third line of section five, the words "he, with the consent of the Executive Council."

Mr. Rees moved to amend by inserting after the word "may" in the fourth line, the words "he, with the approval of the Executive Council."

The motion prevailed.

Mr. SeEVERS moved to strike out the words "at discretion" in the third line.

The motion prevailed.

Mr. Palmer moved to amend by striking out the word "additional" in the second line of section six.

The motion was lost.

Mr. Seevers moved to amend by adding to section six "provided he may not appoint a deputy warden."

The motion prevailed.

Mr. Bush moved to strike out the word "superintendent" in the fifth line, and insert the words "Executive Council."

The motion prevailed.

Mr. Williams moved to strike out the word "commissioner" in the second and third lines in section seven.

The motion prevailed.

Mr. Clark of Marion moved to strike out section eight of the bill.

The motion did not prevail.

Mr. McElderry moved to amend by striking out all after the word "warden" in the fifth line of section eight.

The motion did not prevail.

Mr. Gibbons moved to amend the fifth line of section eight by striking out the words "upon the recommendation of the warden."

The amendment was lost.

Mr. McElderry moved to amend by adding to section eight, "provided that the compensation shall not exceed twenty-five dollars."

Mr. Hobbs moved to amend the amendment by striking out "twenty-five dollars" and inserting "seventy-five dollars."

The amendment to the amendment was lost.

Mr. Irwin of Lee, moved to amend the amendment by inserting "\$50" instead of "\$25."

The amendment to the amendment was lost.

Mr. Stuart moved to amend the amendment by inserting ten dollars instead of twenty-five dollars.

The amendment to the amendment was lost.

The amendment was lost.

Mr. Tice moved to amend by striking out three hundred dollars and inserting in lieu thereof two hundred and fifty dollars.

The motion was lost.

Mr. Ure moved to strike out section 9, and insert in lieu thereof the following:

Section 9. The prison buildings shall be erected with stone, taken from the State quarries, and the sale of stone taken from said quarries is hereby prohibited, unless there is more stone on hand than can be used in the erection of said buildings.

The motion did not prevail.

Mr. Seevers moved to strike out section 9.

The motion prevailed.

Mr. Given moved to strike out section 10.

The motion prevailed.

Mr. Given moved to amend section 11, by inserting the words "such officer" in the place of "which" in the second line of section 11.

The motion prevailed.

Mr. Given moved to insert after the word "time" the words "as the executive council may direct."

Mr. Dewese moved to strike out of section 11, the words "chapter 2, title 26 of the Code of 1873" and insert in lieu thereof the words, "laws relating to."

The motion prevailed.

Mr. Given moved to amend by inserting after the word "all" in the first line the word "resolutions."

The motion prevailed.

Mr. Smith moved to add to the publication clause the words "*Staats Anzeiger*."

The motion prevailed.

Mr. Clark of Johnson, moved to add to the last section, the words "and shall take effect from and after its date of publication notwithstanding the provisions of section 33 of the Code to the contrary."

The motion to amend prevailed.

Mr. Wilson moved that the rule be suspended and the bill be read a third time now.

The motion prevailed.

Mr. Brooks moved that the House do now adjourn.

The motion did not prevail.

The bill was then read a third time.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Brooks, Brown, Bush, Calvin, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Glitner, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Smith, Stone, Stuart, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—73.

The nays were:

Messrs. Baker, Bolter, Christy, Clark of Marion, Elliott, Gibbons, Gilliland, Hobbs, Irwin of Lee, McElderry, Madden of Taylor, and Stuckey—12.

Absent or not voting:

Messrs. Birchard, Brush, Chapman, Crawford of Dubuque, Graves, Harned, Horton, Hunt, Johnston of Dubuque, Lathrop, McHugh, Rae, Simmons, Underwood, and White—15.

So the bill passed and the title was agreed to.

PETITIONS.

Mr. Morse of Wright presented a petition from citizens of Wright county, asking that lands granted to the McGregor & Sioux City Railroad Company be given to the Iowa, Dakota & Black Hills Railroad Company.

Referred to the Committee on Railroads.

Mr. Rae presented a petition from citizens of Hamilton county, asking that the lands given to the McGregor & Sioux City Railroad Company be given to the Iowa, Dakota & Black Hills Railroad Company.

Referred to the Committee on Railroads.

Mr. Case presented a petition from citizens of Bremer county, asking for such measures as will prohibit the use of public funds for sectarian schools.

Referred to the Committee on Constitutional Amendments.

REPORTS OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 42½, A bill for an act relating to the recording of United States patents for lands, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 38, a bill for an act to amend chapter 4, title 16 of the Code, in relation to the estates of decedents, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 174, A bill for an act to repeal chapter 47, title 25 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 151, A bill for an act concerning notice to unknown defendants in civil actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 146, A bill for an act to secure the owners and operators of threshing machines in the collection of their wages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 179, A bill for an act to enable jurors in civil cases to secure their fees in justices' court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 35, A bill for an act to restore the death penalty, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House without any recommendation.

JOHN Y. STONE, *Chairman.*

Ordered passed on file.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred the petition of Wm. S. Wilson for payment for drain pipes furnished the Iowa Hospital for the Insane situated at Independence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed for the reason that it appears from the petition of said Wm. S. Wilson, that he has accepted payment and given receipt in full for said claim.

GEO. M. WILSON, *Chairman.*

Ordered passed on file.

Mr. Shaw, from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER:—Your Committee on Banks and Banking, to whom was referred the memorial of the Executive Committee of the State Grange, in relation to requiring banks of deposit to file first mortgage bonds with the Auditor of State, to better secure depositors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it is not practicable, and would therefore recommend that no action be taken thereon.

WM. T. SHAW, *Chairman.*

Ordered passed on file.

Mr. Bush, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred H. F. No. 19, A bill for an act to provide for a majority verdict of juries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred resolutions of Catholic laymen of Davenport, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the consideration thereof be indefinitely postponed.

BUSH, *Chairman.*

Ordered passed on file.

Mr. Clark of Johnson, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 107, A bill for an act to protect the public against fraud and extortion in the sale of tickets, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—The Committee on Railroads, to whom was referred H. F. No. 141, A bill for an act requiring railroad companies to fence their right of way in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

R. CLARK, *Chairman.*

Ordered passed on file.

Mr. Brush, from the Committee on Insurance, submitted the following report:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 30, A bill for an act to amend section 1160, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 196, A bill for an act relating to life insurance and to prevent injustice to the assured, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment. Add to the second section the words "except where the same is procured by or through the fraud or deceit of the assured," and that the same be printed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and move to amend by striking out the words, "as section 1156," in section 1, and inserting the words, "in lieu thereof," and have instructed me to report the same back to the House with the recommendation that it pass as amended after adding publication clause, and that the same be printed.

J. P. BRUSH, *Chairman.*

Ordered passed on file.

RESOLUTIONS.

Mr. Maris offered the following joint resolution which was referred to the Committee on Constitutional Amendments.

Joint resolution proposing to amend section 16, of Article 4, of the Constitution of the State of Iowa.

Be it Resolved by the General Assembly of the State of Iowa: That the Constitution be amended by inserting in the third and fourth lines of section 16, article 4, after the word "treason," the words "murder and rape"

Leave was granted Mr. Hall to introduce H. F. No. 271, A bill for an act making further appropriation for the Iowa Reform School.

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

Leave was granted Mr. Madden of Polk to introduce H. F. No. 272, A bill for an act defining the rights of owners of adjacent lands enclosed in common, to the pasturage thereof.

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

Leave was granted Mr. Evans to introduce H. F. No. 273, A bill for an act regulating manual labor in the Agricultural College.

Read first and second time, and referred to the Committee on Agricultural College and Farm.

Leave was granted Mr. Hunt to introduce H. F. No. 274, A bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa.

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

Leave was granted Mr. Lane to offer the following resolution, which was not adopted:

WHEREAS, As there is a large number of the Faculty and Board of Regents of the Iowa State University now present, and as the members of this House are anxious to hear from them; therefore be it

Resolved, That this House convene this evening for the purpose of hearing from them.

Leave was granted Mr. McElderry to introduce H. F. No. 275, A bill for an act to legalize the official acts of S. L. Emerson and J. M. Thompson, as Trustees, and S. L. Emerson as Township Clerk of Lincoln township, Union county, Iowa.

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

Leave was granted Mr. Lane to introduce H. F. No. 276, A bill for an act to regulate county printing.

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

On motion of Mr. McCartney, Senate messages were taken up.

S. F. No. 79, A bill for an act to amend section 295, of chapter 2, title 4 of the Code, in relation to the residence of supervisors.

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

Substitute for S. F. No. 89, A bill for an act to repeal section 4254, of chapter 13 and section 4691, of title 25 of the Code.

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

S. F. No. 94, A bill for an act to repeal section 31 of the Code, and to provide a substitute therefor, was then taken up.

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

Mr. Maris moved that when this House adjourn it be until Monday at 2 o'clock P. M.

On the motion to adjourn, Mr. Clark of Marion, demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Gibbons, Johnston of Dubuque, Maris, Mueller, Smith, Stone, and Stuart—7.

The nays were:

Messrs. Allen, Auld, Baker, Bolton, Brown, Bush, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gilliland, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hoag, Hobbs, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Jordan, Kauffman, Lane, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stuckey, Thayer, Tice, Wilson Young, and Mr. Speaker—67.

Absent or not voting:

Messrs. Benton, Birchard, Brooks, Brush, Calvin, Chapman, Crawford of Dubuque, Giltner, Graves, Harned, Homer, Horton, Hotchkiss, Jaqua, Johnson of Winneshiek, Lathrop, Lynch, Moffit, Rae, Reed of Jackson, Seevers, Simmons, Underwood, Ure, White, and Williams—26.

So the motion was lost.

Leave was granted Mr. Rees to present a memorial from the board of Webster county, protesting against the separation of that county from the eleventh judicial district.

Referred to the Committee on Judicial Districts.

Leave was granted Mr. Madden of Polk, to present a memorial from the Society of Friends, in relation to capital punishment.

Referred to the Judiciary Committee.

Mr. Bush moved that the House adjourn.

At 4:30 o'clock, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 5, 1876. }

House met pursuant to adjournment, speaker in the chair.

Prayer by Rev. M. N. Miles.

Journal of yesterday read.

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

PETITIONS.

Mr. Baker presented a petition from citizens of Lucas county, asking for such measures as will protect sub-contractors and mechanics.

Referred to the Judiciary Committee.

Mr. Scott presented a petition from citizens of Cedar county asking for the taxation of church property.

Referred to the Committee on Ways and Means.

Mr. Hobbs presented a petition from citizens of Lee county, asking for the further protection of sub-contractors and mechanic's liens.

Referred to the Judiciary Committee.

Mr. Colvin presented a petition from citizens of Boone county, in relation to the jurisdiction of justices of the peace.

Referred to the Judiciary Committee.

Mr. Irwin of Lee, presented a petition from citizens of Lee county, asking for measures that will further protect sub-contractors and mechanics.

Referred to the Judiciary Committee.

Mr. Manning presented several petitions from the bars of the Fourth Judicial District, asking for a division of that district.

Referred to the Committee on Judicial Districts.

Mr. McHugh presented a petition from J. H. Powers, asking that the Code be amended so as to disqualify persons who cannot read and write from sitting as jurors.

Referred to the Committee on Judiciary.

Mr. Reed of Howard, presented a petition from citizens of Howard county, in relation to the compensation of county auditors.

Referred to the Committee on Compensation of Public Officers.

Mr. McCartney presented a petition from citizens of Benton county, protesting against any measures authorizing cities, towns and townships, voting aid to railroad companies.

Referred to the Committee on Railroads.

Mr. Thayer presented a petition from citizens of Clinton county, asking that the Homeopathic medical profession, be given a portion of the funds given to the medical department of the State University.

Referred to the Committee on State University.

The Speaker presented a petition from citizens of Des Moines county, asking for further protection for sub-contractors, and mechanics.

Referred to the Committee on Judiciary.

REPORT OF COMMITTEES.

Mr. Brooks, from the Committee on Schools, submitted the following report :

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 200, A bill for an act to enable the directors of any independent school district to borrow money from one fund, to pay the debts of another, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following :

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 15, A bill for an act to amend section 1725 of chapter 9 of the Code, relating to the formation of sub-districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by inserting after the word "houses" in the fifth line of the last proviso the words "out of moneys derived from taxes levied previous to January 1st, 1876," and after "sub-district" in the same line the words "where the sub-district comprises the entire district township," and that with these amendments the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 194, A bill for an act to amend section 1, chapter 57, in relation to normal institutes, of the Public Laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 1, A bill for an act to enlarge the powers of school directors and increase the efficiency of the public schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by inserting in the third line of section 1 the words "some public or private day" before the word school, and insert "twelve" instead of "sixteen," in the same line. Also, strike out the word "shall" in the first line of section 2, and that with these amendments the bill do pass.

W. M. BROOKS, *Chairman.*

Ordered passed on file.

Mr. Seevers, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 176, A bill for an act to provide for the surveying and platting of cemeteries, and authorizing transfers of lots therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the

recommendation that it be amended by striking out the last five lines of section 1, and substituting in lieu thereof the following: "Said plat shall be filed with and recorded by the County Recorder;" that sections 2 and 3 be stricken out, and as thus amended that the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred a resolution directing them to report a bill abolishing the present system of selling real property for taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that, in the opinion of the Committee, no further legislation on the subject matter of the resolution is required.

SEEVERS, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Given introduced H. F. No. 277, A bill for an act to amend section 4240 of the Code.

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

Mr. Glover introduced H. F. No. 278, A bill for an act providing for the confinement of persons acquitted of the charge of murder by reason of insanity.

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

Mr. Mueller introduced H. F. No. 279, A bill for an act to amend section 970, chapter 2, title 7, of the Code.

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

Mr. Homer introduced H. F. No. 280, A bill for an act to amend section 1734 of the Code, relating to the powers of school boards.

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

Mr. Brooks introduced H. F. No. 281, A bill for an act to provide for the selection of jurors in certain cases.

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

Also, H. F. No. 282, A bill for an act to establish a state board of examiners.

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

Mr. Dixon introduced H. F. No. 283, A bill for an act to regulate the practice in the Supreme Court.

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

Mr. Baker introduced H. F. No. 284, A bill for an act to perfect title to certain lands in Matilda Carter.

Read first and second time, and referred to a special committee of three, of which Mr. McElderry is chairman.

Mr. Wilson introduced H. F. No. 285, A bill for an act for the relief of Mrs. Baldwin.

Read first and second time, and passed on file.

Mr. Crawford of Scott, introduced H. F. No. 286, A bill for an act requiring all county officers to report receipts and expenditures to the board of supervisors.

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

Mr. Johnson of Benton, introduced H. F. 287, A bill for an act to provide for filing with the clerk of the district court a notice of levy of execution and attachments in certain cases.

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

Mr. Morse of Adams, introduced H. F. No. 288, A bill for an act to provide for the publication of the general laws enacted by the General Assembly of the State of Iowa.

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

Mr. Brooks introduced H. F. No. 289, A bill for an act to amend section 1802, chapter 9, title 12, of the Code, relating to the election of directors of independent districts.

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

Mr. Seevers introduced H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa.

Read first and second time, when Mr. Seevers 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, Auld, Baker, Benton, Bolter, Brooks, Brown, Bush, Calvin, Campbell, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Shepardson, Smith, Stuart, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker
— 79.

The nays were none.

Absent or not voting:

Messrs. Birchard, Brush, Case, Chapman, Gilliland, Giltner, Graves, Harned, Horton, Hotchkiss, Johnston of Dubuque, Lathrop, Lynch, McElderry, Moffit, Rae, Shaw, Simmons, Stone, Underwood, and White
— 21.

So the bill passed and the title was agreed to.

On motion of Mr. Given, H. F. No. 253, a bill for an act to appropriate money to pay the expenses of the committee appointed by Gov-

ernor Carpenter to investigate the affairs of the Iowa Reform School, was referred to the Committee on Claims.

Mr. Johnson of Benton introduced H. F. No. 291, A bill for an act to repeal the first subdivision of section 3805, title 23, chapter 2 of the Code, and to enact a substitute therefor, in relation to fees of constables.

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

Also, H. F. No. 292, A bill for an act to repeal section 2736, chapter 9, title 17 of the Code, and to enact a substitute therefor.

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

Mr. Hall moved to take up H. F. No. 154, A bill for an act granting money to pay the expense of conducting the Reform School investigation.

The motion prevailed.

The bill was considered, together with the report of the committee, and the substitute recommended by the committee was adopted.

Mr. Danforth moved that the rule be suspended and the bill considered engrossed.

The motion prevailed.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Bush, Calvin, Campbell, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McCune, McElderry, McHugh, McNiell, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Proudfoot, Reed of Howard, Rees, Robinson, Said, Scott, SeEVERS, Shepardson, Smith, Stuart, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—77.

The nays were:

Mr. Reed of Jackson—1.

Absent or not voting:

Messrs. Birchard, Brush, Case, Chapman, Gilliland, Giltner, Graves, Harned, Horton, Hotchkies, Hunt, Johnston of Dubuque, Lathrop, Lynch, Moffit, Palmer, Rae, Shaw, Simmons, Stone, Underwood and White—22.

So the bill passed and the title was agreed to.

Leave of absence was granted Messrs. Johnston of Dubuque, and Giltner until Tuesday.

Mr. Rees moved that when the House adjourn it adjourn until Monday morning at 10 o'clock.

Mr. Clark of Marion, demanded the yeas and nays which were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Bolter, Bush, Campbell, Christy, Cleve-

land, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Given, Gray, Hall, Hobbs, Irwin of Lee, Jaqua, Johnson of Benton, Kauffman, Lane, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madson, Mentzel, Mills, Mueller, Norris, Rees, Smith, Stuart, Thayer, and Williams—39.

The nays were:

Messrs. Benton, Brooks, Brown, Calvin, Clark of Johnson, Clark of Marion, Colvin, Danforth, Elliott, Gibbons, Glendenning, Glover, Hemenway, Hoag, Homer, Horstman, Hunt, Irwin of Warren, Johnson of Winneshiek, Jordan, McCune, Madden of Taylor, Manning, Maris, Morse of Adams, Morse of Wright, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shepardson, Stuckey, Tice, Ure, Wilson, Young, and Mr. Speaker—40.

Absent or not voting:

Messrs. Birchard, Brush, Case, Chapman, Gilliland, Giltner, Graves, Harned, Horton, Hotchkiss, Johnston of Dubuque, Lathrop, Lynch, Moffit, Palmer, Rae, Shaw, Simmons, Stone, Underwood, and White—21.

So the motion to adjourn did not prevail.

Mr. Stuckey moved to take up H. F. No. 63, A bill for an act to quiet title in Geo. Campbell.

The motion prevailed.

The bill, together with the report of the committee, was then taken up.

On motion of Mr. SeEVERS, the bill was referred to the Committee on Public Lands.

Leave of absence was granted Messrs. Shaw, Lane, Stone, and Hall until Tuesday.

On motion of Mr. Given, H. F. No. 285, A bill for an act for the relief of Mrs. Malinda Baldwin, was then taken up.

Mr. Robinson moved that §579 be inserted in the blank in section 1.

The motion prevailed.

Mr. Given moved to amend and insert in section 1, after the word "addition" the words "to the city of Des Moines, Polk county, Iowa."

The motion prevailed.

Mr. Danforth moved to reconsider the vote by which the House adopted the amendment to section 1, by which "§579" was inserted.

The motion did not prevail.

The bill was then ordered engrossed for a third reading.

Leave of absence was granted Mr. Johnson of Benton until Tuesday.

Mr. Maris moved that the services of J. H. Stevenson, temporary clerk of the House be and are hereby revoked.

The motion prevailed.

Mr. Smith moved to take up H. F. No. 58, A bill for an act to repeal section 989, chapter 2, of title 7 of the Code of 1873.

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. Allen, Auld, Benton, Bolter, Brooks, Brown, Bush, Calvin,

Campbell, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Given, Glendenning, Glover, Gray, Hemenway, Hoag, Homer, Horstman, Hunt, Irwin of Warren, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McCune, McElderry, McHugh, McNeil, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Robinson, Said, Scott, Shepardson, Smith, Stuckey, Thayer, Tice, Williams, Young, and Mr. Speaker—65.

The nays were:

Messrs. Baker, Clark of Marion, Hobbs, Jaqua, Reed of Jackson, Stuart, Ure, and Wilson—8.

Absent or not voting:

Messrs. Birchard, Brush, Case, Chapman, Gilliland, Giltner, Graves, Hall, Harned, Horton, Hotchkiss, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, Moffit, Rae, Reed of Howard, Rees, Seevers, Shaw, Simmons, Stone, Underwood, and White—27.

So the bill passed and the title was agreed to.

Mr. Clark of Johnson moved that when this House adjourn it adjourn until 2 o'clock p. m.

Mr. Bush moved a call of the House, which was ordered.

The Clerk proceeded to call the roll.

On motion of Mr. Reed of Howard, the call of the House was dispensed with.

Mr. Tice moved to amend the motion to adjourn by striking out two o'clock, and inserting Tuesday, at 10 o'clock a. m.

The motion to amend did not prevail.

Mr. McElderry moved to amend by striking out 2 o'clock p. m., and inserting Monday, 10:30 o'clock a. m.

The motion was lost.

The question recurring on the motion to adjourn, it prevailed.

On motion of Mr. Williams, the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

BILLS ON SECOND READING.

H. F. No. 183, A bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, and 1954, of chapter 6, title 13, of the Code, was then taken up, with the report of the Committee that it do not pass.

Leave was granted Mr. Smith to withdraw the bill.

H. F. No. 90, A bill for an act to amend section 1055 of the Code, was then taken up with the substitute reported by the Committee, and passed on file.

H. F. No. 133, A bill for an act empowering township clerks to administer oaths. The amendments recommended by the committee were adopted, and the bill ordered engrossed for a third reading.

H. F. No. 86, A bill for an act to amend section 3800 of the Code, was then taken up and passed on file.

H. F. No. 56, A bill for an act to amend chapter 1, title 6, of the Code, was then taken up and referred to a special committee of five, on motion of Mr. Crawford of Scott.

H. F. No. 9, A bill for an act to establish uniformity on sight bills of exchange, was taken up together with the report of the committee, and the House refused to concur in the report of the committee.

Mr. Given, moved that the vote by which the House refused to concur in the report of the committee, be reconsidered. The motion did not prevail.

On motion of Mr. Cleveland, the bill was passed on file, and made a special order for next Wednesday, at 11 o'clock A. M.

H. F. No. 45, A bill for an act to amend section 1774, of chapter 9, title 12, of the Code, was taken up.

Mr. Reed of Jackson, moved that it be made a special order for next Thursday at 11 o'clock, February 11.

The motion did not prevail.

Mr. Reed of Jackson, moved to amend by adding the words "that the provisions of this act shall take effect from and after January 1, 1877."

The motion to so amend prevailed.

On motion of Mr. Seevers, the bill was passed on file.

Substitute for H. F. Nos. 49, 50, 62, 83, and 84, was taken up.

On motion of Mr. Gibbons, the bill was passed on file.

S. F. No. 33 was taken up. The report of the committee was adopted.

On motion of Mr. Clark of Johnson, the rules were suspended, the bill was considered engrossed, and read a third time now.

On the question, shall the bill pass?

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Calvin, Christy, Clark of Johnson, Clark of Marion, Colvin, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Gray, Hemenway, Hoag, Hobbs, Homer, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McCune, McElderry, McHugh, McNeill, Madson, Manning, Mientzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Seevers, Shepardson, Smith, Stuart, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—66.

The nays were:

Mr. Cleveland—1.

Absent or not voting:

Messrs. Birchard, Brush, Bush, Campbell, Case, Chapman, Craver, Crawford of Dubuque, Evans, Giltner, Graves, Hall, Harned, Horst-

man, Horton, Hotchkiss, Hunt, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, Madden of Polk, Madden of Taylor, Maris, Moffit, Rae, Rees, Shaw, Simmons, Stone, Underwood, and White—33.

So the bill passed and the title was agreed to.

Mr. Auld moved to file a motion for a reconsideration of the vote by which the services of J. H. Stevenson, as temporary clerk, were dispensed with.

Leave was granted Mr. Rees to present a petition from citizens of Webster county, praying for legislation to authorize the cancellation of certain uncollected railroad tax.

Petition referred to the Committee on Railroads.

Mr. Bolter asked leave to withdraw H. F. No. 141, from the Committee on Railroads and refer the same to Committee on Agriculture.

Leave was granted, and H. F. No. 141 was so referred.

Mr. Williams moved that the House do now adjourn.

The yeas and nays being demanded, the yeas were:

Messrs. Auld, Baker, Benton, Bolter, Calvin, Campbell, Christy, Cleveland, Colvin, Deweese, Dixon, Elliott, Gibbons, Gilliland, Given, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, McElderry, McHugh, Madson, Mentzel, Morse of Wright, Rees, Stuart, Ure, and Williams—30.

The nays were:

Messrs. Allen, Brooks, Brown, Clark of Marion, Crawford of Scott, Danforth, Fuller, Glendenning, Glover, Gray, Hemenway, Hoag, Hobbs, Homer, McCune, McNeill, Manning, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Seevers, Shepardson, Stuckey, Thayer, Tice, Wilson, Young, and Mr. Speaker—36.

Absent or not voting:

Messrs. Birchard, Brush, Bush, Case, Chapman, Clark of Johnson, Craver, Crawford of Dubuque, Evans, Giltner, Graves, Hall, Harned, Horstman, Horton, Hotchkiss, Hunt, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, McCartney, Madden of Polk, Madden of Taylor, Maris, Moffit, Rae, Shaw, Simmons, Smith, Stone, Underwood, and White—34.

So the motion to adjourn did not prevail.

H. F. No. 169, A bill for an act to amend section 819 of the Code of 1873, was taken up and indefinitely postponed.

H. F. No. 171, was taken up and passed on file.

H. F. No. 138, was taken up and passed on file.

Substitute for H. F. Nos. 65, 66, 69, etc., was taken up and passed on file.

On motion of Mr. Tice, the House adjourned at 4 o'clock.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 7, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Hon. W. M. Brooks.

Journal of Saturday read.

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

The Speaker announced Messrs. McElderry, Baker, and Cleveland, a special committee on H. F. No. 284.

Also, Messrs. Crawford of Scott, Hemenway, Thayer, Irwin of Lee, and Morse of Adams, a special committee on H. F. No. 56.

PETITIONS.

Mr. McHugh presented a petition from citizens of Chickasaw county, asking that the law repealing capital punishment remain as it is.

Referred to Judiciary Committee.

Mr. Hemenway presented a petition from citizens of Waterloo, asking for such measures as will enable cities of the second class to elect certain officers.

Referred to Committee on Cities and Towns.

Mr. Williams presented a petition from citizens of Iowa county, in relation to independent districts.

Referred to Committee on Schools.

Mr. Homer presented a petition from citizens of Black Hawk county, asking for such measures as will prevent the use of public funds for sectarian schools.

Referred to Committee on Constitutional Amendments.

Also, a petition from citizens of Black Hawk county, relating to willful trespass.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Mills, from the Committee on Horticulture, submitted the following report:

MR. SPEAKER:—Your Committee on Horticulture, to whom was referred H. F. No. 100, A bill for an act for the protection of fruit, ornamental and shade trees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

W. D. MILLS, *Chairman.*

Ordered passed on file.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organi-

zations, to whom was referred H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts and disbursements at each general election, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 257, A bill for an act directing county treasurers to make certain entries on their tax books, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred petitions asking for such change in the existing laws as is necessary to constitute each school sub-district a road district, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that no action be taken thereon.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 251, A bill for an act for the relief of Andrew Patterson, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, for the reason that the bill does not provide for a Deputy Warden at the Additional Penitentiary.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 123, A bill for an act appropriating five hundred dollars for the payment of Lewis Kinzie, additional salary as clerk for the Penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

G. W. WILSON, *Chairman.*

Ordered passed on file.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 133, A bill for an act empowering Township Clerks to administer oaths.

H. F. No. 285, A bill for an act for the relief of Mrs. Baldwin.

JORDAN, *Chairman.*

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 160, A bill for an act to repeal section 1776, chapter 9, title 12, of the Code, relating to the compensation of county superintendents and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by adding the words "provided that the foregoing qualifications shall not affect the superintendents in office at the time of the passage of this act, during their present term of office," and that with this amendment the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 64, A bill for an act to enable independent school districts to divide their districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 219, A bill for an act to amend section 1799, of the Code, relating to the change of township lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on County and Township Organizations.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred the petition of citizens of Keokuk county, in relation to independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that there is no legislation practicable on the matter of this petition.

WM. M. BROOKS, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Rees introduced H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Wahkonsa township, Webster county, Iowa, for the years of 1869 and 1870.

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

Mr. Dixon introduced H. F. No. 294, A bill for an act to repeal section 532 of the Code of 1873, and enact a substitute therefor.

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

Mr. Glendenning introduced H. F. No. 295, A bill for an act to amend section 3736, chapter 8, title 17, of the Code.

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

Mr. Case introduced H. F. No. 296, A bill for an act to amend section 307 of the Code.

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

Mr. Underwood introduced H. F. No. 297, A bill for an act to amend section 227 of the Code, relating to the qualifications of jurors.

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

Mr. McCartney introduced H. F. No. 298, A bill for an act to amend section 1675 of the Code.

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

Mr. Dixon introduced H. F. No. 299, A bill for an act to repeal sections 1948, 1949, 1950, 1951, 1952, 1953, and 1954, of the Code.

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

Mr. Hemenway introduced H. F. No. 300, A bill for an act to amend section 493 of the Code, relating to the appropriation of money by city councils.

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

Mr. Manning introduced H. F. No. 301, A bill for an act amending section 286 of the Code, relating to elections for the relocation of county seats.

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

Mr. McHugh introduced H. F. No. 302, A bill for an act to amend section 3798 of the Code, relating to the qualifications of petit jurors.

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

Mr. Madson introduced H. F. No. 303, A bill for an act to amend section 3798 of the Code, in relation to the compensation of county officers.

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

RESOLUTIONS.

Mr. Given offered the following resolution:

Resolved, That the Committee on Railroads be instructed to inquire into the necessity of further legislation requiring railroad companies to keep their passenger depots open at reasonable hours, for the accommodation of the traveling public, and to report by bill or otherwise.

Mr. Dixon moved to refer this resolution to a special committee of one to consist of Mr. Given with instructions to prepare a bill on the subject.

The motion prevailed.

Mr. Given moved to reconsider the vote by which H. F. No. 285 was ordered engrossed.

The motion passed on file.

Mr. Danforth offered the following resolution which was adopted.

Resolved, That the Secretary of State be requested to procure a map of the State of Iowa, by counties with the judicial districts traced thereon, and hang the same in the Legislative post office for the use of members of the General Assembly.

On motion of Mr. Bolter the special order resolution for the resumption of specie payment was postponed until Thursday, February 10, at 2:30 o'clock P. M.

BILLS ON SECOND READING.

H. F. No. 12, A bill for an act to repeal section 38, of chapter 3, title 1, of the Code, was taken up and considered, and on motion the House refused to order the bill engrossed for a third reading.

Mr. Dixon moved that all bills which were introduced by members that are absent be passed on the files.

The motion did not prevail.

H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5, of the Code was taken up and recommended to the Committee on Agriculture.

H. F. No. 164, A bill for an act to amend sections 515, and 532, chapter 10, title 4, of the Code, on motion of Mr. Elliott was withdrawn from the consideration of the House.

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same, was taken up.

The report of the committee recommending certain amendments was concurred in.

On motion of Mr. Seevers the rule was suspended and the bill considered engrossed and read a third time now.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brown, Bush, Calvin, Campbell, Case, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Gray, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Shepardson, Smith, Stuart, Stuckey, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—75.

The nays were, none.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Chapman, Christy, Deweese, Evans, Giltner, Graves, Hall, Harned, Horton, Hotchkiss, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, Moffit, Shaw, Simmons, Stone, Tice, and White—25.

So the bill passed and the title was agreed to.

H. F. No. 109, A bill for an act to repeal section 1, chapter 25, acts of the Fifteenth General Assembly, relating to town and city lots, with report of committee recommending substitute was taken up, considered, and the report of the committee adopted.

Mr. Given moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brown, Bush, Calvin, Case, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Fuller, Gibbons, Given, Glendenning, Glover, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson Said, Scott, Seevers, Shepardson, Smith, Stuart, Stuckey, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—70.

The nays were none.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Campbell, Chapman, Christy, De-weese, Evans, Gilliland, Giltner, Graves, Gray, Hall, Harned, Horton, Hotchkiss, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, McCune, Manning, Moffit, Shaw, Simmons, Stone, Tice, and White—30.

So the bill passed and the title was agreed to.

H. F. No. 27, A bill for an act relating to the appointment of sundry city officers, with the report of the committee recommending amendments was taken up, considered, and the report of the committee was adopted.

On motion of Mr. Seevers, the words "eighteen hundred and seventy-three" were stricken out of section 1, in second line.

Mr. Gibbons moved to amend: strike out in 10th line "one city marshal" who shall be *ex-officio* chief of police.

The motion did not prevail.

Mr. Gibbons moved to amend: strike out "one city engineer" and "one city solicitor."

The motion did not prevail.

Mr. Gear moved to amend: add after the word "consent" in 9th line "of a majority."

The motion prevailed.

Mr. Gear moved to amend: strike out "him" in 13th line, and insert "the mayor and council."

The motion prevailed.

Mr. Given moved to amend: strike out "this" in 18th line, and insert "said," also insert after the word "chapter" in 19th line the words "10 of the Code."

The motion prevailed.

Mr. Gear moved that the rule be suspended and the bill be consid-

ered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Bolter, Brooks, Brown, Bush, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Given, Glendenning, Glover, Gray, Hemenway, Hoag, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McHugh, McNeill, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rac, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Shephardson, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—67.

The nays were:

Messrs. Benton, Fuller, Gibbons, Gilliland, and Madden of Polk—5.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Calvin, Chapman, Christy, Clark of Marion, Danforth, Giltner, Graves, Hall, Harned, Horstman, Horton, Hotchkiss, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, McCune, McElderry, Moffit, Shaw, Simmons, Stone, and White—28.

So the bill passed.

Mr. Gear moved to amend the title by striking out "9" and inserting "4"; insert after the word officials, "and repealing"; add to the end of title, "and enacting a substitute therefor."

The motion prevailed.

On motion of Mr. Williams the House adjourned at 12 o'clock and 15 minutes.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

H. F. No. 87, A bill for an act to amend section 3774 of the Code of 1873, was taken up.

Mr. Brooks moved that the bill be laid on the table.

The motion prevailed.

On motion of Mr. Brooks the bill was passed on file.

H. F. No. 54, A bill for an act to amend section 3775 of the Code, relating to State and District officers, with report of committee recommending that it do pass, was taken up and considered.

Mr. Gilliland moved that the bill be indefinitely postponed.

The motion prevailed.

Mr. Given moved to reconsider the vote by which H. F. No. 54 was indefinitely postponed.

Mr. Stuart moved to lay the motion on the table, and demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Benton, Brown, Calvin, Case, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Danforth, Evans, Gilliland, Gray, Hoag, Hobbs, Horstman, Jaqua, Johnson of Winneshiek, Madden of Taylor, Mentzel, Morse of Wright, Reed of Jackson, Scott, Shepardson, Stuart, Stuckey, Tice, Ure, and Young—28.

The nays were:

Messrs. Allen, Auld, Bolter, Brooks, Bush, Campbell, Clark of Johnson, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Fuller, Gibbons, Given, Glendenning, Glover, Graves, Hemenway, Homer, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Jordan, Kauffman, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Seevers, Smith, Thayer, Underwood, Williams, Wilson, and Mr. Speaker—52.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Chapman, Christy, Giltner, Hall, Harned, Horton, Hotchkiss, Johnston of Dubuque, Lane, Lathrop, Lynch, McCune, Moffit, Shaw, Simmons, Stone, and White—20.

So the motion to lay on the table did not prevail.

On motion of Mr. Given the bill was recommitted to the Committee on Compensation of Public Officers.

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 40, of cities and incorporated towns, together with the report of the committee recommending amendments, was taken up and the report of the committee adopted.

Mr. Deweese moved to strike out the word "beer and wine saloons" in the sixth line.

The motion did not prevail.

Mr. Seevers moved to amend by striking out the words "for gaming" in the seventh and eighth lines.

The motion prevailed.

Mr. Seevers moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brown, Calvin, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hemenway, Hoag, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McElderry, McHugh, McNeil, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Shepardson, Smith, Stuckey, Tice, Underwood, Ure, Williams, Wilson, and Mr. Speaker—70.

The nays were:

Messrs. Horstman, Mueller, Proudfoot, Stuart, Thayer, and Young—6.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Bush, Chapman, Christy, Clark of Marion, Giltner, Hall, Harned, Horton, Hotchkiss, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, McCune, Manning, Moffit, Shaw, Simmons, Stone, and White—24.

So the bill passed.

Mr. Reed of Jackson moved to amend the title by striking out the words "of 1873, title 4, chapter 10."

The motion did not prevail.

Mr. Clark of Marion moved to strike out the words "of 1873."

The motion prevailed.

H. F. No. 155, A bill for an act to amend section 3800 of the Code, and the report of the committee recommending amendments, was taken up and report of committee adopted.

Mr. Crawford of Dubuque moved to strike out "four dollars" per diem and insert "five dollars."

The motion did not prevail.

Mr. McElderry moved to amend by inserting the words, "and the sum of one dollar and fifty cents per day, the same shall be inclusive of all mileage and expenses."

Mr. Dixon offered a substitute for the bill, which was adopted.

Mr. Dixon moved to amend by adding after the enacting clause, "that section 3800 of the Code be repealed, and the following enacted in lieu thereof."

The motion prevailed.

Mr. Butler moved to amend by inserting "40 cents," instead of "60 cents."

Mr. Maris moved to amend the amendment by inserting "50 cents per hour," in lieu of "60 cents per hour."

Mr. Crawford of Scott moved the previous question.

The House refused to second the previous question.

Mr. Johnson of Winneshiek moved that the House do now adjourn.

The motion did not prevail.

Mr. Wilson moved the previous question, which was seconded.

The question being, shall the main question be now put? It was decided in the affirmative.

The amendment to the amendment was lost.

The amendment was lost.

The question being shall the bill be engrossed for a third reading, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Brown, Bush, Case, Craver, Crawford of Dubuque, Crawford of Scott, Dixon, Fuller, Gilliland, Glover, Graves, Hemenway, Horstman, Irwin of Lee, Jordan, McCartney, McElderry, McHugh, Madson, Manning, Mentzel, Morse of Adams, Scott, Smith, Stuart, Thayer, Williams, and Wilson—28.

The nays were:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Calvin, Campbell, Clark of Marion, Cleveland, Colvin, Danforth, Deweese, Elliott, Evans, Gib-

bons, Giltner, Given, Glendenning, Gray, Hoag, Hobbs, Homer, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, McNeill, Madden of Polk, Madden of Taylor, Maris, Mills, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, SeEVERS, Shepardson, Stuckey, Tice, Underwood, Ure, Young, and Mr. Speaker—51.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Chapman, Christy, Clark of Johnson, Hall, Harned, Horton, Hotchkiss, Hunt, Johnston of Dubuque, Lane, Lathrop, Lynch, McCune, Moffit, Shaw, Stone, and White—20.

So the House refused to engross the bill for a third reading.

By leave, Mr. Reed of Howard, introduced H. F. No. 304, A bill for an act to repeal section 3800 of the Code and to enact a substitute therefor.

Read first and second time, when Mr. Reed of Howard moved that the rule be suspended, and the bill considered engrossed and read a third time now.

Mr. Clark of Marion moved to amend by inserting "that the provisions of this act shall not apply to the present incumbent of the office of county surveyor."

The motion did not prevail.

Mr. Brooks demanded the previous question which was seconded.

The question being shall the main question be now put was decided in the affirmative.

The bill was ordered engrossed for a third reading.

On motion of Mr. Wilson, the vote by which the bill was ordered engrossed for a third reading was reconsidered.

Mr. Reed of Howard, moved that the rule be suspended, the bill 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. Auld, Benton, Brooks, Brown, Calvin, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hemenway, Hoag, Homer, Horstman, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—68.

The nays were:

Messrs. Allen, Bolter, Clark of Marion, Elliott, Gibbons, Hobbs, Irwin of Lee, and Kauffman—8.

Absent or not voting:

Messrs. Baker, Birchard, Brush, Bush, Chapman, Christy, Crawford of Dubuque, Giltner, Hall, Harned, Horton, Hotchkiss, Johnston of Dubuque, Lane, Lathrop, Lynch, McCune, Madden of Taylor, Moffit, Shaw, Shepardson, Simmons, Stone, and White—24.

So the bill passed and the title was agreed to.

On motion of Mr. Deweese, the House adjourned at 5 o'clock and 5 minutes.

HAIL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 8, A. D., 1876. }

House met pursuant to adjournment, Speaker in the Chair.

Prayer by Rev. Granger W. Smith.

Journal of yesterday was read.

On motion of Mr. Clark of Marion, the further reading of the journal was dispensed with.

Mr. Johnson of Winneshiek, moved that Mr. J. C. Justice be appointed temporary Sergeant-at-Arms.

The motion did not prevail.

PETITIONS.

Mr. Crawford of Dubuque presented a petition from citizens of Dubuque, asking for certain changes in the State Constitution.

Referred to Committee on Constitutional Amendments.

Mr. Benton presented two petitions from citizens of Louisa county.

Referred to Committee on Judiciary.

Mr. Graves presented a petition from the Directors of the Iowa Home for the Friendless, asking for aid.

Referred to the Committee on Appropriations, and ordered printed.

Mr. Scott presented a petition from citizens of Cedar county, asking for a law prohibiting the sale of wine.

Referred to the Committee on Suppression of Intemperance.

Mr. Hotchkiss presented a petition from citizens of Davis county, asking for such measures as will further protect sub-contractors and mechanics.

Referred to the Committee on Judiciary.

Mr. Colvin presented a petition from citizens of Boone county, asking the Legislature to ratify the action of the Fifteenth General Assembly in relation to amending the Constitution by striking the word "male" therefrom.

Referred to Committee on Constitutional Amendments.

Mr. Madden of Taylor presented a petition from citizens of Taylor county, asking for the further protection of sub-contractors and mechanics.

Referred to the Judiciary Committee.

Mr. SeEVERS presented a petition from citizens of Mahaska county, asking that the Legislature let the law repealing capital punishment remain as it is.

Referred to the Committee on Judiciary.

Mr. Palmer presented a petition from citizens of Butler county, asking for such measures as will prevent the use of public funds for the support of sectarian schools.

Referred to the Committee on Constitutional Amendments.

Mr. Auld ask leave to call up the motion to reconsider the vote by which the services of J. H. Stevenson, temporary clerk, were dispensed with.

The motion prevailed.

The motion to reconsider prevailed.

The question recurring on the motion to dispense with the services of J. H. Stevenson.

Mr. Clark of Marion, demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Baker, Birchard, Bolter, Brooks, Brown, Campbell, Clark of Marion, Colvin, Crawford of Scott, Danforth, Elliot, Evans, Gibbons, Glendenning, Glover, Hemenway, Hobbs, Homer, Hotchkiss, Irwin of Lee, McCartney, Madson, Maris, Mills, Moffit, Reed of Howard, Scott, Simmons, and Stuckey—29.

The nays were:

Messrs. Allen, Auld, Benton, Bush, Calvin, Case, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Deweese, Dixon, Fuller, Gilliland, Giltner, Given, Graves, Gray, Hall, Harned, Hoag, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, SeEVERS, Shaw, Shepardson, Smith, Stone, Stuart, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—65.

Absent or not voting:

Messrs. Brush, Chapman, Johnston of Dubuque, Lynch, McCune, and White—6.

So the motion to dispense with the services of J. H. Stevenson did not prevail.

Leave was granted Mr. Brown to submit a report from the visiting committee of the insane asylum at Independence, Iowa, which was read and ordered printed.

REPORTS OF COMMITTEES.

Mr. SeEVERS, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 86, A bill for an act to amend chapter 2, title 16 of the Code of 1873, relating to the probate of wills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out of the title and section one the words, "of 1873," and add to the publication clause the words following, to wit: "and this act shall take effect from the date of the last publication

aforsaid, notwithstanding section 33 of the Code," and that as thus amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 207, A bill for an act to amend chapter 6, title 13 of the Code, in relation to the conveyance of real property, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Insert in line nineteen after the word "real" the words "or personal," and that as thus amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1 of the Code, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 208, A bill for an act to repeal section 1955 of the Code, in relation to the acknowledgment of deeds, conveyances and other instruments, and providing a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

W. H. SEEVERS, *Temporary Chairman.*

Ordered passed on file.

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 289, A bill for an act to amend section 1802, chapter 9, title 12 of the Code, relating to the election of directors in independent districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

W. M. BROOKS, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Dewese introduced H. F. No. 305, A bill for an act to amend section 814 of the Code, relating to the assessment of taxes.

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

Mr. Crawford of Scott, introduced H. F. No. 306, A bill for an act to repeal section 1433, title 11, chapter 2, of the Code, and chapter 26 of the acts of the Fifteenth General Assembly.

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

Mr. Rae introduced H. F. No. 307, A bill for an act to provide for a limitation of attorney fees.

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

Mr. Hemenway introduced H. F. No. 308, A bill for an act to amend sections 2628 and 2629, relating to notice of pending of actions affecting real estate.

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

Mr. Bolter introduced H. F. No. 309, A bill for an act to amend section 3829 of the Code.

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

Mr. Fuller introduced H. F. No. 310, A bill for an act to repeal section 209 of the Code, and to enact a substitute therefor.

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

Mr. Dixon introduced H. F. No. 311, A bill for an act to require persons taking ice from the lakes, ponds, rivers, etc., to construct guards around the opening made by them in the ice.

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

Mr. Graves introduced H. F. No. 312, A bill for an act empowering the home of the friendless to assume legal guardianship of destitute children.

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

RESOLUTION.

Mr. Proudfoot offered the following resolution which was adopted:

WHEREAS, The experience of years has demonstrated the inadequacy of our judicial system to meet the wants of the public, either in the speedy or cheap administration of justice; therefore,

Resolved, That the Committee on Judiciary be and they are hereby instructed to enquire into the expediency of revising our judicial system, and that they report by bill, resolution, or otherwise.

PETITIONS.

Leave was granted Mr. Rees to present a petition from citizens of Webster county, asking for the organization of the fourteenth judicial district, which was referred.

Leave was granted Mr. Robinson to present a memorial from citizens of Palo Alto county, in relation to the McGregor and Sioux City Railroad land grant.

Referred to the Committee on Railroads.

Leave was granted Mr. Shaw to present a petition from citizens of Jones county, asking that the law repealing capital punishment remain as it is.

Referred to the Committee on Judiciary.

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:

S. F. No. 90, A bill for an act to amend section 990, chapter 2, title 7, of the Code, of 1873, in relation to highways and bridges.

Joint resolution in relation to proposed canal from some point between the mouth of the Rock river and Clinton, Iowa, on the Mississippi river to the Illinois river at Hennepin.

Also, that the Senate has ordered printed the usual number of copies of the report of the committee to visit the Agricultural College.

J. A. T. HULL, *Secretary.*

BILLS ON SECOND READING.

H. F. No 134, A bill for an act in relation to cattle ways across public highways, was taken up and passed on file.

H. F. No. 189, A bill for an act to amend section 3809, of the Code, was taken up and the House refused to order it engrossed for a third reading.

H. F. No. 188, A bill for an act to amend section 3808, of the Code, relating to the fees of township trustees, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Crawford of Dubuque, moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkies, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNiell, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—89.

The nays were none.

Absent or not voting:

Messrs. Brush, Bush, Chapman, Danforth, Gilliland, Graves, Harned, Hunt, Johnston of Dubuque, Lynch, and White—11.

So the bill passed and the title was agreed to.

Mr. Williams moved to reconsider the vote by which H. F. No. 44 was recommitted to the Committee on Agriculture.

The motion prevailed.

The motion to refer to the Committee on Agriculture did not prevail.

Mr. Williams moved that the bill be taken up and considered.

The motion did not prevail, and the bill was ordered passed on file.

H. F. No. 137, A bill for an act to amend sections 1474 and 1475, chapter 3, in reference to estrays, was taken up, and the House refused to order it engrossed for a third reading.

H. F. No. 258, A bill for an act to amend section 12 of chapter 2, title 1, of the Code of 1873, was taken up, considered, and indefinitely postponed.

S. F. No. 6, A bill for an act to amend section 3793 of the Code, in relation to the compensation of County Treasurers.

The first amendment recommended by the Committee was adopted.

The second amendment recommended by the Committee was adopted.

Mr. Danforth moved to amend by adding the following proviso at the end of the bill: "Provided, that in counties having a population of less than thirty thousand inhabitants, the compensation shall not exceed two thousand dollars."

The motion prevailed.

Mr. McElderry moved to amend by striking out subdivision 2, and inserting the following: "Three per cent. of all money collected by him for all other tax funds on the first \$40,000, and one per cent. on the next \$25,000, and one-half of one per cent. on all the remaining sums so collected."

The motion to amend did not prevail.

Mr. Hobbs moved to amend by inserting the words "deputies and" in the third line of section 2.

The motion prevailed.

Mr. Clark of Marion moved to strike out section 3 of the bill.

Upon which question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Bush, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Dewese, Dixon, Elliott, Gibbons, Giltner, Given, Glendenning, Gray, Hall, Hemenway, Hoag, Hobbs, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, McElderry, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stuckey, Tice, Underwood, Ure, Williams, Wilson, and Young—62.

The nays were:

Messrs. Birchard, Brown, Calvin, Campbell, Case, Crawford of Du buque, Crawford of Scott, Evans, Fuller, Gilliland, Glover, Grayes, Homer, Horstman, Horton, Hunt, Irwin of Lee, Lane, Lathrop, McCartney, McHugh, Madson, Mentzel, Mueller, Seevers, Smith, Stone, Stuart, Thayer, and Mr. Speaker—30.

Absent or not voting:

Messrs. Brooks, Brush, Chapman, Harned, Johnston of Dubuque,
Lynch, McCune, and White—8.

So the motion to strike out prevailed.

Mr. McElderry moved to amend by striking out 50,000 and inserting
40,000.

The motion prevailed.

Mr. Shaw moved to strike out all of that part of the bill relating to
township collectors.

The motion did not prevail.

Mr. Bush moved to amend by striking out the fifth, sixth, and sev-
enth line of section 2.

The motion prevailed.

Mr. Tice moved to strike out the publication clause and insert that
the provisions of this act shall take effect from and after January 1st,
1877.

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:

H. F. No. 7, A bill for an act to repeal section 390 of the Code, re-
lating to township officers and to enact a substitute therefor.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Glendenning moved that the bill be postponed until Friday,
February 11th, at 10:30 o'clock, and that the same be printed.

The motion prevailed.

Mr. Graves moved that the House adjourn, and accordingly the
House adjourned at 12 o'clock.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

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

Resolved, That from and after this date the Speaker shall adjourn
this House at 12 M., and 5 P. M., respectively.

Mr. McHugh offered the following resolution which was passed on
file.

WHEREAS, The special order for this afternoon session is one in
which more than ordinary interest is involved, and,

WHEREAS, A becoming modesty, characteristic of our bachelor

friends in the House, may tend to defer their sentiments upon this question until the same may be nigh exhausted; therefore,

Be it resolved, That no Benedict address the House upon this subject, until all of the bachelors choosing so to do, shall have spoken.

Leave was granted Mr. Irwin of Lee, to present a petition in relation to sectarian teachers in our public schools.

Referred to the Committee on Constitutional Amendments.

Leave was granted Mr. Deweese, to submit a report from the Visiting Committee to the Soldiers' Orphans' Home, which was ordered printed.

Leave was granted Mr. Rees, to present a petition from citizens of Webster county, in relation to aid in building railroads by taxation.

Referred to the Committee on Railroads.

The hour having arrived for the consideration of the special order, joint resolution to strike the word male from the constitution.

On motion of Mr. Williams the special order was then taken up, together with the report of the Committee on Constitutional Amendments.

Mr. Tice moved that the report of the committee be indefinitely postponed.

Upon this question the yeas and nays were demanded, and are as follows:

The yeas were:

Messrs. Benton, Brooks, Brown, Brush, Calvin, Campbell, Case, Christy, Clark of Johnson, Danforth, Dixon, Elliott, Evans, Giltner, Given, Glendenning, Glover, Gray, Hemenway, Hoag, Homer, Horton, Irwin of Warren, Johnson of Benton, Jordan, Kauffman, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mills, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shepardson, Simmons, Smith, Stone, Tice, Underwood, Ure, White, Williams, and Wilson—54.

The nays were:

Messrs. Allen, Auld, Baker, Birchard, Bush, Chapman, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Fuller, Gibbons, Gilliland, Graves, Hall, Hobbs, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnson of Winneshiek, Lane, Lathrop, McCartney, McElderry, McHugh, Madson, Mentzel, Morse of Adams, Mueller, Reed of Howard, Stuart, Stuckey, Thayer, Young, and Mr. Speaker—39.

Absent or not voting:

Messrs. Bolter, Harned, Horstman, Johnston of Dubuque, Lynch, McCune, and Shaw—7.

So the motion to indefinitely postpone prevailed.

Mr. Given moved to proceed to the consideration of the joint resolution.

The motion prevailed.

Leave was granted Mr. Given to present a petition from citizens of Polk county, asking that the word male be stricken from the constitution.

The petition passed on file.

Mr. Fuller moved that the further consideration of this question be postponed until February 15, 1876, at 2 o'clock p. m., and that the At-

torney-General of the State be requested to give the House his views as to the legality of the resolution submitting this question to the people by the Fifteenth General Assembly. Also, as to the legality of the notice ordered published by the Secretary of State.

The motion prevailed.

Mr. Dixon moved that the House adjourn.

At 5. P. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 9, 1876. }

House met pursuant to adjournment, Speaker in the chair.
Prayer by Rev. N. W. Murphy.

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 joint resolution, in which the concurrence of the House is asked:

Joint resolution in relation to a modification of the homestead laws.

Also, that the Senate has passed the following bill: H. F. No. 181, A bill for an act to amend section 303, chapter 2, title 4 of the Code, in relation to the powers of the board of supervisors, and to enlarge such powers, with amendments as noted in the bill, in which the concurrence of the House is asked.

J. A. T. HULL, *Secretary.*

PETITIONS.

Mr. Mentzel presented a petition from citizens of Clayton county, praying that an extension of time be granted the McGregor & Missouri River Railroad Company.

Referred to the Committee on Railroads.

Mr. Brown presented a petition from citizens of Allamakee county, asking that an extension of time be granted the McGregor & Missouri River Railroad Company.

Referred to the Committee on Railroads.

Mr. Reed of Howard, presented a petition from citizens of Cresco, asking that an extension of time be granted the McGregor & Missouri River Railroad Company.

Referred to the Committee on Railroads.

Mr. Brown presented a petition from citizens of Allamakee county, in relation to capital punishment.

Referred to the Committee on Judiciary.

Mr. Wilson presented a petition from citizens of Lime Springs, asking that an extension of time be granted the McGregor & Missouri River Railroad Company.

Referred to the Committee on Railroads.

Mr. Robinson presented a petition from citizens of Palo Alto county, asking that the Fourth Judicial District be divided.

Referred to the Committee on Judicial Districts.

Mr. Crawford of Scott, presented a petition from citizens of Scott county, asking for the taxation of church property.

Referred to the Committee on Ways and Means.

Mr. McNeill presented a petition from citizens of Decatur county, relating to mechanics liens.

Referred to the Judiciary Committee.

Mr. Wilson presented a petition from citizens of Jasper county, in relation to mechanics liens.

Referred to the Committee on Judiciary.

Mr. Scott presented a petition from citizens of Cedar county, in relation to the taxation of church property.

Referred to the Committee on Ways and Means.

Mr. Allen presented a petition from citizens of Henry county, in relation to the restraining of stock.

Referred to the Committee on Agriculture.

Mr. McElderry presented a petition from citizens of Union county, in relation to mechanics liens.

Referred to the Judiciary Committee.

Mr. Moffit presented a petition from citizens of Cedar county, in relation to tax receipts.

Referred to the Judiciary Committee.

Mr. Glover presented a petition from citizens of Dickinson county, asking that an extension of time be granted the McGregor & Missouri River Railroad Company.

Referred to the Committee on Railroads.

Mr. SeEVERS presented a petition from citizen of Mahaska county, asking for further protection of sub-contractors and mechanics.

Referred to the Judiciary Committee.

Mr. Ure presented a petition from citizens of Linn county, asking that boards of supervisors be allowed to make greater appropriations for bridge purposes.

Referred to Committee on County and Township Organizations.

Mr. Hemenway presented a petition from citizens of Black Hawk county, asking that greater protection be granted sub-contractors and mechanics.

Referred to the Committee on Judiciary.

Mr. Brush presented three petitions from citizens of Mitchell county, in relation to the expenses of the present judicial system; the time of holding the annual election; and in relation to granting a further extension of time to the McGregor & Missouri River Railroad Company.

The petitions were referred to the Committee on Judiciary, Elections and Railroads respectively.

REPORTS OF COMMITTEES.

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 280, A bill for an act to amend section 1734 of the Code, relating to the power, of school boards, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 282, A bill for an act to establish a State Board of Examiners and to define their duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the substitute herewith presented do pass.

W. M. BROOKS, *Chairman.*

Ordered passed on file.

Mr. Clark of Johnson, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—The Committee on Railroads, to whom was referred H. F. No. 96, A bill for an act to resume all the lands and rights conferred upon the McGregor & Sioux City Railway Company, by or under an act of Congress approved May 12th, 1864, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

R. CLARK, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Auld introduced H. F. No. 313, A bill for an an act to amend subdivision 4, of section 969 of the Code.

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

Mr. Crawford of Scott, introduced H. F. No. 314, A bill for an act to regulate the means of egress from public buildings.

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

Mr. Hotchkiss introduced H. F. No. 315, A bill for an act to establish highways known as gateways.

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

Mr. Danforth introduced H. F. No. 316, A bill for an act to provide for and regulate the compensation of certain county officers named therein.

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

Mr. Campbell introduced H. F. No. 317, A bill for an act to legalize the official acts of George B. Wilson, a notary public in and for Adair county.

Read first and second time.

Mr. Campbell moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolton, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madison, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—93.

The nays were:

Messrs. Birchard, Crawford of Dubuque, and Danforth—3.

Absent or not voting:

Messrs. Gilliland, Harned, Manning, and McCune—4.

So the bill passed and the title was agreed to.

Mr. Deweese introduced H. F. No. 318, A bill for an act to repeal sections 208 and 209 of the Code, and to enact a substitute, in relation to the admission of persons to the practice of the law.

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

Mr. Johnson of Winneshiek introduced H. F. No. 319, A bill for an act to amend section 1988, chapter 8, of the Code, in relation to homesteads exempt from judicial sale.

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

Mr. Crawford of Dubuque introduced H. F. No. 320, A bill for an act making appropriation to pay expenses of the inauguration ceremonies.

Read first and second time.

Mr. Crawford of Dubuque moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua,

Johnson of Benton, Johnston of Dubuque, Jordan, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—88.

The nays were none.

Absent or not voting:

Messrs. Allen, Clark of Marion, Cleveland, Graves, Harned, Hoag, Hotchkiss, Johnson of Winneshiek, Kauffman, Lane, McCune, and Manning—12.

So the bill passed and the title was agreed to.

Mr. McNeill, from the Committee on enrolled bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

H. F. No. 7, A bill for an act to repeal section 390 of the Code, relating to township officers, and to enact a substitute therefor.

McNEILL, *Chairman*.

Mr. Glover introduced H. F. No. 321, A bill for an act for the benefit of soldiers and sailors maimed in the service of the United States.

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

Mr. Clark of Johnson introduced H. F. No. 322, A bill for an act to amend section 1784, of the Code, relating to payment over of school district taxes.

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

Mr. Dixon introduced H. F. No. 323, A bill for an act to amend chapter 69 of the laws of the Fifteenth General Assembly, etc.

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

A communication on the Speaker's table from His Excellency, Gov. Kirkwood, relating to the annual report of the Secretary of the State Agricultural Society, was taken up and read, and referred to the Committee on Agriculture.

Mr. Gibbons asked leave to call up the joint resolution relative to the prohibition of using public money for sectarian purposes, which was passed on file.

BILLS ON SECOND READING.

H. F. No. 72, A bill for an act to repeal section 4556 of the Code of 1873, and render competent as witnesses in their own behalf, defendants in criminal cases.

Mr. Clark of Johnson moved to amend by adding the publication clause.

The motion prevailed.

Mr. Case moved that the rule be suspended and the bill considered engrossed and read third time now.

Mr. Irwin of Lee moved to take up the special order, H. F. No. 9.

Mr. Brooks moved to postpone the consideration of the special order until two o'clock this afternoon.

The motion prevailed.

Mr. Gibbons offered a substitute for the bill under consideration.

Mr. Dixon moved that the Speaker adjourn the House at 12:15 P. M.

The motion prevailed.

The House refused to adopt the substitute.

Mr. Dixon offered the following amendment, "except when the defendant is charged with murder and manslaughter," in the fifth line.

The amendment was adopted.

Mr. Gibbons moved that the bill be indefinitely postponed.

The motion did not prevail.

Mr. Case moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Brooks, Brush, Calvin, Campbell, Case, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Evans, Fuller, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McHugh, McNeill, Madden of Polk, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, Underwood, Ure, Williams, Wilson, and Mr. Speaker—70.

The nays were:

Messrs. Allen, Benton, Birchard, Bolter, Brown, Bush, Chapman, Clark of Marion, Colvin, Deweese, Gibbons, Hoag, Horstman, Hotchkiss, Jaqua, Kauffman, McCartney, McElderry, Madden of Taylor, Madson, Mentzel, Proudfoot, Rees, Stuckey, White, and Young—26.

Absent or not voting:

Messrs. Gilliland, Harned, McCune, and Manning—4.

So the bill passed and the title was agreed to.

Mr. Dixon moved to strike out "1873" and insert the words "and enact a substitute therefor," in the title.

The motion prevailed.

At 12:15 P. M., the Speaker adjourned the House.

AFTERNOON SESSION.

2 O'CLOCK P. M.

House called to order by the Speaker.

Leave was granted Mr. Giltner to offer a resolution in relation to the hospital for the insane.

On motion of Mr. Reed of Jackson, the resolution was referred to the Committee on Appropriations.

Mr. Irwin of Lee, moved that the special order set for this hour, H. F. No. 9, A bill for an act to establish uniformity on sight bills of exchange, be now taken up.

The motion prevailed.

Leave of absence was granted Mr. Bush until Tuesday next.

Special order, H. F. No. 9 was then taken up.

Mr. Graves moved to strike out "to be payable on presentation," and also the words "shall not be," in the 8th and 9th lines, also, the words "checks, orders and drafts," in the first and second lines.

The motion did not prevail.

The bill was then engrossed for a third reading.

Mr. Irwin of Lee, moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen Auld, Baker, Benton, Birchard, Brooks, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Scott, Danforth, Dewesse, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Gray, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Jordan, Kaufman, Lathrop, Lynch, McCartney, McElderry, McNeill, Maris, Mille, Morse of Adams, Norris, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Ure, Williams, Wilson, and Young—67.

The nays were:

Messrs. Bolter, Brush, Bush, Chapman, Cleveland, Crawford of Dubuque, Gilliland, Graves, Hall, Hemenway, Hoag, Johnston of Dubuque, Lane, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Moffit, Morse of Wright, Palmer, Reed of Jackson, SeEVERS, Stuart, Underwood, White, and Mr. Speaker—28.

Absent or not voting:

Messrs. Harned, Hunt, Jaqua, McCune, and Mueller—5.

So the bill passed and the title was agreed to.

Leave was granted Mr. Crawford of Dubuque, to introduce H. F. No. 324, A bill for an act to amend section 807 of chapter 1, title 6 of the Code of Iowa, relating to taxing insurance companies.

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

Leave was granted Mr. Smith to submit a report from the Committee on Ways and Means.

REPORT OF COMMITTEE.

Mr. Seevers, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 148, A bill for an act to authorize the treasurer of State to transfer the moneys arising from the sale of Agricultural College lands and scrip to general revenue fund, and to authorize the Executive Council to issue bonds for the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that as amended the bill do pass.

SEEVERS, *Chairman.*

Ordered passed on file.

Mr. Clark of Johnson, moved to take up H. F. No. 148, A bill for an act to authorize the treasurer of State to transfer the moneys arising from the sale of Agricultural College lands and scrip to general revenue fund and to authorize the Executive Council to issue bonds for the same.

The motion prevailed.

Mr. Smith of Madison moved that the rule be suspended, the bill considered engrossed and read a third time now.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Brooks, Brush, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Deweese, Dixon, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnson, of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McElderry, McHugh, McNeill, Madden of Polk, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Reed of Howard, Rees, Said, Scott, Seevers, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Williams, Young, and Mr. Speaker—62.

The nays were:

Messrs. Baker, Birchard, Bolter, Brown, Christy, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Evans, Fuller, Gibbons, Hoag, Hobbs, Hotchkiss, Johnson of Benton, Johnston of Dubuque, Lynch, Madden of Taylor, Madson, Manning, Mentzel, Rae, Reed of Jackson, Robinson, Stuckey, Thayer, Tice, Underwood, Ure, White, and Wilson—32.

Absent or not voting:

Messrs. Clark of Marion, Harned, Jaqua, McCartney, McCune, Mueller—6.

So the bill passed and the title was agreed to.

Mr. Seevers moved to take up substitutes for H. F. Nos. 65, 66, 67, 69, 20, 120, 178, and substitute for section 813, which motion prevailed and the bill was considered by sections.

Mr. Clark of Marion, moved to strike out "one-half" and insert "one-fourth" upon which the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brooks, Brown, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Gibbons, Glendenning, Gray, Hoag, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kaufman, Lathrop, Lynch, McCartney, Madson, Manning, Mentzel, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Shephardson, Stuckey, Tice, White, and Wilson—49.

The nays were:

Messrs. Auld, Brush, Calvin, Case, Clark of Johnson, Craver, Crawford of Dubuque, Evans, Fuller, Gilliland, Giltner, Given, Glover, Graves, Hall, Hemenway, Horstman, Horton, Irwin of Warren, Jordan, Lane, McElderry, McHugh, McNeill, Madden of Polk, Maris, Mills, Morse of Wright, Reed of Howard, Rees, Robinson, Said, Scott, Seever, Shaw, Simmons, Smith, Stone, Stuart, Thayer, Underwood, Ure, Williams, Young, and Mr. Speaker—45.

Absent or not voting:

Messrs. Bush, Harned, Jaqua, McCune, Moffit, and Madden of Taylor. —9.

The motion to strike out prevailed.

Mr. Gibbons offered the following substitute for section 2 of the bill: Section 813. Depreciated bank notes, and stock of corporations and companies shall be assessed at their cash value, annuities shall be listed and assessed at the value which the person listing believes them to be worth in money credits, at such sum as the person listing believes will be received or can be collected thereon, and the mortgages or other securities of mutual building associations shall be listed and assessed in the same manner as if the same were held by other corporations or individuals.

The motion to adopt the substitute did not prevail.

Mr. Rees moved to strike out the word "their" in the fourth line and insert "one third its."

The motion did not prevail.

Mr. Hobbs moved to amend by striking out all after the word "value" in the fourth line of section 2 to and including "stock," in the sixth line.

The motion did not prevail.

Mr. Brooks moved to amend: add to the end of section 2 the following: "provided that no difference shall be made in assessing credits and real property."

The motion to amend did not prevail.

Mr. Hobbs entered the following protest:

I hereby enter my protest against the action of the House in refusing to strike from section 2, of substitute presented by Ways and Means Committee, for H. F. Nos. 65, 66, 67, 69, 20, 120, 178, and substitute for section 813, of the Code, the words "except that only the unredeemed shares of stock in such building association shall be assessed to the share holders of such stock," and for the reason that such sections with those words remaining is, in my opinion, a clear violation of section 2, article 8, of the Constitution of the State.

W. C. HOBBS.

Mr. Gibbons moved to insert the word "personal" after the word "real" in proviso to section 2.

The motion prevailed.

Mr. SeEVERS moved to insert "city and incorporated towns" after the word "each" in third line of section, also, same words in sixth line after the words "each" where it occurs the second time.

The motion prevailed.

Mr. McCarTNEY moved to insert the word "cash" after the word "proper" in fourth line of section 3.

Mr. Given moved to amend the amendment by striking out the word "proper"

Amendment accepted and motion prevailed.

Mr. SeEVERS moved to strike out "one-half," and insert "one-fourth," in fourth line of section 4.

The motion prevailed.

Mr. Rees moved to strike out all after the word "number" in seventeenth line, all of the eighteenth line, and down to the word "provided" in the twenty-first line.

Amendment withdrawn.

Mr. DewEese moved to add at the end of the eighteenth line the words "except at the request of the tax payers, in which case the treasurer shall state the fact of such request in the receipt given, and the years, tax, kind of tax thus omitted to be paid."

The motion prevailed.

Mr. DewEese moved to amend: Add to the 21st line, after the word "receipt," "except as shown therein."

The motion to amend prevailed.

Mr. Reed of Jackson moved to amend; strike out all after the word "sale" in the 14th line of section 5, to the word "giving," in the 16th line.

The motion prevailed.

Mr. Clark of Johnson, moved to amend; strike out of the 14th line, after the word "years," the words, "whether the property has ever been sold for taxes, if so," and insert, "and when the property has been sold for taxes and not redeemed."

The motion prevailed.

Mr. Stone moved to amend; strike out all of the 19th, 20th, and all that portion of the 21st line to the word "provided."

On motion of Mr. McElderry, the House adjourned at 5:30 o'clock P. M.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 10, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. G. W. Baker.

Journal of yesterday read.

On motion of Mr. Rees, the further 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 bill, in which the concurrence of the House is asked:

Substitute for S. F. Nos. 7 and 80, A bill for an act to provide a Board of State Charities, and to define the duties of the same.

J. A. T. HULL, *Secretary*.

The question recurring on the motion of Mr. Stone to strike out, the motion prevailed.

Mr. Seevers moved to strike out section 867.

The motion prevailed.

Mr. Seevers moved to strike out in section five the words "eight hundred and sixty seven."

The motion prevailed.

Mr. Rees moved to strike out the words "eight hundred and sixty-seven" of section six.

The motion prevailed.

Mr. Hobbs moved to strike out the word "sections" and insert the word "section," in section 6.

The motion prevailed.

Mr. Wilson moved to strike out in the thirteenth line, after the word "Code," all the words to the word "provided," in the fifteenth line.

The motion did not prevail.

Mr. Given moved to strike out section seven.

The motion did not prevail.

Leave was granted Mr. Bush to introduce H. F. No. 325, A bill for an act to provide for the election of a board of railroad commissioners, and to amend chapter 68 of the acts of the Fifteenth General Assembly.

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

Leave was granted Mr. Bush to present a petition from citizens of Hancock county, asking that an extension of time be granted to the McGregor and Missouri River Railroad Company.

Referred to the Committee on Railroads.

Leave of absence was granted Sidney Burlingame, Sergeant at Arms.

Mr. Robinson offered the following amendment: excepting such amounts as are certified to be erroneous assessments or hereinafter pro-

vided to be added to section 908, after the word "purpose" in fourth line.

The amendment was not adopted.

Mr. Dixon moved to amend by adding the following:

Section 9. Any person or company engaged in loaning money for any other person or company shall be required to give to the assessor, a complete list of the amounts by him or it loaned, to whom loaned, for whom loaned, and the name of the owner of the notes, mortgage or other securities taken for such loans, within one year preceding the assessment; and the assessor shall assess such securities at the cash value thereof, and in case such notes, mortgages or other securities be loaned for non-residents to such agent, and be the property of non-residents at the time of assessment, so that the tax thereon cannot be collected from the owners thereof, the agent or company acting as agent in effecting such loans, shall be held personally liable for the amount of tax on all such notes, mortgages or other securities; and if any such agent refuse to render such list and swear to the same it shall be the duty of the assessor, to procure a list of such securities from the county records, or in any other way, and list and value the same according to the best of his knowledge and judgment.

The matter in the amendment was referred to a special committee on H. F. No. 6.

Mr. Robinson offered the following proviso to section 8, which was adopted:

Provided, That nothing herein contained shall be construed to make any county responsible for taxes levied upon land granted to the state, for the purpose of aiding in the construction of any railroad where such land was not taxable when such taxes were levied.

Mr. Clark of Johnson, moved to reconsider the vote by which Mr. Wilson's amendment to strike out all after the word "Code" in the 13th line, to the word "provided" in the 15th line was lost.

The motion prevailed.

The question recurring on the motion of Mr. Wilson to strike out, the motion prevailed.

Mr. Given moved to reconsider the vote by which section 7 was adopted.

The motion to reconsider prevailed.

Mr. Given offered the following substitute for section 7, insert after the words "section 906:"

A tax for State purposes shall be levied upon each peddler of merchandise, of whatever kind, for a license to peddle throughout the State for one year, as follows: For each peddler who pursues his occupation on foot, twenty-five dollars. For each peddler who pursues his occupation with a vehicle drawn by one animal, fifty dollars; and for each peddler pursuing his occupation with a vehicle drawn by two or more animals, one hundred dollars. *Provided, however*, That nothing in this section shall apply to wholesale dealers of merchandise who use wagons for the delivery of goods sold at wholesale prices, and by the box or package, nor to farmers or manufacturers selling their own products, or articles of their own manufacture.

SEC. 907. Such license may be obtained from the Auditor of any county, upon paying the proper tax to the Treasurer thereof, and may

issue for a less period than one year, for the proportionate amount of tax; and all such license shall state the date of the expiration of the same, and any person so peddling without a license, or after the expiration of his license, is guilty of a misdemeanor, and on conviction shall be fined in any sum not exceeding one hundred and fifty dollars, and the person actually peddling is liable, whether he be the owner of the goods or not. It is hereby made the duty of the District Court to give this act specially in charge of the Grand Jury at each term of said Court, and it is the duty of each peace officer of the State to demand the license of any person found engaged in so peddling merchandise, and if such peddler shall fail to produce such license, he shall forthwith arrest such peddler, and take him before the most convenient magistrate, and file information against him for violation of this act.

The motion did not prevail.

Mr. Gibbons moved to reconsider the vote by which section 867 was stricken out of section 5 of the bill.

The motion to reconsider was lost.

Mr. Wilson moved to reconsider the vote by which the first subdivision of section 1 of the bill was adopted.

At 12, M., the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

Leave was granted Mr. Wilson to withdraw his motion to reconsider the vote by which the first subdivision of section 1, was adopted.

Mr. Tice moved to reconsider the vote by which section 1, of the bill was adopted.

Upon this question the yeas and nays were demanded, which were as follows:

The yeas were:

Messrs. Baker, Birchard, Bolter, Brooks, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Scott, Danforth, Dewese, Elliott, Fuller, Gibbons, Glendenning, Glover, Hoag, Hobbs, Hotchkiss, Hunt, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, Madden of Taylor, Madson, Manning, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Scott, Stuckey, Tice, Ure, White, Wilson and Mr. Speaker—43.

The nays were:

Messrs. Allen, Auld, Benton, Brush, Calvin, Campbell, Colvin, Craver, Evans, Giltner, Given, Hall, Hemenway, Homer, Horstman, Horton, Irwin of Lee, Irwin of Warren, Kauffman, Lane, McCune, McDelderry, McHugh, Madden of Polk, Maris, Mills, Morse of Adams, Norris, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Seever, Shaw, Smith, Stone, Stuart, Thayer, Williams, and Young—42.

Absent or not voting:

Messrs. Brown, Bush, Case, Crawford of Dubuque, Dixon, Gilliland, Graves, Gray, Harned, McCartney, McNeill, Morse of Wright, Shepardson, Simmons, and Underwood,—15.

So the motion to reconsider prevailed.

The question recurring on the motion to strike out "one-half" and insert "one-fourth," Mr. Tice moved to amend the amendment by striking out subdivision one of section one of the bill, and inserting the following:

"1. For state revenue, one and a half mills on a dollar, or such rate as may be directed by the executive council, not exceeding two mills on a dollar."

The hour having arrived for the consideration of the financial resolution, on motion of Mr. Bolter, its consideration was postponed until 2:30 p. m. Friday.

Leave was granted Mr. Deweese to file a motion to reconsider the vote by which H. F. No. 148 was passed.

The motion passed on file.

Mr. Hobbs moved to strike out all but the enacting clause of section 1, of the bill.

The motion did not prevail.

The question then recurring on the motion of Mr. Tice to strike out and insert, the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brooks, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Danforth, Dixon, Gibbons, Glendenning, Gray, Hobbs, Hotchkiss, Hunt, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lynch, McCartney, Madden of Taylor, Madson, Manning, Moffit, Mueller, Norris, Proudfoot, Reed of Jackson, Shepardson, Stuckey, Thayer, Tice, and White.—37.

The nays were:

Messrs. Allen, Auld, Brown, Brush, Calvin, Campbell, Case, Clark of Johnson, Craver, Deweese, Evans, Fuller, Gilliland, Giltner, Given, Glover, Graves, Hall, Hemenway, Hoag, Homer, Horstman, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Jordan, Kauffman, Lane, Lathrop, McCune, McElderry, McHugh, Madden of Polk, Maris, Mentzel, Mills, Morse of Adams, Palmer, Rae, Reed of Howard, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Simmons, Smith, Stone, Stuart, Ure, Williams, Wilson, Young, and Mr. Speaker—56.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Elliott, Harned, McNeill, Morse of Wright, and Underwood—7.

The motion did not prevail.

The question recurring on the motion of Mr. Clark of Marion, to strike out "one-half" and insert "one-fourth," the motion prevailed.

Mr. Dixon moved to amend, by adding the following as the second sub-division of section 1:

2. "For ordinary county revenue, including the support of the poor, not more than five mills on a dollar, and a poll tax of fifty cents, provided that in counties having less than 14,000 inhabitants, not more than six mills on the dollar may be levied."

The hour having arrived for the consideration of bills on third reading, on motion of Mr. Seevers the rule was suspended for to-day.

Mr. Seevers moved to amend by offering the following substitute to the second sub-division of section 1:

2. "For ordinary county revenue including the support of the poor, not more than four mills on a dollar, and a poll tax of fifty cents."

The motion prevailed.

Mr. Seevers moved that the vote by which section 3 was adopted be reconsidered.

The motion prevailed.

Mr. Seevers moved to reconsider the vote by which the word "cash" was inserted in the first and second subdivisions of the bill.

The motion prevailed.

The question recurring on the motion to amend, it did not prevail.

Mr. Reed of Jackson, moved to amend: add to second subdivision of section 3 the following:

"*Provided*, That in equalizing they shall not increase the aggregate assessment."

Mr. Williams moved to amend the amendment by inserting the word "materially."

The motion did not prevail.

The motion to amend, by inserting the proviso offered by Mr. Reed of Jackson, prevailed.

Mr. Seevers moved to strike out "section 6."

The motion prevailed.

Mr. Craver moved to reconsider the vote by which section 867, of section 5, of the bill was stricken out.

The motion did not prevail.

Mr. Rees moved to amend: add to the second sub-division of section 1, the following:

"*Provided*, That in counties having a population of less than 14,000, a tax of six mills may be levied."

Mr. Smith moved to amend section 1 after the word "Code" in the second line, and insert the following words, "and chapter 28, laws of the Fifteenth General Assembly."

The motion prevailed.

Mr. Deweese moved to reconsider the vote by which section 2 of the bill was adopted.

The motion did not prevail.

The bill was then ordered engrossed for a third reading.

Leave was granted Mr. Given to introduce H. F. No. 326, A bill for an act to regulate and enforce reciprocity between express companies. Read first and second time, and referred to Committee on Railroads.

Leave was granted Mr. Given to offer the following resolution which was adopted:

Resolved, That the Committee on Printing are hereby instructed to enquire into the manner in which the manuscript of the Bills, Resolutions, and Reports, ordered printed are to be preserved, and to report what action if any, is necessary to provide for their preservation.

Leave was granted Mr. Madden of Polk, to present a petition from citizens of Des Moines, in relation to the grade between 7th and Walnut streets.

Mr. Madden of Polk, moved that the Speaker appoint a committee of three to inquire into the matter set forth in the petition.

The motion prevailed, and the Speaker appointed Messrs. Madden of Polk, Shaw, and Rees, as such committee.

Leave was granted Mr. Brooks to introduce H. F. No. 327, A bill for an act to amend sections 327, and 330, of the Code.

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

Leave was granted Mr. Lane to present a petition from citizens of Cerro Gordo county asking that an extension of time be granted the McGregor & Sioux City Railroad Company.

Referred to the Committee on Railroads.

Leave was granted Mr. Lynch to present a petition from the Des Moines County Medical Society.

Referred to the Committee on State University.

Leave was granted Mr. Hall to present a petition from citizens of Iowa Falls in relation to the McGregor Western Railroad Land Grant.

Referred to the Committee on Railroads.

Leave was granted Mr. Irwin of Lee to present a petition from citizens of Lee county in relation to mechanics liens.

Referred to the Judiciary Committee.

Leave was granted Mr. McHugh to present a petition from citizens of Chickasaw county in relation to the McGregor and Missouri River Railroad Land Grant.

Referred to the Committee on Railroads.

BILLS ON THIRD READING.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes and to provide for the collection of taxes was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shephardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Young, and Mr. Speaker—89.

The nays were:

Messrs. Rees, and Wilson—2.

Absent or not voting:

Messrs. Bush, Colvin, Crawford of Dubuque, Harned, McNeill, Maris, Morse of Wright, Smith, and Ure—9.

So the bill passed and the title was agreed to.

H. F. No 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, was read a third time.

The question being, shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Brush, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hall, Hoag, Hobbs, Horstman, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Taylor, Madson, Manning, Mentzel, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Said, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Tice, Underwood, White, Williams, and Young—71.

The nays were:

Messrs. Birchard, Calvin, Chapman, Colvin, Danforth, Gray, Hemenway, Homer, Horton, Hotchkiss, Irwin of Warren, Madden of Polk, Maris, Moffit, Rae, Reed of Jackson, Rees, Robinson, Scott, Stuart, Stuckey, Ure, Wilson, and Mr. Speaker—24.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Harned, McNeill, and Morse of Wright—5.

So the bill passed and the title was agreed to.

H. F. No. 115, A bill for an act to amend section 1733, of chapter 9, title 12, of the Code, relating to Compensation of Public Officers, was read a third time.

By unanimous consent the word "accredited" was changed to "audited" in the bill.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Brooks, Brush, Calvin, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Deweese, Dixon, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Hemenway, Hoag, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Stone, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—68.

The nays were:

Messrs. Auld, Birchard, Bolter, Brown, Campbell, Case, Colvin, Crawford of Scott, Danforth, Elliott, Gilliland, Gray, Hall, Hobbs, Hotchkiss, Lathrop, McHugh, Madden of Taylor, Norris, Rees, Smith, Stuart, and Stuckey—23.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Evans, Harned, Horton, Johnston of Dubuque, Lane, McNeill, and Morse of Wright—9.

So the bill passed and the title was agreed to.

Substitute for S. F. Nos. 17, and 18, A bill for an act to increase the number of Judges of the Supreme Court, was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Bolter, Brooks, Calvin, Chapman, Clark of Johnson, Colvin, Craver, Crawford, of Scott, Deweese, Dixon, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Hobbs, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, Manning, Mills, Moffit, Morse of Adams, Norris, Rae, Reed of Howard, Rees, Robinson, Scott, Seever, Shaw, Simmons, Smith, Stone, Thayer, Ure, Young, and Mr. Speaker—55.

The nays were:

Messrs. Allen, Baker, Benton, Birchard, Brown, Brush, Campbell, Case, Christy, Clark of Marion, Cleveland, Danforth, Elliott, Giltner, Gray, Homer, Hotchkiss, Irwin of Lee, Johnston of Dubuque, Lynch, McHugh, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mueller, Palmer, Proudfoot, Reed of Jackson, Said, Shepardson, Stuart, Stuckey, Tice, Underwood, White, Williams, and Wilson—39.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Evans, Harned, McNeill, and Morse of Wright—6.

So the bill passed and the title was agreed to.

Leave of absence was granted Messrs. Lane and Morse of Wright until next Tuesday.

H. F. No. 68, A bill for an act to amend section 1428 of the Code, was read a third time

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Fuller, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Seever, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—83.

The nays were:

Messrs. Bolter, Dixon, Gibbons, Madson, and White—5.

Absent or not voting:

Messrs. Auld, Bush, Crawford of Dubuque, Danforth, Evans, Gilliland, Harned, Johnson of Winneshiek, McNeill, Morse of Wright, Stuckey, and Tice—12.

So the bill passed and the title was agreed to.

H. F. No. 113, A bill for an act to authorize the Auditor of State to settle and adjust insurance, law, revenue, and other accounts.

Read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Wilson, Young, and Mr. Speaker—81.

The nays were:

Messrs. Bolter, Campbell, Colvin, Elliott, Gibbons, Mills, Norris, Rees, and White—9.

Absent or not voting:

Messrs. Brown, Bush, Crawford of Dubuque, Harned, Hunt, McNeill, Madden of Taylor, Morse of Wright, Reed of Howard, and Williams—10.

So the bill passed and the title was agreed to.

H. F. No. 140, A bill for an act to repeal the following sections of the Code, and enact substitutes therefor: Section 985, title 7, chapter 2, in relation to powers and duties of road supervisors, and section 3077, title 18, chapter 2, relating to exemptions from executions, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brush, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hoag, Homer, Horton, Hotchkiss, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McCartney, McCune, McElderry, Madden of Polk, Madson, Maris, Mentzel, Mills, Mueller, Norris, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, SeEVERS, Shepardson, Smith, Stuart, Thayer, Underwood, Ure, Williams, Wilson, and Young—60.

The nays were:

Messrs. Brooks, Brown, Calvin, Campbell, Case, Chapman, Clark of Marion, Colvin, Elliott, Evans, Gibbons, Hall, Harned, Hemenway, Hobbs, Horstman, Irwin of Lee, Irwin of Warren, McHugh, Madden of Taylor, Manning, Morse of Adams, Palmer, Shaw, Simmons, Stone, Stuckey, Tice, White and Mr. Speaker—29.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Hunt, Lane, Lynch, McNeil, Moffit, Morse of Wright, Reed of Howard, and Rees—11.

On motion of Mr. Johnston of Dubuque, Senate message was taken up:

H. F. No. 181, A bill for an act to amend section 303 of the Code, in relation to the powers of boards of supervisors, was taken up and the

question being shall the House concur in the Senate amendment to the first section of the bill as follows: "provided that the provisions of this bill shall not apply to any county where the loss shall have occurred after the 1st day of February, 1876, nor shall it apply to the building of court-houses and jails."

The yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—87.

The nays were none.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Harned, Hunt, Jaqua, Kauffman, Lane, McNeill, Moffit, Morse of Wright, Reed of Howard, Severs, and Tice—13.

So the House concurred in the Senate amendment.

At 5 P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 11, A. D., 1876. }

House met pursuant to adjournment, Speaker in the Chair.

Prayer by Rev. J. W. Monser.

Journal of yesterday was read.

On motion of Mr. Deweese, the further 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 bills, in which the concurrence of the House is asked:

S. F. No. 42, A bill for an act regulating the expenditures and accounts of the Quartermaster General of the State.

S. F. No. 40, A bill for an act authorizing the Governor to appoint aids-de-camp.

S. F. No. 60, A bill for an act to amend section 320, chapter 3, title 4 of the Code of Iowa, so as to require county auditors to make an annual report of county expenditures.

S. F. No. 100, A bill for an act to amend section 4228, chapter 12, title 25 of the Code, relating to changes of venue on preliminary examinations.

S. F. No. 58, A bill for an act to repeal chapter 32 of the Public Laws of the Fifteenth General Assembly and to re-enact section 3812 of the Code, relating to pay of jurors.

S. F. No. 135, A bill for an act to repeal section 3567, title 21, chapter 1 of the Code, relating to filing transcripts in the clerk's office, and to provide a substitute therefor.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

S. F. No. 98, A bill for an act granting authority to the board of trustees of the Iowa Agricultural College to establish an agency for leasing, re-leasing and sale of College endowment lands.

J. A. T. HULL, *Secretary.*

Mr. Deweese called up the motion to reconsider the vote by which H. F. No. 148 was passed.

The question recurring on the motion of Mr. Deweese to reconsider, the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brooks, Brown, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Glover, Gray, Hoag, Hobbs, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McElderry, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Moffit, Mueller, Proudfoot, Reed of Jackson, Robinson, Stuckey, Tice, Underwood, Ure, White, and Wilson—52.

The nays were:

Messrs. Allen, Auld, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Dixon, Giltner, Given, Glendenning, Graves, Hall, Hemenway, Homer, Horstman, Horton, Hunt, Kaufman, McCune, Maris, Mills, Morse of Adams, Norris, Palmer, Rees, Said, Scott, Seevers, Shaw, Shephardson, Simmons, Stone, Stuart, Thayer, Williams, Young, and Mr. Speaker—39.

Absent or not voting:

Messrs. Bush, Harned, Lane, McHugh, McNeill, Morse of Wright, Rae, Reed of Howard, and Smith—9.

The motion to reconsider prevailed.

Mr. Seevers moved that the further consideration of this bill be postponed until February 17th, at 2:30 o'clock P. M., and be made a special order for that hour.

The motion prevailed.

Mr. Crawford of Dubuque moved to take up the special order set for this hour: S. F. No. 6, A bill for an act to amend section 3793 of the Code, in relation to the compensation of County Treasurers.

Leave of absence was granted Messrs. McHugh and Allen until Tuesday.

Mr. Seevers filed the following motion:

"I move a reconsideration of the vote by which H. F. No. 145 was passed."

Motion passed on file.

Mr. Clark of Marion moved to strike out the last section of the bill, and insert, "Provided the provisions of this act shall not apply to present incumbents."

Mr. Seevers moved that the further consideration of this bill be indefinitely postponed.

On this motion the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Gray, Hobbs, Hotchkiss, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lathrop, Lynch, Madden of Polk, Madden of Taylor, Manning, Maris, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Shepardson, Simmons, Smith, Stuckey, Tice, Underwood, White, Williams, Wilson, and Young—58.

The nays were:

Messrs. Birchard, Brush, Clark of Johnson, Crawford of Dubuque, Crawford of Scott, Given, Glover, Graves, Hall, Hemenway, Hoag, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Jordan, McCartney, McCune, McElderry, Madson, Mentzel, Mills, Mueller, Shaw, Stone, Stuart, Thayer, and Mr. Speaker—32.

Absent or not voting:

Messrs. Brown, Bush, Harned, Lane, McIlugh, McNeill, Morse of Wright, Rae, Reed of Howard, and Ure—10.

So the motion to indefinitely postpone prevailed.

PETITIONS.

Mr. Auld presented a petition from citizens of Washington county, asking that townships, towns and counties be allowed to vote aid to assist in building railroads.

Referred to the Committee on Railroads.

Mr. Crawford of Scott presented a petition from the board of trade and citizens association of the city of Davenport, in relation to the railroad tariff.

Referred to the Committee on Railroads.

Mr. Chapman presented a petition from citizens of Delaware county, asking that the land given the McGregor & Missouri River Railroad Company be given to the Iowa, Dakota & Black Hills Railroad.

Referred to the Committee on Railroads.

Also, a petition from citizens of Delaware county, in relation to sectarian teaching in our public schools.

Referred to Committee on Schools.

Mr. Seevers presented a petition from citizens of Mahaska county, which was referred to Committee on Schools.

Mr. Rees presented a petition from citizens of Webster county, in relation to taxes voted in aid of Railroads.

Referred to the Committee on Railroads.

Mr. Elliott presented a petition from citizens of Marion county, in relation to the taxation of dogs.

Referred to the Committee on Agriculture.

Mr. White presented a petition from citizens of Farmersburgh, asking that an extension of time be granted to the McGregor & Sioux City Railroad Company.

Referred to the Committee on Railroads.

Mr. Palmer presented a petition from the society of Friends of Cedar county, protesting against capital punishment.

Referred to the Committee on Judiciary.

Mr. Given presented a petition from the coal exchange of Des Moines in relation to the present railroad tariff law.

Referred to the Committee on Railroads.

Also, a petition from citizens of Polk county, in relation to teaching Homeopathy in the State University.

Referred to the Committee on State University.

Mr. Hemenway presented a petition from Cedar Falls Fish Club, in relation to fish.

Referred to the Committee on Fish and Game.

Mr. Madden of Polk presented a petition from citizens of Polk county in relation to gateways constructed by railroad companies.

Referred to the Committee on Railroads.

Mr. Lathrop presented a petition from citizens of Jones county, Iowa, in relation to capital punishment.

Referred to the Committee on Judiciary.

Mr. Danforth presented a petition from citizens of Winneshiek county, in relation to compensation of Supreme Judges.

Referred to the Committee on Judiciary.

Mr. Shepardson presented a petition from citizens of Floyd county, in relation to an extension of time to the McGregor & Sioux City Railroad Company.

Referred to the Committee on Railroads.

Mr. Johnston of Dubuque, presented a petition from citizens of Dubuque county, in relation to the salary of District and Circuit Judges.

Referred to the Committee on Compensation of Public Officers.

Mr. Clark of Johnson, presented a petition from citizens of Johnson county, in relation to representing the militia at the Centennial.

Referred to the Committee on Military Affairs.

Mr. Morse of Adams, presented a petition from citizens of Adams county, in relation to mechanic's liens.

Referred to the Committee on Judiciary.

Mr. Craver presented a petition from citizens of Poweshiek county, in relation to the railroad tariff law.

Referred to Committee on Railroads.

Also, a petition from citizens of Poweshiek county, in relation to the present liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. Danforth presented a petition from citizens of Winneshiek coun-

ty, in relation to the land granted to the McGregor & Sioux City Railroad Company.

Referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—The Committee on Compensation of Public Officers, to whom was referred S. F. No. 19, A bill for an act to amend section 3789 of the Code, and H. F. No. 233, A bill for an act to repeal section 3789 of the Code, and enact a substitute therefor, in relation to Sheriff's fees, beg leave to report that they have had the same under consideration, have furnished a substitute therefor, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. Nos. 152, 205 and 218, Bills for an act to amend section 3791 of the Code of 1873, beg leave to report that they have had the same under consideration, have furnished a substitute therefor, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 44, A bill for an act to amend section 3809 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 228, A bill for an act to amend the fifth paragraph of section 3814 of the Code, relating to compensation of experts as witnesses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Judiciary.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 81, A bill for an act to amend section 3800, chapter 2, title 23 of the Code, relating to compensation of county surveyor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that no action be taken thereon.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 86, A bill for an act to amend section 1738 of the Code, and to provide for the compensation of members of the board of school directors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers to whom was referred H. F. No. 222, A bill for an act to amend section 629 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass, and that it be printed.

LOUIS CASE, *Chairman.*

Ordered passed on file.

Mr. Madden of Polk, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred S. F. No. 57, A bill for an act to destroy noxious weeds in the highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. Nos. 76, and 225, Bills for an act to restrain stock from running at large, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute, and recommend that the substitute be printed and it do pass

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 244, A bill for an act requiring supervisors of highways to preserve corners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 272, A bill for an act defining the rights of owners of lands enclosed in common, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 260, A bill for an act to amend section 1747 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House

with the recommendation that it be referred to the Committee on Schools.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. Nos. 117, 129 and 159, Bills for an act defining a lawful fence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that they do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred a communication from the Governor in relation to the report of the Secretary of the State Agricultural Society, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be printed.

WM. G. MADDEN, *Chairman.*

Ordered passed on file.

Mr. Bolter submitted a report from the committee appointed to visit the fish hatching house at Anamosa, which was ordered to be passed on file and printed.

Mr. Scott, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred H. F. No 321, A bill for an act for the benefit of soldiers and sailors maimed in the service of the United States, recommend that it be amended by inserting after the word "duty," "or any widow of any soldier or sailor who died in the service of the United States." Also, strike out the publication clause, and as so amended the bill do pass.

R. G. SCOTT, *Chairman.*

Ordered passed on file.

MR. SPEAKER:—Your committee to whom was referred H. F. No. 273, A bill to regulate manual labor on Agricultural College, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

M. EVANS, *Chairman.*

Ordered passed on file.

MR. SPEAKER:—Your Committee, to whom was referred H. F. No. 29, relating to the endowment fund of the Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the following amendments: Strike out the word "said," in the third line of section 1, and insert, "the Agricultural." After the word "dollars," in the first line of section 2, insert, "or any multiple thereof." After the word "College," in the second line of section 2, insert, "it shall be." With these amendments that the bill do pass.

M. EVANS, *Chairman.*

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that as amended it do pass: Striking out the words between "State" and "may," in the second line of section 1. Also, striking out section 3. Also all words between "fund" and "and," in the third and fourth lines, and all those from the word "cities," in the fifth line of section 4, adding in lieu thereof the words, "and may regulate the manner in which any property-holder may connect therewith, and may also prescribe all needful regulations pertaining thereto."

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 294, A bill for an act to repeal section 532 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that as amended it do pass: Striking out the words "Marshal, but," and inserting in lieu thereof, the words "Council and." Also inserting the words "in the manner prescribed by law" between the words "time" and "for," in the last line of the bill. Also striking out the words "of 1873."

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 130, A bill for an act to legalize the incorporation of the town of Ackley, in Hardin county, Iowa, beg leave to report that they have had the same under consideration and present a substitute therefor, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Mr. Gilliland, from the Committee on Public Lands, submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred H. F. No. 209, A bill for an act to amend section 93 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it as amended do pass.

Amendment noted in the bill.

S. B. GILLILAND, *Chairman.*

Ordered passed on file.

Mr. McElderry, from special committee, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 284, A bill for an act to perfect title to certain lands in Matilda Carter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

McELDERRY, *Chairman.*

Ordered passed on file.

Mr. Seevers, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 254, A bill for an act to tax telegraph lines and telegraph companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

SEEVERS, *Chairman.*

Ordered passed on file.

Mr. E. S. Johnson, from the committee on Private Incorporations, submitted the following report:

MR. SPEAKER:—Your Committee on Private Incorporations, to whom was referred H. F. No. 192, A bill for an act to repeal section 1, chapter 40 of the laws of the Fifteenth General Assembly of the State of Iowa, in regard to corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

E. S. JOHNSON, *Chairman.*

Ordered passed on file.

Mr. Scott, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill, and find the same correctly enrolled:

Substitute for S. F. Nos. 17 and 18, A bill for an act to increase the number of Judges of the Supreme Court.

SCOTT, *Tem. Chairman.*

INTRODUCTION OF BILLS.

Mr. Rees introduced H. F. No. 328, A bill for an act to repeal section 1491 of the Code, and to enact a substitute therefor.

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

Mr. Given introduced H. F. No. 329, A bill for an act to amend section 2017 of the Code.

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

Mr. McCune introduced H. F. No. 330, A bill for an act to repeal section 1798 of the Code, and to provide a substitute therefor.

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

Mr. Gilliland introduced H. F. No. 331, A bill for an act to enable townships, incorporated towns and cities, to vote taxes to build railroads.

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

Mr. Calvin introduced H. F. No. 332, A bill for an act to release lands shown on county treasurer's books to be liable to tax sales for taxes voted to aid in the construction of railroads.

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

Also, H. F. No. 333, A bill for an act to regulate notices of sheriff's sales of real property.

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

Mr. Madden of Taylor introduced H. F. No. 334 A bill for an act to legalize the incorporation of the town of Lenox, Taylor county.

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

Mr. Chapman introduced H. F. No. 335, A bill for an act to authorize boards of supervisors to sell swamp lands.

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

Mr. Baker introduced H. F. No. 336, A bill for an act to amend section 492, chapter 10, title 4 of the Code, requiring the official proceedings of city councils to be published.

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

Mr. Seevers introduced H. F. No. 337, A bill for an act providing for the publication of proposition to amend the constitution and for other purposes.

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

Mr. Mills introduced H. F. No. 338, A bill for act to amend section 823 of the Code.

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

Mr. McElderry introduced H. F. No. 339, A bill for an act creating the office of county assessor, and providing for the compensation thereof.

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

RESOLUTION.

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

Resolved, That Walter C. Lyman be invited to lecture in the House at 11½ o'clock to-morrow and that the House adjourn at 11½ o'clock to-morrow to hear such lecture.

Mr. Dixon offered the following resolution which was referred to the Committee on Fish and Game.

Resolved, That fish commissioner Shaw be requested to inform this House as to the cost and practicability of stocking the streets and alleys of Des Moines with eels.

BILLS ON SECOND READING.

H. F. No. 59, A bill for an act to amend section 1474, on motion of Mr. Gilliland was withdrawn.

S. F. No. 42½, A bill for an act relating to the recording of United States patents for lands, with report of committee recommending it do pass, was taken up and considered.

Mr. Clark of Johnson, moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—82.

The nays were:

Mr. Case—1.

Absent or not voting:

Messrs. Brown, Bush, Crawford of Dubuque, Gilliland, Hall, Harned, Hemenway, Hunt, Johnson of Winneshiek, Lane, McHugh, McNeill, Manning, Morse of Wright, Reed of Howard, Underwood, and White—17.

So the bill passed and the title was agreed to.

S. F. No. 38, A bill for an act to amend chapter 4, title 16 of the Code, etc., was taken up, and report of the committee recommending that it do not pass was adopted.

The House refused to order the bill engrossed for a third reading.

At 12 o'clock, Meridian, the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

House resumed consideration of bills on second reading.

H. F. No. 174, A bill for an act to repeal chapter 47 of the Code was taken up and passed on the files.

H. F. No. 151, A bill for an act to amend sections 2623 and 2624, title 27, chapter 6 of the Code, was taken up and considered, and on motion, the House refused to order the bill engrossed for a third reading.

H. F. No. 146, A bill for an act to secure the owners and operators of threshing machines in the collection of their wages, was taken up and referred to the Committee on Judiciary.

H. F. No. 170, A bill for an act to enable jurors in civil cases to secure their fees in justices courts.

On motion of Mr. Baker, the bill was withdrawn from the consideration of the House.

H. F. No. 35, A bill for an act to restore the death penalty was taken up and considered.

Mr. Stone moved that the bill be made a special order for Friday, February 18th, at 10:30 o'clock A. M.

The motion prevailed.

H. F. No. 19, A bill for an act to change the regulations in regard to juries, etc., was taken up, and on motion of Mr. Stone, indefinitely postponed.

H. F. No. 107, A bill for an act to protect the public against fraud in the sale of tickets for transportation, was taken up and passed on the files.

H. F. No. 141, A bill for an act requiring railroad companies to fence their right-of-ways, was taken up and, on motion of Mr. Bolter, referred to the Committee on Agriculture.

Leave of absence was granted Messrs. Reed of Howard, and Graves until Tuesday.

H. F. No. 30, A bill for an act to amend section 1160 of the Code, was taken up and ordered engrossed for a third reading.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance, with the report of the committee recommending certain amendment, was taken up, considered, and adopted.

On motion of Mr. Seevers, the rule was suspended, and the bill was considered engrossed and read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Hall, Hemenway, Hoag,

Hobbs, Homer, Horstman, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Seevers, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—76.

The nays were:

Messrs. Birchard, Case, Crawford of Scott, and Gray—4.

Absent or not voting:

Messrs. Auld, Bush, Crawford of Dubuque, Danforth, Giltner, Graves, Harned, Horton, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson, of Winneshiek, Lane, McHugh, McNeill, Mills, Morse of Wright, Reed of Howard, Shaw, and Shepardson—20.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order, joint resolution relating to specie resumption, on motion of Mr. Bolter, was taken up, and the report of the committee recommending amendment was adopted.

Mr. Stone offered a substitute for the resolution.

Mr. Seevers moved that both the substitute and resolution be laid on the table.

Upon this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Calvin, Campbell, Craver, Crawford of Scott, Evans, Given, Hemenway, Hobbs, Homer, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Kauffman, McCartney, McCune, Manning, Mills, Moffit, Mueller, Palmer, Rae, Robinson, Said, Scott, Seevers, Simmons, Tice, Underwood, and Ure—31.

The nays were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glover, Hoag, Horstman, Hotchkiss, Hunt, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McElderry, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Morse of Adams, Norris, Reed of Jackson, Rees, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, White, Williams, Wilson, Young, and Mr. Speaker—53.

Absent or not voting:

Messrs. Bush, Crawford of Dubuque, Danforth, Glendenning, Graves, Gray, Hall, Harned, Irwin of Lee, Lane, McHugh, McNeill, Morse of Wright, Proudfoot, Reed of Howard, and Shaw—16.

So the motion to lay on the table did not prevail.

Mr. Gibbons moved that the time be extended half an hour.

The motion did not prevail.

Mr. Horton moved that the time be extended ten minutes.

The motion did not prevail.

At 5 o'clock, the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 12, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. Henry Naumann.

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

RESOLUTIONS.

Mr. Clark of Marion offered the following resolution:

Resolved, That after this day, no member of this House shall be allowed to speak more than fifteen times on any question, and not more than one-half hour in any speech.

Mr. Reed of Jackson moved to amend by adding the following:

Resolved, That no member shall be allowed to speak longer than five minutes upon the same subject, unless by unanimous consent.

The amendment was adopted.

The resolution was then lost.

Leave of absence was granted Messrs. Hoag, Glendinning, and Crawford of Dubuque, until Tuesday.

The question recurring on the adoption of the substitute offered by Mr. Stone, Mr. Dixon moved to amend by striking out all after the word "resolved," and inserting the following:

"That our Senators in Congress be instructed, and our Representatives be requested to secure, if possible, a repeal of the act of Congress passed January 14, 1875, known as the resumption act."

2d. "That the Secretary of State be requested to forward a copy of this resolution to each of the Senators and Representatives in Congress from Iowa."

Leave was granted Mr. Gibbons to offer the following resolution which was adopted:

Resolved, That it is the sense of this House that no person should speak more than ten minutes on the finance question now pending and only once on the subject.

REPORT OF COMMITTEE.

Mr. Craver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

H. F. No. 181, A bill for an act to amend section 303, chapter 2, of title 4, of the Code, in relation to the powers of the boards of supervisors and to enlarge such powers.

CHAS. F. CRAVER, *Chairman pro tem.*

Mr. Hobbs moved that the entire question be laid on the table.

On this question Mr. Dixon demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Auld, Campbell, Colvin, Craver, Crawford of Scott, Danforth, Fuller, Given, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Warren, Jaqua, Johnson of Winneshiek, McCartney, Manning, Morse of Adams, Mueller, Proudfoot, Rae, Robinson, Said, Seavers, Shepardson, Simmons, Tice, Underwood, Ure, and Wilson—32.

The nays were:

Messrs. Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Deweese, Dixon, Elliott, Evans, Gibbons, Gilliland, Giltner, Glover, Gray, Hotchkiss, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lathrop, Lynch, McCune, McElderry, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Norris, Palmer, Reed of Jackson, Rees, Smith, Stone, Stuart, Stuckey, Thayer, White, Williams, Young, and Mr. Speaker—54.

Absent or not voting:

Messrs. Allen, Bush, Crawford of Dubuque, Glendenning, Harned, Hoag, Lane, McHugh, McNeill, Moffit, Morse of Wright, Reed of Howard, Scott, and Shaw—14.

So the motion to lay on the table did not prevail.

Leave was granted Mr. Wilson to submit a report from the committee to visit the Iowa Penitentiary, which was ordered printed.

Mr. Hobbs moved that when the House adjourn, it be until 10:30 a. m., Monday.

The motion prevailed.

Leave was granted Mr. Lynch to present a petition from citizens of Des Moines county, asking for a herd law.

Referred to the Committee on Agriculture.

At 11:30 a. m., on motion of Mr. Dixon, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 14, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. A. L. Frisbie.

On motion of Mr. Baker the reading of the journal was dispensed with.

SPECIAL ORDER RESUMED.

The question being on the adoption of the amendment offered by Mr. Dixon, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Christy, Clark of Johnson,

Cleveland, Dixon, Elliott, Gibbons, Gray, Hemenway, Hotchkiss, Hunt, Johnston of Dubuque, Lathrop, Lynch, McCune, Madden of Taylor, Madson, Maris, Mentzel, Reed of Jackson, Rees, Stuart, Stuckey, Thayer, White, Williams and Young—30.

The yeas were:

Messrs. Auld, Brooks, Brown, Brush, Calvin, Campbell, Chapman, Colvin, Crawford of Scott, Danforth, Evans, Fuller, Gilliland, Giltner, Given, Glover, Hall, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McElderry, Manning, Mueller, Palmer, Proudfoot, Robinson, Said, Shepardson, Simmons, Smith, Stone, Ure, Wilson, and Mr. Speaker—43.

Absent or not voting:

Messrs. Allen, Bush, Case, Clark of Marion, Craver, Crawford of Dubuque, Deweese, Glendenning, Graves, Harned, Hoag, Lane, McHugh, McNeill, Madden of Polk, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Rae, Reed of Howard, Scott, SeEVERS, Shaw, Tice, and Underwood—27.

So the substitute offered by Mr. Dixon was not adopted.

On the question of adopting the substitute offered by Mr. Stone, the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Auld, Benton, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Colvin, Danforth, Evans, Fuller, Gilliland, Giltner, Given, Glover, Hemenway, Homer, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, McCartney, McElderry, Manning, Proudfoot, Rae, Robinson, Said, Shepardson, Simmons, Stone, Ure, Wilson, and Mr. Speaker—40.

The nays were:

Messrs. Baker, Birchard, Bolter, Christy, Clark of Johnson, Crawford of Scott, Dixon, Elliott, Gibbons, Gray, Hall, Hobbs, Horstman, Hotchkiss, Hunt, Johnston of Dubuque, Lathrop, Lynch, McCune, Madden of Taylor, Madson, Maris, Mentzel, Mueller, Palmer, Reed of Jackson, Rees, Smith, Stuart, Stuckey, Thayer, White, Williams, and Young—34.

Absent or not voting:

Messrs. Allen, Bush, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Deweese, Glendenning, Graves, Harned, Hoag, Lane, McHugh, McNeill, Madden of Polk, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Reed of Howard, Scott, SeEVERS, Shaw, Tice, and Underwood—26.

So the substitute offered by Mr. Stone was adopted.

Mr. Dixon moved a call of the House, which was ordered.

Pending the call, Mr. McElderry moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Dixon moved that the resolution be indefinitely postponed.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Birchard, Bolter, Brown, Chapman, Christy, Crawford of Scott, Danforth, Dixon, Elliott, Gibbons, Gray, Hall, Hemenway,

Hobbs, Homer, Horstman, Hotchkiss, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, Lynch, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mueller, Palmer, Ræe, Reed of Jackson, Rees, Stuart, Stuckey, Thayer, White and Young—36.

The nays were:

Messrs. Auld, Benton, Brooks, Brush, Calvin, Campbell, Case, Clark of Johnson, Cleveland, Colvin, Evans, Fuller, Gilliland, Giltner, Given, Glover, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Kauffman, McCartney, McCune, McElderry, Manning, Maris, Proudfoot, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Ure, Williams, Wilson and Mr. Speaker—40.

Absent or not voting:

Messrs. Allen, Bush, Clark of Marion, Craver, Crawford of Dubuque, Deweese, Glendenning, Graves, Harned, Hoag, Hunt, Lane, McHugh, McNeill, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Reed of Howard, Scott, SeEVERS, Tice, and Underwood—24.

So the motion to indefinitely postpone did not prevail.

Mr. Smith offered a substitute for the resolution.

Mr. Bolter moved that the resolution and substitute be printed and made a special order for the 16th at 7 P. M.

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 without amendment:

H. F. No. 320, A bill for an act making an appropriation to pay the expenses incurred by the inauguration ceremonies.

Also, that the Senate has ordered printed the usual number of copies of the reports of the joint committees appointed to visit the Soldiers' Orphans' Home at Glenwood, the State Fish Hatching House at Anamosa, and the State University at Iowa City.

R. B. BAIRD,

Second Assistant Secretary.

PETITIONS.

Mr. Crawford of Scott, presented a petition from citizens of Scott county, in relation to the public libraries.

Referred to Committee on Schools.

Also, a petition from citizens of Scott county, in relation to the taxation of church property.

Referred.

Mr. Thayer presented a petition from citizens of Clinton county, asking for the taxation of church property.

Referred.

Mr. Lynch presented a petition from citizens of Burlington, in relation to the annexation of suburban property.

Referred to Committee on Cities and Towns.

Mr. McElderry presented a petition from citizens of Creston, in relation to the McGregor Western Railroad land grant.

Referred to Committee on Railroads.

Also, a petition from citizens of Union county in relation to mechanics liens.

Referred to the Committee on Judiciary.

Mr. Proudfoot presented a petition from citizens of Clarke county in relation to the increase of salaries.

Referred to the Committee on Ways and Means.

Mr. Madden of Taylor, presented a petition from citizens of Taylor county in relation to mechanics liens.

Referred to Judiciary Committee.

Mr. Gilliland presented a petition from citizens of Woodbury county in relation to bridge fund of counties.

Referred to Committee on County and Township Organizations.

Mr. Maris presented a petition from citizens of Guthrie county, in relation to the McGregor and Western Railroad land grant.

Referred to the Committee on Railroads.

Mr. Rees presented a petition from citizens of Webster county, on the same subject.

Referred to the same committee.

Mr. Johnson of Winneshiek, presented a petition from citizens of Winneshiek county, in relation to the McGregor and Western Railroad land grant.

Referred to the Committee on Railroads.

Mr. Glover presented a petition from citizens of Osceola county, in relation to the McGregor and Western Railroad land grant.

Referred to the Committee on Railroads.

Mr. Baker presented a petition from citizens of Lucas county, in relation to the sale of intoxicating liquors.

Referred to a special committee of one, consisting of Mr. Baker.

Leave of absence was granted Mr. Hall until this afternoon.

Leave of absence was granted Messrs. SeEVERS, and McNeill until Wednesday the 16th inst.

REPORTS OF COMMITTEES.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled any excess of revenue due to such counties excepting State taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows: in section 3, in second line, add after the word "immediately" the words "upon receipt thereof," and when so amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Claims, to whom was referred

H. F. No. 121, A bill for an act appropriating \$550 in payment of the claims of E. Blakesley, for medical services at the Penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILSON, *Chairman*.

Ordered passed on file.

Mr. C. C. Horton, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 279, A bill for an act to amend section 970, chapter 2, title 7 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 246, A bill for an act to change the road tax on railroads to a bridge tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

C. C. HORTON, *Chairman*.

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Wahkonsa township, Webster county, Iowa, for the years 1869 and 1870, and to legalize the levy of taxes within said township, and within the corporate limits of the city of Ft. Dodge, in township, county, and State aforesaid, for the year A. D. 1870, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding to section 1 of the bill the words: "Provided that any person may be permitted to pay said tax without interest or penalty; and provided further, that nothing in this act shall be construed so as to legalize the levy of any tax voted in aid of any railroad." And that as so amended it do pass.

GRAVES, *Chairman*.

Ordered passed on file.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 26, A bill for an act relating to the law of negligence, beg

leave to report that they have had the same under consideration, and that a majority of the committee have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 59, A bill for an act to amend section 289 and section 290 of the Code of 1873, title 4, chapter 1, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the concluding sentence beginning with the words "any member of a board of supervisors," and that, as thus amended, the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 2, A bill for an act to amend section 289 and section 290 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be laid on the table.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 153, A bill for an act to repeal subdivision two of section 796, chapter 1, title 6 of the Code, and chapter 28 of the public acts of the Fifteenth General Assembly, relating to the assessment of taxes, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and a majority of the committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 79, A bill for an act to amend chapter 12, title 25 of the Code of 1873, relating to preliminary examinations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

JOHN Y. STONE, *Chairman*,

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 30, A bill for an act to amend section 1160 of the Code.

JORDAN, *Chairman*.

Mr. Dixon, from the Committee on Fish and Game, submitted the following report:

MR. SPEAKER:—Your Committee on Fish and Game, to whom was referred H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and to amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of Fish Commissioners, and appropriate money to carry out the provisions of the act, beg leave to report that they have had the same under consideration, and

have amended the same, and have instructed me to report the same back to the House with the recommendation that the amendments be adopted, and when so amended, the bill do pass.

J. W. DIXON, *Chairman*.

Ordered passed on file.

Mr. Glover, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was referred a resolution instructing said committee to inquire into the manner in which manuscript of bills, resolutions, and reports ordered printed is preserved, and to report what action, if any, is necessary to provide for their preservation, beg leave to report that inasmuch as there has never been any suggestion, request, or order that the manuscript be preserved, it has been customary to divide it into convenient pieces for the printer.

Your committee recommend that the State Printer be instructed to hereafter preserve all manuscript of bills, resolutions, and reports, and return the same to the Chief Clerk, to be filed by him in the office of the Secretary of State, after the close of the session.

J. F. GLOVER, *Chairman*.

Passed on file.

INTRODUCTION OF BILLS.

Mr. Dixon introduced H. F. No. 340, A bill for an act to amend section 533 of the Code, and to require cities of the second class to pay Marshals, Deputy Marshals, and Police, salaries instead of fees.

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

Also, H. F. 341, A bill for an act to repeal section 2186 of the Code, and enact a substitute therefor.

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

Also, H. F. No. 342, A bill for an act to amend section 58, of the Code, and to require the Governor to offer a reward for the arrest and conviction of criminals in certain cases.

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

Mr. Gilliland introduced H. F. No. 343, A bill for an act limiting charges for transportation on railroads hereafter built.

Read first and second time, and referred to the Committee on Railroads, and ordered printed.

Mr. Robinson introduced H. F. No. 344, A bill for an act to extinguish a portion of the school fund loan.

Read first and second time, and referred to the Committee on Agricultural College and ordered printed.

Also, H. F. No. 345, A bill for an act to repeal sections 283, 287, and 288, of the Code, and to enact a substitute therefor.

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

Mr. Hunt introduced H. F. No. 346, A bill for an act to allow boards

of supervisors to make provisions for the maintenance of watering troughs on the public highways.

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

Mr. Williams introduced H. F. No. 347, A bill for an act providing for the qualification of civil engineers.

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

Leave was granted Mr. Given to submit a report from the special committee appointed to ascertain if the grounds of the State were being encroached upon by coal mines.

On motion of Mr. Given, the recommendations of the committee were agreed to.

Mr. Homer introduced H. F. No. 348, A bill for an act to amend section 633 of the Code.

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

Mr. Smith introduced H. F. No. 349, A bill for an act to amend section 288 of the Code, in relation to the changing of county seats.

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

Mr. Brooks introduced H. F. No. 350, A bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, and 1954 of chapter 6, title 11 of the Code.

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

RESOLUTION.

Leave was granted Mr. Bolter to offer the following resolution:

DES MOINES, IOWA, Feb. 14, 1876.

HON. JOHN H. GEAR, *Speaker of the House of Representatives*:

The undersigned would very respectfully request of the honorable House of Representatives of the State of Iowa, the use of the hall of said House on Tuesday, February 15th, for a lecture by Miss Matilda Hindman, commencing at half past eleven o'clock A. M., and continue until 12:15 P. M.

By order of the Exec. Com. of the Polk Co. Woman's Suffrage Society.

Resolved, That this House adjourn on the 15th inst. at 11:30 o'clock A. M., for the purpose of giving Miss Hindman the use of this hall for one hour to deliver a lecture.

Mr. Dixon moved to amend by adding "that the House meet at 9:30 A. M., on the 15th.

The amendment and resolution were both adopted.

At 12 M., the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

RESOLUTION.

Mr. Horton offered the following resolution:

Resolved by the House the Senate concurring, That the President of the Senate and the Speaker of the House be directed to adjourn their respective houses *sine die* on Friday, the third day of March, at 10 o'clock A. M.

Mr. Danforth moved to amend by striking out "Friday the 3d day of March," and insert in lieu thereof "March 9th, Thursday."

The motion to amend did not prevail.

Mr. Williams moved that the resolution be postponed until to-morrow at 11 o'clock.

The motion prevailed.

Mr. Wilson moved that the House take up Senate messages.

The motion prevailed.

Substitute for S. F. No. 100, A bill for an act to amend sections 4228, chapter 12, title 25 of the Code.

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

SENATE MESSAGES.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

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

S. F. No. 60, A bill for an act to amend section 320, chapter 3, title 4 of the Code.

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

S. F. No. 135, A bill for an act to repeal section 3567, and to provide a substitute therefor.

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

S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly.

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

S. F. No. 42, A bill for an act regulating the expenditures and accounts of the Quartermaster General of the State.

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

S. F. No. 40, A bill for an act authorizing the Governor to appoint four Aids-de-Camp.

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

S. F. No. 98, A bill for an act granting authority to the Board of Trustees of the Iowa Agricultural College, etc.

Read first and second time, and referred to Committee on Agricultural College and Farm.

S. F. No. 99, A bill for an act to amend section 990, chapter 2, title 7, of the Code.

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

Joint resolution in relation to proposed canal from the mouth of Rock river to Clinton, Iowa, on the Mississippi river, was read and adopted.

Substitute for S. F. Nos. 7 and 80, A bill for an act to provide for a Board of State Charities, and to define the duties of the same.

Read first and second time, and referred to a special committee, Mr. Wilson, chairman.

Joint resolution in relation to a modification of the Homestead laws, was read and adopted.

RESOLUTION.

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

Resolved, That the Janitor be required to keep the temperature of the House at not more than 65 degrees, Fahrenheit, and to secure ventilation he shall keep all the windows lowered at the top not more than two inches, except the windows behind the Speaker's chair.

BILLS ON SECOND READING.

H. F. No. 196, A bill for an act relating to life insurance, and to prevent injustice to the insured, was taken up.

The report of the committee was adopted.

Mr. Clark of Johnson moved to amend by an additional section, No. 3.

SECTION 3. That in all cases where it shall appear that the age of the person assured has been misstated in the proposal, declaration, or other instrument upon which any policy of life insurance has been founded or issued, then, and in such case, the person or company issuing such policy, shall, upon the discovery of such misstatement, be permitted to demand and collect the difference of premium, if any, which would be due and payable on account of the true age of the assured, from year to year, according to the rates of premium of such person or company, upon which such policy was issued; or such person or company so issuing the policy, may, after the decease of the assured, deduct from the amount payable by such policy, the difference of premium, if any, which would so have been payable from year to year, by reason of any difference of age at time of issuance of such policy; and no other defense or deduction by such person or company issuing such policy shall be permitted after the death of the person assured, on account of such misstatement of age of assured, notwithstanding any

warranty of such statement of age, by terms of policy, or otherwise, except where it be shown by the person or company issuing that the policy was procured by fraud in fact.

The motion to amend prevailed and the bill was ordered engrossed for a third reading.

H. F. No. 174, A bill for an act to repeal chapter 47, title 25 of the Code was taken up, and the House refused to order it engrossed for a third reading.

H. F. No. 107, A bill for an act to protect the public against fraud and extortion in the sale of tickets, was taken up and indefinitely postponed.

Leave was granted Mr. Williams to withdraw H. F. No. 244, A bill for an act requiring supervisors of highways to preserve corners.

H. F. No. 15, A bill for an act to amend section 1725 of chapter 9, of the Code, was taken up together with the report of the committee.

The first and second amendments recommended by the committee were adopted.

Mr. Rees moved to amend by striking out after the word "shall" the words "have power to."

The motion did not prevail.

Mr. Smith moved to amend section 1 by adding to the end of the section the following:

"And in any district township, or independent district, where there are fifteen or more pupils, residing one and one-half miles or more, by the nearest public road, from a school-house in their own district, or more than one mile from a school-house in any adjoining district, the board of directors thereof shall provide a school for the accommodation of said pupils, for at least twenty-four school weeks in each year."

The motion did not prevail.

BILLS ON THIRD READING.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, was read a third time.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brooks, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lathrop, Lynch, McCartney, McCune, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, White, Wilson, Young, and Mr. Speaker—68.

The nays were:

Messrs. Allen, Auld, Brown, Colvin, Crawford of Scott, Danforth,

Deweese, Gilliland, Hall, Jordan, McElderry, Moffit, Stuckey, Underwood, and Williams—15.

Absent or not voting:

Messrs. Bush, Craver, Crawford of Dubuque, Glendenning, Harned, Hoag, Lane, McHugh, McNeill, Manning, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, Seevers, and Ure—17.

So the bill passed and the title was agreed to.

H. F. No. 70, A bill for an act empowering cities to extend their corporate limits, was read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Crawford of Scott, Fuller, Gibbons, Gilliland, Graves, Hemenway, Homer, Irwin of Lee, McCartney, McElderry, Manning, Rees, Thayer, and Mr. Speaker—14.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Danforth, Deweese, Dixon, Elliott, Evans, Giltner, Glover, Gray, Hall, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCune, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, Ure, White, Williams, and Young—68.

Absent or not voting:

Messrs. Bush, Calvin, Craver, Crawford of Dubuque, Given, Glendenning, Harned, Hoag, Lane, McHugh, McNeill, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, Seevers, and Wilson—18.

So the bill did not pass.

Mr. Hobbs moved to reconsider the vote by which the bill was lost.

The motion to reconsider prevailed.

H. F. No. 103, A bill for an act to amend sections 240 and 241 of the Code, chapter 10, title 3, in relation to jurors.

On motion of Mr. Given, the bill was recommitted to the Judiciary Committee.

REPORT OF COMMITTEE.

Mr. Craver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 42½, A bill for an act relating to the recording of United States and State patents for lands.

S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette.

CHAS. F. CRAVER, *Chairman, pro tem.*

H. F. No. 186, A bill for an act to regulate circuses and other public shows, was then taken up and read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McCartney, McCune, McElderry, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker.

—83.

The nays were none.

Absent or not voting:

Messrs. Allen, Bush, Crawford of Dubuque, Gilliland, Glendenning, Harned, Hoag, Lane, Lynch, McHugh, McNeill, Madden of Taylor, Morse of Adams, Morse of Wright, Reed of Howard, Scott, and SeEVERS—17.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Norris, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 167, A bill for an act to repeal section 1558, chapter 6, title 11 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

THOS. C. NORRIS, *Chairman.*

Ordered passed on file.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code, was then taken up and read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliot, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madson, Manning, Maris, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons,

Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, and Young—78.

The nays were:

Messrs. Dixon, Jaqua, Stuart, and Mr. Speaker—4.

Absent or not voting:

Messrs. Allen, Bush, Crawford of Dubuque, Gilliland, Glendenning, Harned, Hoag, Lane, McHugh, McNeill, Madden of Taylor, Mills, Morse of Adams, Morse of Wright, Norris, Reed of Howard, Scott and SeEVERS—18.

So the bill passed and the title was agreed to.

H. F. No. 57, A bill for an act to repeal section 3777, title 23, chapter 2 of the Code, relating to the payment of short-hand reporters, was then taken up, read a third time, and the question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brooks, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madson, Manning, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rees, Robinson, Said, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—75.

The nays were:

Messrs. Auld, Brown, Danforth, Deweese, Mills, and Thayer—6.

Absent or not voting:

Messrs. Allen, Bush, Crawford of Dubuque, Gilliland, Glendenning, Harned, Hoag, Lane, McHugh, McNeill, Madden of Taylor, Morse of Adams, Morse of Wright, Rae, Reed of Howard, Reed of Jackson, Scott, SeEVERS, and Shaw—19.

So the bill passed and the title was agreed to.

H. F. No. 128, A bill for an act to amend certain sections of the Code of 1873, in relation to the reports of treasurers of school districts, was then taken up, and read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Birchard, Brooks, Brush, Calvin, Case, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Giltner, Given, Glover, Graves, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lynch, McCartney, McCune, McElderry, Madden of Polk, Maris, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Tice, Underwood, Wilson, and Young—58.

The nays were:

Messrs. Auld, Bolter, Brown, Campbell, Chapman, Christy, Clark of

Marion, Colvin, Gray, Jaqua, Kauffman, Madson, Manning, Mentzel, Reed of Jackson, Rees, Stuart, Stuckey, White, Williams, and Mr. Speaker—21.

Absent or not voting:

Messrs. Allen, Benton, Bush, Crawford of Dubuque, Evans, Gilliland, Glendenning, Harned, Hoag, Lane, Lathrop, McHugh, McNeill, Madden of Taylor, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, SeEVERS, and Ure—21.

So the bill passed and the title was agreed to.

H. F. No. 31, A bill for an act to amend section 218 of the Code, in relation to the duties of mayors of cities was then taken up, read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Manning, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Wilson, Young, and Mr. Speaker—73.

The nays were:

Messrs. Bolter, Clark of Marion, Elliott, Gilliland, Madson, and Williams—6.

Absent or not voting:

Messrs. Allen, Bush, Crawford of Dubuque, Glendenning, Harned, Hoag, Horstman, Horton, Hotchkiss, Kauffman, Lane, McHugh, McNeill, Madden of Taylor, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, SeEVERS, and White—21.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts, was then taken up and read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, Williams, Wilson, and Mr. Speaker—78.

The nays were, Mr. White—1.

Absent or not voting:

Messrs. Allen, Benton, Bush, Crawford of Dubuque, Glendenning, Harned, Hoag, Horstman, Horton, Kauffman, Lane, McHugh, McNeill, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, Seevers, Tice, and Young—21.

So the bill passed and the title was agreed to.

Mr. Clark of Johnson, moved that when this House adjourn, it be at 3 o'clock P. M.

The motion prevailed.

Mr. Given moved to reconsider the vote by which H. F. No. 3 was referred to the Judiciary Committee.

The motion prevailed.

H. F. No. 41, A bill for an act to amend section 1495, of chapter 4, title 11, of the Code of Iowa, relating to partition fences, was taken up, read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Brush, Calvin, Chapman, Christy, Cleveland, Craver, Crawford of Scott, Dixon, Gilliland, Giltner, Given, Glover, Graves, Hemenway, Hunt, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lathrop, McCartney, McCune, McElderry, Madden of Polk, Mentzel, Mueller, Norris, Palmer, Rees, Robinson, Said, Shaw, Smith, Stuckey, Thayer, Underwood, Ure, Young, and Mr. Speaker—44.

The nays were:

Messrs. Bolter, Campbell, Clark of Marion, Colvin, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gray, Hobbs, Homer, Hotchkiss, Irwin of Warren, Johnson of Benton, Madden of Taylor, Madson, Manning, Maris, Moffit, Proudfoot, Rae, Reed of Jackson, Shepardson, Simmons, Stuart, Tice, White, Williams, and Wilson—31.

Absent or not voting:

Messrs. Allen, Brown, Bush, Case, Clark of Johnson, Crawford of Dubuque, Glendenning, Hall, Harned, Hoag, Horstman, Horton, Irwin of Lee, Jordan, Lane, Lynch, McHugh, McNeill, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, Seevers, and Stone—25.

So the bill did not pass.

H. F. No. 14, A bill for an act to amend section 660 of the Code, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Hemenway, Homer, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Robinson, Said, Shaw, Shepardson, Smith, Stuckey, Thayer, Underwood, Williams, Wilson, Young, and Mr. Speaker—61.

The nays were:

Messrs. Birchard, Brooks, Crawford of Scott, Evans, Hobbs, Kauffman, Manning, Reed of Jackson, Rees, Tice, and White—11.

Absent or not voting:

Messrs. Allen, Bolter, Bush, Christy, Clark of Johnson, Crawford of Dubuque, Glendenning, Gray, Hall, Harned, Hoag, Horstman, Horton, Hotchkiss, Lane, McHugh, McNeill, Madden of Polk, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, SeEVERS, Simmons, Stone, Stuart, and Ure—28.

So the bill passed and the title was agreed to.

H. F. No. 285, A bill for an act for the relief of Mrs. Malinda Baldwin, was read a third time, and the question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—81.

The nays were none.

Absent or not voting:

Messrs. Allen, Bush, Crawford of Dubuque, Glendenning, Harned, Hoag, Horstman, Horton, Lane, McHugh, McNeill, Mills, Moffit, Morse of Adams, Morse of Wright, Reed of Howard, Scott, SeEVERS, and Stone—19.

So the bill passed and the title was agreed to.

At 5:30 P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 15, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. C. A. Gelwicks.

On motion of Mr. Clark of Marion the further reading of the journal was dispensed with.

PETITIONS.

Mr. Auld presented a petition from citizens of Washington county, in relation to mechanics' lien.

Referred to the Judiciary Committee.

Mr. SeEVERS presented a petition from citizens of Mahaska county, in relation to mechanics' liens.

Referred to the Judiciary Committee.

Mr. SIMMONS presented a petition from citizens of Jefferson county, in relation to mechanics' liens.

Referred to the Judiciary Committee.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 112, A bill for an act to amend subdivision 24 of section 303, chapter 2, title 4 of the Code, to allow boards of supervisors to make additional appropriations for county bridges, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to the House with the recommendation that the substitute do pass.

Ordered passed on file.

Also the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 275, A bill for an act to legalize the official acts of S. L. Emerson, and J. M. Thompson, as trustees, and S. L. Emerson, as township clerk of Lincoln township, Union county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 296, A bill for an act to amend section 307, chapter 2, title 4, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 270, A bill for an act legalizing the official acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Mr. BROOKS, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 322, A bill for an act to amend section 1784 of the Code, relating to paying over school district taxes, beg leave to report that they have had the same under consideration, and have instructed me to re-

port the same back to the House with the recommendation that it do not pass.

W. M. BROOKS, *Chairman*.

Ordered passed on file.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 55, A bill for an act to amend chapter 7, of title 14 of the Code, in relation to assignments for the benefit of creditors, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

JNO. Y. STONE, *Chairman*.

Ordered passed on file.

RESOLUTION.

Leave was granted Mr. Dixon to offer the following resolution:

Resolved, That from and after to-day the sessions of the House shall be from 9½ o'clock till 12½ o'clock, and there shall be no afternoon session till further ordered.

The resolution was not adopted.

Mr. Rae moved a reconsideration of the vote by which H. F. No. 41 was lost.

The motion to reconsider prevailed.

On motion of Mr. Rae, the bill was recommitted to the Committee on County and Township Organizations.

INTRODUCTION OF BILLS.

Mr. Bolter introduced H. F. No. 351, A bill for an act to legalize the sale of an eighty acre tract of school land sold to John A. Parkins.

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

Mr. Chapman introduced H. F. No. 352, A bill for an act to amend sections 282, 283, 285, 287, and 288 of the Code.

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

Mr. Said introduced H. F. No. 353, A bill for an act to legalize the official acts of W. S. H. Welton, a justice of the peace, in and for Washington county, Iowa.

Read first and second time, when Mr. Said moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Brush, Campbell, Case, Chapman, Christy, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves,

Gray, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McCartney, McCune, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Rae, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—71.

The nays were none.

Absent or not voting:

Messrs. Birchard, Bush, Calvin, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Gilliland, Glendinning, Hoag, Horton, Hotchkiss, Jaqua, Lane, Lynch, McElderry, McHugh, McNeil, Manning, Mills, Morse of Adams, Morse of Wright, Norris, Reed of Howard, Reed of Jackson, Scott, SeEVERS, and Stone—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 in which the concurrence of the House is asked:

S. F. No. 161, A bill for an act to amend section 3809 of chapter 2, title 23 of the Code, in relation to settlements by township clerks.

S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of territory to cities and towns.

Also, that the Senate has ordered printed the reports of the committees to visit the Asylum for the Deaf and Dumb, and the Reform School.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson, a Notary Public in and for Adair county.

Also that the Senate has passed House joint resolution for the relief of Bremer county, with the following amendment: Add to the resolution the words: "Provided, that if all or any part of said amount of money shall at any time be recovered, the same shall be accounted for and paid into the State Treasury." In which the concurrence of the House is asked.

J. A. T. HULL, *Secretary.*

INTRODUCTION OF BILLS.

Mr. Colvin introduced H. F. No. 354, A bill for an act to increase the powers of township Trustees, in reference to condemning lands for cemeteries.

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

Mr. Lynch introduced H. F. No. 355, A bill for an act to enlarge the limits of cities of the first class.

Read first and second time, when Mr. Dixon moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brown, Brush, Campbell, Case, Chapman, Christy, Clark of Marion, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Madison, Manning, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Rac, Reed of Jackson, Rees, Robinson, Said, Severs, Shaw, Shephardson, Simmons, Smith, Stone, Stuart, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—76.

The nays were:

Messrs. Irwin of Warren, Proudfoot, Tice, and White—4.

Absent or not voting:

Messrs. Benton, Brooks, Bush, Calvin, Clark of Johnson, Cleveland, Crawford of Dubuque, Danforth, Glendenning, Hoag, Johnson of Winnebiek, Lane, McHugh, McNeill, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, and Stuckey—20.

So the bill passed and the title was agreed to.

Mr. Deweese introduced H. F. No. 356. A bill for an act to repeal section 1498, of the Code, and enact a substitute therefor.

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

Mr. Glover asked leave to have a proposed amendment to H. F. No. 204, printed.

The motion prevailed.

Mr. Smith moved to postpone the special order, joint resolution to strike the word "male" from the constitution until February 23d, at 2 o'clock, P. M.

The motion prevailed.

Mr. Glover moved that S. F. No. 59, A bill for an act to authorize counties to bond their indebtedness, be made a special order for this afternoon at 2:30 o'clock, P. M.

The motion prevailed.

Mr. Stone moved that H. F. No. 26, A bill for an act relating to the law of negligence, be referred to the Committee on Judiciary.

The motion prevailed.

RESOLUTION.

Leave was granted Mr. Rees to offer the following resolution:

Resolved, That from and after Monday, February 21, 1876, no bills

shall be introduced in this house without unanimous consent of the House.

Mr. Dixon moved to lay the resolution on the table.

The motion prevailed.

Mr. McCartney introduced H. F. No. 357, A bill for an act to authorize counties to furnish justices of the peace and mayors of incorporated cities and towns with a copy of Conklin's Treatise.

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

Mr. Crawford of Scott moved to take up S. F. No. 55, A bill for an act to amend chapter 7, title 14 of the Code, in relation to assignments for the benefit of creditors.

The motion prevailed.

The bill was then taken up and the report of the committee concurred in.

Mr. Crawford of Scott moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkies, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, SeEVERS, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—85.

The nays were none.

Absent or not voting:

Messrs. Brown, Campbell, Clark of Johnson, Crawford of Dubuque, Glendenning, Hoag, Lane, McHugh, McNiell, Mills, Morse of Adams, Morse of Wright, Reed of Howard, Scott, and Shaw—15.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

H. F. No. 194, A bill for an act to amend section 1, chapter 57, in relation to normal institutes, of the public laws of the Fifteenth General Assembly, was then taken up, and the House refused to order it engrossed for a third reading.

H. F. No. 200, A bill for an act to enable the directors of any independent school district to borrow money from one fund to pay the debts of another was then taken up, and the House refused to order it engrossed for a third reading.

The joint resolution referred to the Committee on Ways and Means,

directing them to report a bill abolishing the present system of selling real property for taxes was taken up and the report of the committee concurred in.

H. F. No. 1, A bill for an act to enlarge the powers of school directors, and increase the efficiency of the public schools was then taken up and the report of the committee recommending the first amendment was adopted.

The second amendment recommended by the committee was adopted.

The third amendment recommended by the committee was adopted.

At 11:30, on motion of Mr. Bolter the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

The question recurring on ordering H. F. No. 1 engrossed for a third reading, Mr. Shaw offered the following amendment:

SEC. 4. No public funds, moneys, or revenues whatever, shall be appropriated or used in the establishment, support, or maintenance of any school, seminary, college, or institution of learning or charity unless the same shall have been established by the laws of the State of Iowa and under its control; nor shall any institution established, supported, and maintained at the public expense, be under the control of any religious denomination or creed, nor shall sectarianism, atheism, or infidelity, be ever taught therein.

Mr. Seevers moved to lay the amendment on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Case, Christy, Clark of Marion, Deweese, Elliott, Fuller, Gibbons, Gray, Harned, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Jordan, Kauffman, McCune, McElderry, McHugh, Madden of Taylor, Manning, Proudfoot, Reed of Howard, Rees, Said, Seevers, Shepardson, Simmons, Smith, Stuckey, Thayer, Ure, White, and Mr. Speaker—42.

The nays were:

Messrs. Allen, Brooks, Calvin, Campbell, Chapman, Colvin, Craver, Danforth, Evans, Giltner, Given, Glover, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Jaqua, Johnson of Benton, Johnson of Wineshiek, Lathrop, Lynch, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Palmer, Rae, Robinson, Shaw, Stone, Stuart, Tice, Underwood, Williams, Wilson and Young—42.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Cleveland, Crawford of Dubuque, Crawford of Scott, Dixon, Glendenning, Graves, Lane, McCartney, McNeill, Morse of Adams, Norris, Reed of Jackson, Scott, and Gilliland—16.

So the motion to lay on the table did not prevail.

Mr. Smith moved a reconsideration of the vote by which the motion to lay on the table was lost.

The motion prevailed.

The question recurring on the motion of Mr. SeEVERS to lay on the table, on this question the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Case, Christy, Clark of Marion, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Glover, Graves, Gray, Harned, Horton, Hotchkiss, Irwin of Warren, Johnston of Dubuque, Jordan, Kaufman, McCune, McElderry, McHugh, Madden of Taylor, Manning, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Said, SeEVERS, Shephardson, Simmons, Smith, Stuckey, Thayer, Ure, White, and Mr. Speaker—45.

The nays were:

Messrs. Allen, Brooks, Calvin, Campbell, Chapman, Colvin, Craver, Danforth, Giltner, Given, Hall, Hemenway, Hobbs, Homer, Horstman, Irwin of Lee, Jaqua, Johnson of Benton, Johnson of Winneshiek, Lathrop, Lynch, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Palmer, Rae, Robinson, Shaw, Stone, Stuart, Tice, Underwood, Williams, Wilson, and Young—40.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Cleveland, Crawford of Dubuque, Crawford of Scott, Dixon, Glendenning, Hoag, Hunt, Laue, McCartney, McNeill, Morse of Adams, Norris, and Scott—15.

So the motion to lay on the table prevailed.

The hour having arrived for the consideration of S. F. No. 59, A bill for an act to authorize counties to bond their indebtedness.

Mr. Gilliland filed a motion to reconsider the vote by which the House agreed to adjourn on the 3d of March.

RESOLUTION.

Leave was granted Mr. Wilson to offer the following resolution, which was adopted:

Resolved, That fish commissioner Shaw be and is hereby invited to address the members of this House on the propagation of fish in Iowa waters, on Thursday evening, February 17th, at half past seven, and that the use of this hall is hereby tendered for the purpose.

Leave was granted Mr. Rees to present petitions in relation to taxes for railroad purposes.

Referred to the Committee on Railroads.

H. F. No. 90, A bill for an act to amend section 1055 of the Code and to further define the duties of the Adjutant General, was then taken up, and ordered engrossed for a third reading.

H. F. No. 86, A bill for an act to amend section 3800 of the Code to increase the compensation of county surveyor, was then taken up, and the House refused to order it engrossed for a third reading.

H. F. No. 45, A bill for an act to amend section 1774, of chapter 9, title 12 of the Code, was then taken up together with the report of the committee.

Mr. Brooks offered the following amendment: He shall, under the direction of the superintendent of public instruction, visit the schools of his county.

Mr. Benton moved the previous question which the House refused to second.

Mr. Tice moved to lay the bill on the table, on which question the yeas and nays were as follows:

The yeas were:

Messrs. Brooks, Calvin, Campbell, Case, Chapman, Craver, Crawford of Dubuque, Dixon, Fuller, Gilliland, Given, Graves, Hemenway, Homer, Horton, Hotchkiss, Johnson of Benton, Jordan, McElderry, Maris, Mentzel, Moffit, Morse of Wright, Palmer, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Tice, Ure, White, and Wilson—37.

The nays were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brown, Brush, Christy, Clark of Marion, Colvin, Crawford of Scott, Danforth, Elliott, Evans, Gibbons, Giltner, Glover, Gray, Hall, Harned, Hoag, Hobbs, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffinan, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Polk, Madden of Taylor, Madson, Mills, Mueller, Proudfoot, Reed of Jackson, SeEVERS, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, Williams, Young, and Mr. Speaker—52.

Absent or not voting:

Messrs. Auld, Bush, Clark of Johnson, Cleveland, Deweese, Glendenning, Lane, McNeill, Manning, Morse of Adams, and Norris—11.

So the motion to lay on the table was lost.

The amendment of Mr. Brooks was lost.

Mr. Simmons moved to amend, to strike out the words "provided that the provisions of this act shall not take effect until 1877," and insert the following: "He may visit each school in his county at least once in each term, and may spend not more than one day in each school."

The House refused to adopt the amendment.

Mr. Given offered the following amendment: "He shall visit each school in his county when requested by the board of directors or ordered by the State Superintendent."

Mr. Reed of Jackson, moved to amend the amendment by striking out the words "or ordered by the State Superintendent."

The motion prevailed.

Mr. Wilson offered the following substitute for the amendment: "And shall visit the schools of the county as may be ordered by the board of supervisors of his county."

The House refused to adopt the substitute.

The question recurring on the amendment offered by Mr. Given, the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Brooks, Dixon, Gilliland, Giltner, Given, Glover, Hemenway, Horton, Hotchkiss, Hunt, Jaqua, Jordan, McElderry, Madden of Polk, Maris, Morse of Wright, Palmer, Rae, Reed of Howard, Rees, Robinson, Simmons, Stone, Tice, and Ure—25.

The nays were:

Messrs. Allen, Auld, Baker, Penton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Evans, Fuller, Gray, Hall, Harned, Hobbs, Homer, Horstman, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Mueller, Proudfoot, Reed of Jackson, Said, Scott, SeEVERS, Smith, Stuart, Stuckey, Thayer, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—61.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Cleveland, Deweese, Gibbons, Glendenning, Graves, Hoag, Lane, McNeill, Morse of Adams, Norris, Shaw, and Shepardson—14

So the amendment was lost.

Mr. Gilliland moved that the bill be indefinitely postponed.

On this question the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Calvin, Campbell, Case, Chapman, Craver, Crawford of Dubuque, Dixon, Fuller, Gilliland, Given, Glover, Hemenway, Homer, Hotchkiss, Hunt, Jaqua, Jordan, McElderry, Manning, Maris, Morse of Wright, Mueller, Rse, Reed of Howard, Rees, Robinson, Said, Scott, Stone, Tice, Ure, and Wilson—32.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Christy, Clark of Marion, Colvin, Crawford of Scott, Danforth, Elliott, Evans, Gibbons, Giltner, Gray, Hall, Harned, Hoag, Hobbs, Horstman, Horton, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Moffit, Proudfoot, Reed of Jackson, SeEVERS, Shaw, Smith, Stuart, Stuckey, Thayer, Underwood, White, Williams, Young, and Mr. Speaker—55.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Cleveland, Deweese, Glendenning, Graves, Lane, McNeill, Morse of Adams, Norris, Palmer, Shepardson, and Simmons—13.

So the motion to indefinitely postpone did not prevail.

Mr. McElderry moved to amend by striking out all after the enacting clause.

Mr. Smith moved the previous question, which was seconded.

The question being shall the main question be now put, was decided in the affirmative.

The question recurring on the motion of Mr. McElderry, to strike out all after the enacting clause, the motion did not prevail.

The bill was then ordered engrossed for a third reading.

Mr. Gibbons moved that when the House adjourn, it be at 2:30 P. M.
The motion did not prevail.

Mr. Stuart moved that the House do now adjourn.
The motion did not prevail.

BILLS ON THIRD READING.

H. F. No. 133, A bill for an act empowering township clerks to administer oaths, was taken up and read a third time, and the question being on the passage of the bill, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glover, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, and Young—84.

The nays were:

Mr. Speaker—1.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Cleveland, Deweese, Gilliland, Glendenning, Graves, Lane, Lynch, McNeill, Moffit, Morse of Adams, Norris, Reed of Howard, and Shepardson—15.

So the bill passed and the title was agreed to.

H. F. No. 30, A bill for an act to amend section 1160 of the Code was then taken up and read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Colvin, Craver, Crawford of Scott, Danforth, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Poik, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—87.

The nays were none.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Cleveland, Crawford of Dubuque, Deweese, Evans, Glendenning, Lane, McNeill, Madden of Taylor, Morse of Adams, Norris, and Stuart—13.

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Stuart on account of sickness.

Leave of absence was also granted Mr. Clark of Johnson until tomorrow.

Mr. Wilson moved to reconsider the vote by which the House adopted the resolution tendering the use of the hall to Mr. Shaw, State Fish Commissioner.

The motion prevailed.

Mr. Auld moved that the House convene at 9:30, A. M., and adjourn at 11:30, A. M., on Thursday, February 17th, and that the use of the hall be tendered to Mr. Shaw for the purpose of addressing the House on the subject of fish culture.

The motion prevailed.

The House resumed the consideration of bills on second reading.

Substitute for H. F. Nos. 49, 50, 62, 83, and 84, A bill for an act to repeal the second paragraph of section 4337 of the Code, and for other purposes, and the report of the committee recommending a substitute, was taken up and adopted.

Mr. Dixon moved that when this House adjourn, it be at 5:20 P. M.

The motion prevailed.

Mr. Dixon moved that the rule be suspended and the bill considered engrossed, and read a third time now.

Mr. Gibbons moved to amend, by offering the following substitute:

SEC. 4421. The district attorney in offering the evidence in support of the indictment, in pursuance of the order prescribed in the last section under the second subdivision thereof, shall not be permitted to introduce any witness who was not examined before the grand jury, and presented with the indictment to the court, unless he shall have given to the defendant a notice in writing, stating the name, place of residence, and occupation of such witness, and the substance of what he expects to prove by him on the trial, at least one day before the commencement of the trial.

RESOLUTION.

Leave was granted Mr. Ure to offer the following resolution:

Resolved, That the janitor be instructed to keep the hall somewhat warmer than it has been kept this afternoon.

The resolution did not prevail.

At 5:20 P. M. the Speaker adjourned the house.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 16, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. A. L. Frisbie.

Journal of yesterday read.

Mr. Johnston, of Dubuque, moved that the further reading of the journal be dispensed with.

The question recurring on the substitute, offered by Mr. Gibbons, for section 2.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Craver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, respectfully report that they have examined the following bills and resolutions and find the same correctly enrolled.

S. F. No. 55, A bill for an act to amend chapter 7, of title 14 of the Code, in relation to assignments for the benefit of creditors.

H. F. No. 320, A bill for an act making appropriation to pay the expenses incurred by the ceremonies of inauguration.

H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson, a notary public in and for Adair county.

Joint resolution in relation to proposed canal from some point between the mouth of the Rock river and Clinton, Iowa, on the Mississippi river to the Illinois river at Hennepin in Illinois.

Joint resolution in relation to a modification of the homestead law.

CHAS. F. CRAVER, *Chairman pro tem.*

Mr. Given moved to amend the amendment by adding the following:

And the defendant shall give like notice to the district attorney of the witnesses to be introduced by him on the trial.

Mr. Given asked leave to withdraw the amendment, which was granted.

Mr. Given offered the following amendment, insert after "shall" in fifth line "in cases where the penalty may be greater than imprisonment for a term of years."

On this question the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Allen, Birchard, Brooks, Calvin, Fuller, Giltner, Given, Glendenning, Glover, Homer, Irwin of Warren, Jaqua, Lathrop, McCartney, McElderry, Madden of Polk, Maris, Norris, Palmer, Reed of Howard, Reed of Jackson, Robinson, and Stuckey—23.

The nays were:

Messrs. Auld, Baker, Benton, Bolter, Brown, Brush, Campbell, Case,

Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Gibbons, Gilliland, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, McCune, McHugh, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Proudfoot, Rae, Rees, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—66.

Absent or not voting:

Messrs. Bush, Clark of Marion, Evans, Graves, Hunt, Irwin of Lee, Lane, McNeill, Stuart, Thayer, and Ure—11.

So the amendment to the amendment did not prevail.

Mr. Hobbs moved to amend by striking out "one day," and inserting "three days."

The motion did not prevail.

The question then recurring on the adoption of the substitute offered by Mr. Gibbons, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Benton, Brush, Campbell, Clark of Marion, Craver, Crawford of Scott, Danforth, Dixon, Elliott, Gibbons, Gray, Hall, Harned, Hobbs, Horton, Johnson of Benton, Johnson of Winneshiek, McCartney, Madden of Taylor, Madson, Manning, Mills, Moffit, Mueller, Scott, Tice, and Young—27.

The nays were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brooks, Brown, Calvin, Case, Chapman, Christy, Cleveland, Colvin, Crawford of Dubuque, Deweese, Fuller, Giltner, Given, Glendenning, Glover, Hemenway, Hoag, Homer, Horstman, Irwin of Warren, Jaqua, Johnston of Dubuque, Jordan, Kauffman, Lathrop, Lynch, McCune, McElderry, McHugh, Madden of Polk, Maris, Mentzel, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, SeEVERS, Shaw, Shepardson, Smith, Stone, Stucky, Thayer, Underwood, Ure, White, Williams, Wilson, and Mr. Speaker—61.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Evans, Gilliland, Graves, Hotchkiss, Hunt, Irwin of Lee, Lane, McNeill, Simmons, and Stuart—12.

So the substitute was not adopted.

Mr. Bolter moved to reconsider the vote by which the substitute was lost.

Mr. SeEVERS moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brooks, Calvin, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Deweese, Fuller, Giltner, Given, Glendenning, Glover, Hemenway, Hoag, Homer, Hunt, Irwin of Warren, Jaqua, Johnston of Dubuque, Jordan, Kauffman, Lathrop, Lynch, McElderry, Madden of Polk, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of

Howard, Reed of Jackson, Rees, Robinson, Said, Scott, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Underwood, Ure, Williams, Wilson, and Mr. Speaker—57.

The nays were:

Messrs. Benton, Birchard, Bolter, Brown, Brush, Campbell, Christy, Clark of Marion, Crawford of Scott, Danforth, Dixon, Elliott, Gibbons, Graves, Gray, Hall, Harned, Hobbs, Horstman, Horton, Hotchkiss, Johnson of Benton, McCartney, McCune, McHugh, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Mueller, Tice, White, and Young—35.

Absent or not voting:

Messrs. Bush, Evans, Gilliland, Irwin of Lee, Johnson of Winneshiek, Lane, McNeill, and Thayer—8.

So the motion to lay the motion on the table prevailed.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 103, A bill for an act to amend sections 240 and 241 of the Code, chapter 10, title 3, in relation to jurors.

H. F. No. 45, A bill for an act to amend section 1774 of chapter 9, title 12 of the Code.

H. F. No. 196, A bill for an act relating to life insurance, and to prevent injustice to the assured.

Substitute for H. F. No 90, A bill for an act to amend section 1055, of the Code, and to further define the duties of Adjutant-General.

H. F. No 15, A bill for an act to amend section 1725, of chapter 9, of the Code.

M. C. JORDAN, *Chairman.*

Mr. Hobbs moved to strike out section 4421.

On this question the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Auld, Brown, Christy, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Evans, Gibbons, Gray, Harned, Hobbs, Horton, Hotchkiss, Johnson of Benton, Jordan, Madden of Taylor, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Rees, Said, Scott, Shepardson, Tice, Underwood, White, and Young—33.

The nays were:

Messrs. Allen, Baker, Benton, Bolter, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Deweese, Fuller, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Horstman, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madson, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, SeEVERS, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Ure, Williams, Wilson, and Mr. Speaker—56.

Absent or not voting:

Messrs. Birchard, Brooks, Bush, Gilliland, Hunt, Irwin of Lee, Kauffman, Lane, McHugh, McNeil, and Thayer—11.

So the amendment did not prevail.

Mr. Clark of Johnson, moved that when the House adjourn, it be until 7 o'clock this evening.

At 12 m., the House adjourned.

EVENING SESSION.

SEVEN O'CLOCK, P. M.

House called to order by the Speaker.

Leave of absence was granted Mr. Evans, until to-morrow.

Leave of absence was granted Mr. Reed of Howard, until to-morrow.

Mr. Lathrop moved that the House do now adjourn.

The motion did not prevail.

Mr. Birchard moved a call of the House, which was seconded.

The clerk proceeded to call the roll. The following members were absent:

Messrs. Allen, Baker, Benton, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Crawford of Scott, Dixon, Evans, Gilliland, Glover, Graves, Hemenway, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, McElderry, Madden of Taylor, Mentzel, Mills, Said, SeEVERS, Shaw, Shepardson, Simmons, Smith, Stuart, Thayer, Wilson, and Young.

Mr. Clark of Marion, moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought Messrs. Stuart, Baker, Christy, Madden of Taylor, Hemenway, Smith, Shaw, Chapman, Johnston of Dubuque, and Young, to the bar of the House, who were excused.

Mr. Tice moved that further proceedings under the call of the House be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought to the bar of the House, Messrs. McElderry, Gilliland, and Homer, who were excused.

Mr. Underwood moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought Mr. Wilson to the bar of the House, who was excused.

Mr. Reed of Jackson, moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought to the bar of the House Messrs. Jaqua, Clark of Johnson, and Calvin, who were excused.

Mr. Brooks moved that further proceedings under the call be dispensed with.

On this question the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Brooks, Brush, Calvin, Campbell, Clark of Johnson, Deweese, Glover, Hall, Hotchkiss, Irwin of Warren, Jaqua, Johnston of Dubuque, Jordan, Kauffman, McElderry, Madden of Taylor, Morse of Adams, Morse of Wright, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Shaw, Stuckey, Tice, and Young—27.

The nays were:

Messrs. Auld, Baker, Birchard, Bolter, Brown, Case, Chapman, Christy, Clark of Marion, Cleveland Colvin, Craver, Danforth, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glendinning, Gray, Harned, Hoag, Homer, Horton, Johnson of Benton, Johnson of Winneshiek, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Polk, Madson, Manning, Maris, Mills, Moffit, Norris, Rees, Scott, Smith, Stone, Underwood, Ure, White, Williams, Wilson, and Mr. Speaker—51.

Absent or not voting:

Messrs. Allen, Benton, Bush, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Graves, Hemenway, Hobbs, Horstman, Hunt, Irwin of Lee, Lane, McNeill, Mentzel, Palmer, Reed of Howard, SeEVERS, Shepardson, Simmons, and Thayer—22.

So the motion to suspend the proceedings under the call did not prevail.

Mr. Glover moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Gilliland moved that the House do now adjourn.

The motion did not prevail.

Mr. Brooks moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Shaw moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Gilliland moved that the House do now adjourn.

The motion did not prevail.

The Sergeant-at-Arms brought Mr. Shepardson to the bar of the House, and he was excused.

Leave of absence was granted Mr. McCartney until to-morrow.

Mr. Shaw moved that further proceedings under the call be dispensed with.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Bolter, Calvin, Cleveland, Deweese, Horton, Hotchkiss, Johnson of Benton, Johnston of Dubuque, Madden of Taylor, Madson, Mills, Proudfoot, Reed of Jackson, Said, Shepardson, Tice, White, Williams and, Young—19.

The nays were:

Messrs. Auld, Baker, Birchard, Brooks, Brown, Brush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Danforth, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Gray, Hall, Harned, Hemenway, Hoag, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCune, McElderry, Madden of Polk, Manning, Maris, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Rees, Robinson, Smith, Stone, Stuart, Stuckey, Underwood, Wilson, and Mr. Speaker—54.

Absent or not voting:

Messrs. Allen, Benton, Bush, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Graves, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Kauffman, Lane, McCartney, McNeill, Mentzel, Palmer, Rae, Reid of Howard, Scott, SeEVERS, Shaw, Simmons, Thayer, and Ure—27.

So the motion to suspend proceedings under the call did not prevail.

Mr. Smith moved that this House do now adjourn.

The motion did not prevail.

The Sergeant-at-Arms brought to the bar of the House Mr. Crawford of Scott, who was excused.

Mr. Williams moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Given moved that the House do now adjourn.

The motion did not prevail.

Mr. Horton moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Gibbons moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought to the bar of the House, Messrs. Hobbs, Thayer, Graves, Hunt, Allen, and Irwin of Lee, who were excused.

Mr. Hemenway moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Tice moved that the House do now adjourn.

The motion did not prevail.

The question recurring on the motion of Mr. Smith to strike out all after the word "resolved," in the currency resolution offered by Mr. Stone, Mr. Irwin of Lee moved that the House go into the committee of the whole on the resolution.

The motion did not prevail.

Mr. Underwood moved the previous question, which was seconded, and the main question ordered to be now put.

The question then recurring on the substitute offered by Mr. Smith, Mr. McElderry demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Baker, Birchard, Bolter, Brooks, Christy, Clark of Johnson, Clark of Marion, Cleveland, Elliott, Gibbons, Gray, Harned, Hoag, Hotchkiss, Hunt, Johnston of Dubuque, Lynch, McCune, Madden of Taylor, Madson, Maris, Reed of Jackson, Rees, Smith, Stuart, Stuckey, Thayer, White, Williams, and Young—30.

The nays were:

Messrs. Allen, Auld, Brown, Brush, Calvin, Campbell, Case, Chapman, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hobbs, Homer, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McElderry, McHugh, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Proudfoot, Rae, Robinson, Said, Scott, Shaw, Shepardson, Stone, Tice, Underwood, Ure, Wilson, and Mr. Speaker—56.

Absent or not voting:

Messrs. Benton, Bush, Crawford of Dubuque, Dixon, Evans, Horstman, Lane, McCartney, McNeill, Mentzel, Palmer, Reed of Howard, SeEVERS, and Simmons—14.

So the motion to adopt the substitute did not prevail.

The question then recurring on the adoption of the substitute offered by Mr. Stone, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Danforth, Deweese, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hall, Hoag, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McElderry, McHugh, Madden of Polk, Madden of Taylor, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Proudfoot, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stone, Tice, Underwood, Ure, Wilson, and Mr. Speaker—57.

The nays were:

Messrs. Birchard, Bolter, Christy, Clark of Marion, Craver, Crawford of Scott, Gibbons, Gray, Harned, Hemenway, Hobbs, Homer, Hotchkiss, Hunt, Johnston of Dubuque, Lynch, McCune, Madson, Mueller, Rae, Rees, Stuart, Stuckey, Thayer, White, Williams, and Young—27.

Absent or not voting:

Messrs. Benton, Brush, Crawford of Dubuque, Dixon, Elliott, Evans, Horstman, Lane, McCartney, McNeill, Mentzel, Palmer, Reed of Howard, Reed of Jackson, SeEVERS, and Simmons—16.

So the substitute was adopted.

On motion of Mr. Hotchkiss, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 17, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Hon. Hotchkiss.

Journal of yesterday read.

On motion of Mr. Giltner the further reading of the journal was dispensed with.

Consideration of H. F. No. 49 resumed. The question recurring on the adoption of the substitute offered by Mr. Given, it was adopted.

Mr. Given moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows :

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Deweese, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Hall, Hemenway, Hoag, Homer, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Maris, Mills, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shephardson, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—70.

The nays were:

Messrs. Birchard, Bolter, Brown, Christy, Crawford of Scott, Danforth, Dixon, Gibbons, Gray, Harned, Hobbs, Horstman, Johnson of Benton, Lynch, Madden of Taylor, Madson, Manning, Mentzel, Morse of Adams, Mueller, Tice, and White—22.

Absent or not voting:

Messrs. Bush, Elliott, Evans, Graves, Hunt, Irwin of Lee, SeEVERS, and Simmons—8.

So the bill passed and the title was agreed to.

Mr. Clark, of Marion, asked leave to have his vote recorded as aye on the currency resolution adopted last night.

Leave was granted.

PETITIONS.

Mr. Campbell presented a petition from citizens of Adair county, asking for a repeal of the railroad tariff law.

Referred to the Committee on Railroads.

Mr. Maris, presented a petition from four hundred citizens of Guthrie and Adair counties, asking for a repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

Mr. Stuart presented a petition from citizens of Jackson county, asking for a repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

Mr. Benton presented petitions from citizens of Louisa county, in relation to mechanics liens.

Referred to Judiciary Committee.

Also, in relation to insurance.

Referred to the Committee on Insurance.

Mr. Glendenning presented a petition from citizens of Wayne county in relation to mechanics liens.

Referred to the Committee on Judiciary.

Mr. Robinson presented a petition from citizens of Buena Vista county, in relation to the publication of statements of insurance companies.

Referred to the Committee on Insurance.

Mr. Norris presented a petition from citizens of Poweshiek county, in relation to the liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. McElderry presented a petition from citizens of Union county, in relation to the mechanics lien law.

Referred to the Committee on Judiciary.

Mr. Rae presented two petitions from citizens of Crawford county, asking for the repeal of the present railroad tariff law, and in relation to the McGregor & Western Railroad land grant.

Referred to Committee on Railroads.

Mr. Williams presented a petition from citizens of Iowa county, asking for the restoration of the death penalty.

Referred to the Committee on Judiciary.

Mr. Hunt presented a petition from citizens of Pottawattamie county, asking for the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

Mr. Harned presented a petition from citizens of Keokuk county, in relation to capital punishment.

Referred to Judiciary Committee.

Mr. Chapman presented a petition from citizens of Delaware county, asking for the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

Mr. Reed of Howard presented a petition from citizens of Howard county, in relation to using public funds for the support of sectarian schools.

Referred to the Committee on Constitutional Amendments.

Mr. Ure presented a petition from citizens of Linn county, asking for the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

Mr. Deweese presented a petition from Rev. Swallow, asking for relief.

Referred to the Committee on Claims.

Mr. Craver presented a petition from citizens of Poweshiek county, in relation to the running of trains on Sundays.

Referred to the Committee on Railroads.

Mr. Reed of Jackson presented a petition from citizens of Jackson county, asking for the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

Mr. Auld presented a petition from citizens of Washington county, in relation to voting tax for aid of railroads.

Referred to the Committee on Railroads.

Mr. Mills presented a petition from citizens of Marshall county, asking for the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

Mr. Thayer presented a petition from the Citizens' Association of Lyons, in relation to the railroad tariff law.

Referred to Committee on Railroads.

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:

S. F. No. 39, A bill for an act to regulate the omission of the property of religious societies from assessment and taxation, and amendatory of section 797, chapter 1, title 6, of the Code, in relation to revenue.

J. A. T. HULL, *Secretary.*

REPORTS OF COMMITTEES.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 202, A bill for an act to reimburse Polk county for expenses incurred in trial of cases against State officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with accompanying substitute, with the recommendation that the bill and substitute be referred to the Committee on Claims.

W. C. DANFORTH, *Chairman.*

Ordered passed on file.

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 227, A bill for an act to repeal section 1865, of the Code, relating to loans of the school funds, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Schools to whom was referred H. F. No. 330, A bill for an act to repeal section 1798 of the Code, and to provide a substitute therefor, in relation to school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

W. M. BROOKS, *Chairman.*

Ordered passed on file.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 55, A bill for an act to repeal section 1, of chapter 39 of the public acts of the Fifteenth General Assembly, and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the accompanying substitute with the recommendation that the substitute do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 286, A bill for an act to repeal section 4783 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "one hundred," and the word "clerk" in the fourteenth line, and inserting "eighty-three and one-third ($83\frac{1}{3}$)," also by striking out the words "one hundred," after the word "teacher," in the sixteenth line and inserting "eighty-three and one-third ($83\frac{1}{3}$)," and that so amended it do pass, also that it be printed.

LOUIS CASE, *Chairman.*

Ordered passed on file.

Mr. Rae, from the Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 348, A bill for an act to amend section 633 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

GEO. RAE, *Chairman.*

Ordered passed on file.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 303, A bill for an act to amend section 3798 of the Code, in relation to compensation of county auditors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Compensation of Public Officers.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the acts of the officers acting thereunder, beg leave to report that they have had the same under consideration, have ordered it printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 150, A bill for an act to repeal subdivision 3 of section 213, chapter 9 of the Code, concerning attorneys and counsellors, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the publication clause, and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 292, A bill for an act to repeal section 2736, chapter 9, title 17 of the Code, and to enact in lieu thereof a substitute, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows:

Strike out of the title the words "in lieu thereof a substitute" and insert the words "a substitute therefor," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code, beg leave to report that they have had the same under consideration, have ordered it printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 89, A bill for an act to repeal section 4254, of chapter 13, and section 4691, of title 25, Code of 1873, relating to taxation of costs in criminal actions, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 25, A bill for an act to amend section 3084, chapter 2, of title 18 of the Code, beg leave to report that they have had the same under consideration, have ordered it printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly, and to re-enact section 3812 of the Code of Iowa, relating to the pay of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out after the words "sum of" in line five the word "ten," and insert the word "six," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 122, A bill for an act in relation to liens on real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 295, A bill for an act to amend section 2736 of chapter 9, of title 17, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be laid on the table, another bill on the same subject having been heretofore reported by the committee.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 256, A bill for an act amending section 4315 of the Code, and providing for the punishment of accessories after the fact, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that, as thus amended, the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 143, A bill for an act to repeal section 1160 of the Code, relating to mutual insurance associations, and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be laid on the table, another bill on the same subject having been heretofore reported by the committee.

JNO. Y. STONE, *Chairman.*

Reports ordered passed on file.

Mr. Glover, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. F. No. 288, A bill for an act to provide for the publication of the general laws enacted by the General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be amended as follows: In section 1, line ten, strike out the words, "having the largest circulation;" after "enacted," in the sixteenth line of section 1, add the words, "said law to be published in the regular issues of said papers, and not in supplements issued by said papers;" in lines two and three, of section 2, strike out "Clerks of the several Boards of Supervisors," and insert instead, "Auditors of the several counties;" add, after "enacted," in line seven, section 2, the words, "said slips or copies of newspapers to contain a memorandum of the number of squares in the laws on said slip or copies;" in line eight, section 2, strike out the word "Clerk" and insert the word "Auditor," and that as so amended the bill do pass.

J. F. GLOVER, *Chairman.*

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 259, A bill for an act to legalize the official acts of the town council of Creston, Iowa, and the ordinances thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

GRAVES, *Chairman.*

Ordered passed on file.

On motion of Mr. McElderry, H. F. No. 259, A bill for an act to legalize the official acts of the town council of Creston, Iowa, was taken up and considered.

On motion of Mr. McElderry, the rule was suspended, the bill considered engrossed, and read a third time now.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—90.

The nays were:

Messrs. Dixon, and Lynch—2.

Absent or not voting:

Messrs. Bush, Clark of Johnson, Giltner, Harned, Irwin of Lee, Seevers, Shaw, and White—8.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

Mr. Dixon introduced H. F. No. 358, A bill for an act to repeal section 5 of the laws of the Fifteenth General Assembly.

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

Also, H. F. No. 359, A bill for an act to repeal sections 594, 595, 596, 597, 598, 599, 600, 601, and 602, and to amend section 603 of the Code.

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

Mr. Morse, of Wright, introduced H. F. No. 360, A bill for an act

for the protection and preservation of game, and to repeal sections 4049, 4050, and 4051 of the Code.

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

Mr. Robinson introduced H. F. No. 361, A bill for an act to regulate the building of partition fences in certain cases.

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

Mr. Madden, of Polk, introduced H. F. No. 362, A bill for an act to amend section 3792 of the Code.

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

Also, H. F. No. 363, a bill for an act to stay proceedings in cases of appeal by incorporated cities.

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

Mr. Reed, of Howard, introduced H. F. No. 364, A bill for an act to legalize the levy of certain road taxes in Howard county.

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

Mr. Given introduced H. F. No. 365, A bill for an act to repeal section 1922 of the Code, and to enact a substitute therefor.

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

Mr. Craver introduced H. F. No. 366, A bill for an act in reference to the reports of public officers.

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

Mr. Stone introduced H. F. No. 367, A bill for an act in relation to liens.

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

Mr. Ure introduced H. F. No. 368, A bill for an act to aid in facilitating the search of public records.

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

Mr. Lane introduced H. F. No. 369, A bill for an act to amend sections 798 and 799 of the Code.

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

Also, H. F. No. 370, A bill for an act to amend section 827 of chapter 1, of title 6 of the Code.

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

Mr. Brush introduced H. F. No. 371, A bill for an act to amend sections 892 and 893 of the Code.

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

Mr. Gibbons introduced H. F. No. 372, A bill for an act to amend sections 1319 and 1322, chapter 5, title 10, of the Code, concerning railways.

Read first and second time, and referred to the Committee on Railroads, and ordered printed.

Also, H. F. No. 373, A bill for an act to amend sections 867 and 890 of chapter 2, title 6, of the Code.

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

Mr. Danforth introduced H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committees appointed to visit the various State institutions.

Read first and second time, when Mr. Danforth moved that the rule be suspended, and the bill read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—89.

The nays were none.

Absent or not voting:

Messrs. Brown, Bush, Clark of Marion, Hall, Irwin of Lee, Maris, Reed of Howard, Seevers, Shaw, Smith, and Wilson—11.

So the bill passed and the title was agreed to.

ENGROSSED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

Substitute for H. F. Nos. 65, 66, 67, 69, 20, 120, 178, and substitute for section 813 of the Code, A bill for an act to amend title 6, of the Code, in relation to revenue.

JORDAN, *Chairman.*

The following communication was taken from the Speaker's table and passed on file:

DES MOINES, IOWA, Feb. 17, 1876.

HON. JOHN H. GEAR, *Speaker of the House of Representatives*:—I hereby resign the office of Representative in the General Assembly from the Twenty-fifth Representative District.

W. H. SEEVERS.

Leave was granted Mr. Case to offer the following resolution, which was referred to the Committee on Deaf and Dumb Asylum:

JOINT RESOLUTION.

Be it Resolved by the General Assembly of the State of Iowa: That the trustees of the Institutions for the Deaf and Dumb shall be authorized, when in their opinion deemed necessary, to employ a well trained instructor in articulation.

BILLS ON SECOND READING.

H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources and products of the State of Iowa at the Centennial Exposition, was taken up and considered, with the report of the committee recommending that it do pass.

On motion of Mr. Clark of Johnson, the rule was suspended and the bill considered engrossed, and read a third time now.

Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brooks, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, De-weese, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McHugh, McNeil, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—86.

The nays were:

Messrs. Benton, Crawford of Dubuque, Dixon, Elliott, Lynch, Mentzel, Reed of Howard, Shepardson, Smith, and White—10.

Absent or not voting:

Messrs. Brown, Irwin of Lee, and McElderry—3.

So the bill passed and the title was agreed to.

At 11:30 o'clock A. M., on motion of Mr. Wilson, the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker, and resumed consideration of bills on second reading.

H. F. No. 100, A bill for an act to protect trees, was taken up and indefinitely postponed.

H. F. No. 257, A bill for an act directing county treasurers to make certain entries in the tax books, was taken up and the House refused to order engrossed for a third reading.

H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts, was taken up, considered and ordered engrossed for a third reading.

H. F. No. 251, A bill for an act for the relief of Andrew Patterson, was taken up, considered and indefinitely postponed.

H. F. No. 123, A bill for an act appropriating \$500.00 for the payment of Lewis Kinzie, was taken up and considered.

Mr. Harned moved that the bill be referred to the Committee on Claims.

The motion did not prevail.

On motion of Mr. Dixon, the bill was passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of special order, H. F. No. 148, A bill for an act to authorize the treasurer to transfer the Agricultural College fund to the general revenue fund, and to issue bonds therefor.

Mr. Smith moved to take it up.

The motion prevailed.

Mr. Evans offered a substitute for the bill.

Mr. Clark of Johnson, moved that the substitute and bill be referred to the Committee on Ways and Means.

Mr. Smith demanded the previous question, which was ordered.

The question shall the main question be now put, was decided in the affirmative.

The motion to refer to the Committee on Ways and Means did not prevail.

On the adoption of the substitute, Mr. Deweese demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Benton, Birchard, Christy, Clark of Marion, Cleveland, Craver, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Harned, Hoag, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, McCartney, McElderry, Madden of Taylor, Madson, Manning, Mentzel, Moffit, Proudfoot, Rae, Robinson, Said, Shepardson, Stone, Tice, Ure, White, Wilson, and Mr. Speaker—43.

The nays were:

Messrs. Allen, Auld, Baker, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Colvin, Crawford of Dubuque, Crawford of Scott, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Horstman, Horton, Kauffman, Lane, Lathrop, Lynch, McCune, McHugh, McNeill, Madden of Polk, Maris, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Jackson, Rees, Scott, Shaw, Simmons, Smith, Stuart, Thayer, Underwood, Williams, and Young—51.

Absent or not voting:

Messrs. Gray, Irwin of Lee, Jaqua, Reed of Howard, and Stuckey—5.

So the motion to adopt the substitute did not prevail.

Mr. Gibbons moved to strike out ninety-nine years, and insert twenty years.

The motion prevailed.

Mr. Evans moved that five per cent. be stricken out and six per cent. inserted.

The motion did not prevail.

Mr. Smith moved to amend by inserting in the thirteenth line of the 5th section "for the Agricultural College."

The motion prevailed.

Mr. Bush moved to amend by striking out \$100,000 and insert "provided the amount of bonds issued under the provisions of this act shall not exceed the sum of \$15,501.99.

On motion of Mr. Wilson the yeas and nays were demanded, which were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Brown, Bush, Christy, Clark of Marion, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Gray, Harned, Hobbs, Horstman, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, McCartney, McElderry, Madden of Taylor, Madson, Mentzel, Proudfoot, Rae, Robinson, Said, Stuckey, Tice, Ure, White and Wilson—40.

The nays were:

Messrs. Allen, Auld, Bolter, Brooks, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Dixon, Giltner, Giver, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Homer, Horton, Hunt, Jaqua, Kauffman, Lane, Lathrop, Lynch, McCune, McHugh, McNeill, Madden of Polk, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Rees, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Underwood, Williams, Young, and Mr. Speaker—55.

Absent or not voting:

Messrs. Hotchkiss, Irwin of Lee, Reed of Jackson, and Stuart—4.

So the amendment did not prevail.

On motion of Mr. Manning, the bill was referred to the Judiciary Committee.

Leave was granted Mr. Wilson to offer the following resolution, which was unanimously adopted by a standing vote:

RESOLUTION.

WHEREAS, Judge Seevers, a member of the House of Representatives of the Sixteenth General Assembly from Mahaska county, has been appointed to a seat on the Supreme bench of the State of Iowa, by his Excellency Samuel J. Kirkwood, and we thereby lose in our deliberations as a representative body the very able advice of such a distinguished jurist and statesman;

1. *Be it therefore Resolved, By the House of Representatives of the Sixteenth General Assembly of the State of Iowa, now in session,* That we feel honored to furnish to the State of Iowa from our body such a distinguished Judge as Wm. H. Seevers, and hereby congratulate him on his preferment to the distinguished position to which Governor Kirkwood has so wisely called him, and the people of the State in securing the services of so able a jurist, confident that he will fill the high position with honor to himself and credit to the State in which he serves.

2. *Resolved,* That the Clerk of the House of Representatives furnish a copy of these resolutions to the *Iowa State Register* and *Leader* for publication.

Leave was granted Mr. Dixon to call up H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa.

Mr. Stuart moved to amend by inserting the following after the enacting clause:

That section 1, of chapter 50, of the acts of the Fifteenth General Assembly, be, and the same is hereby, amended, by striking out the words, "three competent persons, who shall be known as the State Fish Commissioners," and inserting in lieu thereof, "one competent person, who shall be known as the State Fish Commissioner," and wherever the words occur relating to the Commissioners in their plural number, in this said chapter 50, they shall be considered in the singular number, and adding to the end of said section 1 the following: "But no contracts shall be entered into, and no important changes made, except by and with the consent of the Executive Council."

The amendment did not prevail.

Mr. Maris offered the following amendment, to add to the end of section 4 the following:

Nothing in the foregoing shall be so construed as to prohibit the erection of dams for manufacturing purposes as now provided by law, which was adopted.

Mr. Tice moved to strike out \$10,000, and insert \$5,000.

Pending the question, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 18, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. H. H. Oneal

Journal of yesterday read.

On motion of Mr. Clark of Marion, the further reading of the journal was dispensed with.

The question recurring on the motion of Mr. Tice to strike out \$10,000 and insert \$5,000.

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:

S. F. No. 22, A bill for an act to amend section 500, of chapter 10, title 4 of the Code.

S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code, relating to number of members of mutual associations.

S. F. No. 112, A bill for an act to repeal section 3791, chapter 2, title 23 of the Code of 1873, relating to compensation of county supervisors, and to enact a substitute therefor.

S. F. No. 104, A bill for an act for the support of the Iowa State Agricultural Society.

Also, that the Senate has ordered printed the report of the committee appointed to visit the Insane Asylum at Mount Pleasant.

J. A. T. HULL, *Secretary*.

Mr. McElderry moved to amend the amendment by striking out "\$5,000" and inserting in lieu thereof "\$15,000."

The hour having arrived for the consideration of the special order, H. F. No. 35, A bill for an act to restore capital punishment, Mr. Brown moved to take it up.

Mr. Dixon moved to defer the consideration of the special order until the bill under consideration was disposed of.

The motion prevailed.

The question recurring on the amendment to the amendment, to strike out "\$5,000" and insert "\$15,000," the amendment was lost.

Mr. Tice moved the previous question, which was seconded.

The question, shall the main question be now put, was decided in the affirmative.

The question then recurring upon the amendment offered by Mr. Tice, to strike out "\$10,000" and insert "\$5,000," the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Brooks, Brown, Calvin, Campbell, Chapman, Clark of

Marion, Deweese, Gibbons, Giltner, Harned, Hotchkiss, Johnson of Benton, Johnson of Winneshiek, Madden of Polk, Madden of Taylor, Maris, Mentzel, Norris, Proudfoot, Rae, Said, Simmons, Stuckey, Tice, and White—26.

The nays were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brush, Bush, Case, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Evans, Fuller, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madson, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Reed of Jackson, Rees, Robinson, Scott, Shaw, Smith, Stone, Stuart, Thayer, Underwood, Williams, Wilson, Young, and Mr. Speaker—66.

Absent or not voting:

Messrs. Colvin, Elliott, Irwin of Lee, Manning, Reed of Howard, and Ure—7.

So the amendment did not prevail.

The bill was ordered engrossed for a third reading.

Mr. Clark of Marion, moved to take up special order.

The motion prevailed.

Mr. Dixon moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows.

The yeas were:

Messrs. Birchard, Bolter, Calvin, Christy, Crawford of Scott, Deweese, Dixon, Glover, Gray, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Kauffman, McCartney, McCune, Madden of Polk, Madson, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Shaw, Stuart, Tice, Wilson, and Mr. Speaker—31.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Brush, Bush, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Danforth, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Graves, Hall, Hoag, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McElderry, McHugh, McNeill, Madden of Taylor, Maris, Mentzel, Mills, Moffit, Norris, Proudfoot, Reed of Jackson, Said, Scott, Simmons, Smith, Stone, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—62.

Absent or not voting:

Messrs. Colvin, Irwin of Lee, Manning, Reed of Howard, Rees, and Shepardson—8.

So the motion to lay on the table did not prevail.

Mr. Madden of Polk, moved to defer the consideration of the bill for one week, till Friday, the 25th at 10:30 A. M.

The motion prevailed.

Mr. Craver presented a petition from citizens of Poweshiek county, asking for a repeal of the present railroad tariff law.

Referred to Committee on Railroads.

RESOLUTION.

Mr. Smith offered the following resolution which was adopted:

Resolved, That the House will hold no session on Tuesday, February 22nd, next.

PETITIONS AND MEMORIALS.

Mr. Fuller presented a petition on life insurance, which was referred to the Committee on Insurance.

Mr. Robinson presented a petition in relation to the railroad tariff law. Referred to Committee on Railroads.

Messrs. Irwin of Warren, Smith, Palmer, Rae, Morse of Wright, Bolter, Craver, Hemenway, Calvin, Auld, and Case, presented petitions in relation to the railroad tariff law.

Referred to Committee on Railroads.

Mr. Morse of Wright, presented a petition in relation to sectarian schools.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

Mr. Given offered the following resolution which was lost.

Resolved, That when this House adjourn on to-morrow, it be until 10, A. M., Wednesday, next, and that no other business be done to-morrow than to discuss measures pending.

On motion of Mr. Rees, S. F. No. 104, was taken up and referred to the Agricultural Committee.

Messrs. Deweese, and Clark of Johnson, presented petitions on the railroad tariff law.

Referred to Committee on Railroads.

Mr. Shaw presented a petition from citizens of Jones county, in relation to capital punishment.

Referred to Committee on Constitutional Amendments.

Mr. Irwin of Warren presented a petition in relation to the protection of sheep.

Referred to the Committee on Agriculture.

Mr. Lathrop offered the following resolution:

Resolved, That when this House do adjourn to-morrow that it be until Wednesday morning at 10 o'clock.

On the adoption of this resolution the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Auld, Baker, Bolter, Brooks, Brush, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Deweese, Dixon, Evans, Gibbons, Gilliland, Hall, Harned, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Jordan, Lathrop, McElderry, McNeill, Madden of Taylor, Madson, Maris, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Said, Scott, Shaw, Simmons, Smith, Stuart, Stuckey, Tice, Ure, Williams, and Wilson—
48.

The nays were:

Messrs. Allen, Benton, Birchard, Brown, Calvin, Campbell, Case, Chapman, Clark of Marion, Crawford of Scott, Danforth, Elliott, Fuller, Giltner, Glendenning, Glover, Hemenway, Hoag, Horstman, Horton, Jaqua, Johnson of Winneshiek, Kauffman, Lynch, McHugh, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Reed of Howard, Robinson, Thayer, Underwood, White, Young, and Mr. Speaker—37.

Absent or not voting:

Messrs. Bush, Colvin, Given, Graves, Gray, Irwin of Lee, Lane, McCartney, McCune, Madden of Polk, Manning, Moffit, Shepardson, and Stone—14.

So the motion to adjourn prevailed.

ENGROSSED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 101, A bill for an act to promote fish culture.

JORDAN, *Chairman.*

Mr. Dixon moved that H. F. No. 101, A bill for an act to promote fish culture, be taken up, the rule suspended, and read a third time now.

The motion prevailed.

The bill was then read a third time, when Mr. Horton offered the following amendment as sections 14 and 15 of the bill by way of rider:

Insert before publication clause:

SECTION 14. That section 1 of chapter 50 of the laws of the Fifteenth General Assembly be amended by striking out of the second and third lines thereof the words "three competent persons who shall be known as fish commissioners," and inserting in lieu thereof the words "one competent person, who shall be known as fish commissioner," and that said act be so amended as to read and apply to one commissioner instead of commissioners.

SECTION 15. That section 3 of chapter 50 of the laws of the Fifteenth General Assembly be and the same is hereby repealed, and that there be enacted in lieu thereof the following: The fish commissioner shall receive in full compensation for his services twelve hundred dollars per year, to be paid out of the appropriation as herein made; and he shall by virtue of his office act as superintendent and secretary.

The amendment was read first and second time, and adopted by the House, when the amendment was read a third time.

By unanimous consent Mr. Gibbons made the following amendment: strike out of section 6, the following words, "or both such fine and imprisonment at the discretion of the court."

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brooks, Brush, Bush,

Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Cramer, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McElderry, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Noris, Palmer, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Smith, Stone, Stuart, Thayer, Tice, Underwood, Williams, Wilson, Young, and Mr. Speaker—72.

The nays were:

Messrs. Baker, Brown, Calvin, Clark of Marion, Danforth, Elliott, Gibbons, Harned, Hotchkiss, Johnson of Benton, Lynch, McHugh, Madden of Taylor, Proudfoot, Simmons, Stuckey, and White—17.

Absent or not voting:

Messrs. Calvin, Gilliland, Gray, Irwin of Lee, McCune, Manning, Moffit, Reed of Howard, Shepardson, and Ure—10.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

Mr. Dixon introduced H. F. No. 375, A bill for an act to regulate the speed of railroad trains in additions to cities.

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

Mr. Bush introduced H. F. No. 376, A bill for an act to repeal section 1922 of the Code.

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

Mr. Shaw introduced H. F. No. 377, A bill for an act to repeal section 1271, and enact a substitute therefor.

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

Mr. Hall introduced H. F. No. 378, A bill for an act to appropriate money to pay the trustees of the Iowa Reform School.

Read first and second time, ordered printed, and referred to the Committee on Claims.

Mr. Gibbons offered a substitute for H. F. No. 213, relating to cities organized under special charters.

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

Mr. Clark of Johnson introduced H. F. No. 379, A bill for an act to provide for the better security of life and property from damages by coal and petroleum oil.

Read first and second time, and ordered printed.

On motion of Mr. Clark of Johnson, S. F. No. 38, A bill for an act to amend chapter 4, title 16 of the Code, was referred to the Judiciary Committee.

Mr. Proudfoot introduced H. F. No. 300, A bill for an act to amend section 3804 of the Code.

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

Mr. Johnston of Dubuque, introduced H. F. No. 381, A bill for an act to amend section 927 of the Code.

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

RESOLUTION.

Mr. Hobbs offered the following resolution:

Resolved, That the session of this House to-morrow be for discussion only on pending questions. Adopted.

INTRODUCTION OF BILLS RESUMED.

Mr. Johnston of Dubuque introduced H. F. No. 382, A bill for an act to amend section 1801 of the Code.

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

Also, H. F. No. 383, A bill for an act to amend section 1864 of the Code.

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

Mr. Auld filed the following motion:

I wish to file a motion to reconsider the vote of the House on yesterday, by which the claim of Andrew Patterson as deputy warden of Anamosa Penitentiary was indefinitely postponed.

G. T. AULD.

On motion of Mr. Elliott, S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, was taken up, rule suspended, and the bill read a third time now.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Harned, Hemenway, Hobbs, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—79.

The nays were none.

Absent or not voting:

Messrs. Birchard, Bush, Colvin, Evans, Gilliland, Gray, Hall, Hoag, Homer, Horstman, Irwin of Lee, Jaqua, Lathrop, Lynch, McCune, Manning, Moffit, Shepardson, Smith, and White—20

So the bill passed, and the title was agreed to.

On motion of Mr. Stuckey, H. F. No. 63, A bill for an act to quiet title in George Campbell, was taken up, read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Brush, Bush, Calviu, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hobbs, Horstman, Horton, Hotchkiss, Irwin of Warren, Johnson of Benton, Johnston of Duquque, Johnson of Winneshiek, Jordan, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Smith, Stone, Stuart, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—75. •

The nays were none.

Absent or not voting:

Messrs. Birchard, Case, Clark of Johnson, Colvin, Elliott, Evans, Gilliland, Given, Hoag, Homer, Hunt, Irwin of Lee, Jaqua, Kauffman, Lathrop, McCune, Manning, Moffit, Mueller, Reed of Howard, Shepardson, Simmons, Stuckey, and Ure—24.

So the bill passed and the title was agreed to.

On motion of Mr. Brooks, substitute for H. F. No. 289, A bill for an act to amend section 1802, title 9, chapter 12 of the Code, was then taken up, and the substitute adopted.

Mr. Brooks moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

Mr. Clark of Johnson offered the following amendment by way of rider: This act shall take effect from the date of the last publication, section 33 of the Code notwithstanding.

The amendment was read first and second time and adopted.

The amendment was then read a third time, and the question being shall the bill pass, the yeas and nays were as follows.

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—86.

The nays were none.

Absent or not voting:

Messrs. Colvin, Elliott, Hall, Homer, Irwin of Lee, Lathrop, McCune,

Manning, Moffit, Reed of Howard, Shepardson, Simmons, and Stone—18.

So the bill passed and the title was agreed to.

On motion of Mr. Deweese, S. F. No. 86, A bill for an act to amend section 2, title 16 of the Code, relating to probate of wills, was taken up together with the amendments recommended by the committee.

Mr. Dixon moved to refer the bill to the Judiciary Committee.

The motion did not prevail.

The amendments recommended by the committee were adopted.

Mr. Deweese moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Deweese, Elliott, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hunt, Johnson of Benton, Johnston of Dubuque, Kauffman, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Wilson, and Mr. Speaker—73.

The nays were:

Messrs. Bush, Danforth, Dixon, Johnson of Winneshiek, Lane, Madson, Proudfoot, Said, and White—9.

Absent or not voting:

Messrs. Colvin, Crawford of Dubuque, Evans, Gilliland, Hall, Homer, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Jordan, McCune, Manning, Moffit, Shepardson, Williams, and Young—17.

So the bill passed and the title was agreed to.

On motion of Mr. Rees, H. F. No. 138, A bill for an act to provide for redeeming of lands and town lots sold for taxes, was taken up, and, on motion of Mr. Rees, was referred to a special committee, of which Mr. Reed, of Jackson, is chairman.

Messrs. Dixon, Madson, Mueller, Gray, Lathrop, Reed of Jackson, Williams, Hotchkiss, Rae, Young, Horstman, Giltner, Baker, Maris, Case, Madden of Taylor, Gibbons, Clark of Marion, Auld, Johnston of Duquque, Rees, Kauffman, Elliott, Birchard, Hobbs, Crawford of Dubuque, Horton and Thayer were granted leave of absence until Wednesday.

On motion of Mr. Hobbs, at 5 P. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 19, 1876. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. J. P. Cowan.

On motion of Mr. Gilliland, the reading of yesterday's 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 concurred in House amendments to S. F. No. 86, A bill for an act to amend chapter 2, title 16 of the Code, relating to probate of wills.

Also, that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Resolved by the Senate, the House concurring, That the President of the Senate and Speaker of the House are hereby ordered to adjourn their respective bodies *sine die* on the 10th day of March next, at 12 o'clock, noon.

J. A. T. HULL, *Secretary.*

INTRODUCTION OF BILLS.

By Mr. Given: H. F. No. 384, A bill for an act to provide for an allowance to the senior Judge and Chief Justice of the Supreme Court, for clerk's salary.

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

By Mr. Rees: H. F. No. 385, A bill for an act to amend section 2410 of chapter 3, title 16, of the Code.

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

Also, H. F. No. 386, A bill for an act to amend section 2386, chapter 3, title 16, of the Code.

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

Also, H. F. No. 387, A bill for an act to repeal section 2408, chapter 3, title 16, of the Code, and to enact a substitute therefor.

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

By Mr. Lane: H. F. No. 388, A bill for an act to transfer swamp land indemnity fund to the general revenue fund.

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

By Mr. Morse of Adams: H. F. No. 389, A bill for an act to amend section 807, title 6, chapter 1, of the Code.

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

PETITIONS.

By Mr. Gilliland: From the citizens of Plymouth county, in relation to voting taxes to aid in building railroads.

Referred to the Committee on Railroads.

By Mr. Thayer: From citizens of Clinton, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Robinson: From citizens of Pocahontas county, in relation to the McGregor Land Grant.

Referred to the Committee on Railroads.

By Mr. Chapman: From citizens of Delaware county, in relation to the present railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Glover: From citizens of O'Brien county, in relation to voting taxes to aid in building railroads.

Referred to the Committee on Railroads.

By Mr. Brush: From citizens of Mitchell county, in relation to railroad tariff law.

Referred to Committee on Railroads.

On motion of Mr. Case, the resolution relating to money stolen from Bremer county was taken up, and the amendment made by the Senate was concurred in.

REPORT OF COMMITTEE.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 51, A bill for an act to amend section 3774 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "seventy-five hundred" and inserting in lieu thereof "three thousand," and that when so amended it do pass. Also, that it be printed.

LEWIS CASE, *Chairman*.

Ordered passed on file.

On motion of Mr. Clark of Johnson, Mr. Thayer was elected Speaker *pro tem*.

Mr Fuller filed a motion to reconsider the vote by which H. F. No. 63 passed the House, February 18th, 1876.

On motion of Mr. Given, at 10:35 A. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1876. }

House met pursuant to adjournment, Speaker in the chair.
Prayer of W. H. W. Rees.
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 S. F. No. 41, A bill for an act to amend section 2742, chapter 9, title 17 of the Code, relating to the taking of testimony in equity actions.

S. F. No. 222, A bill for an act to amend sections 129, and 1384 of the Code.

Also, H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources and products of the State of Iowa, at the Centennial Exposition, with the following amendments. Strike out the word "Legislature," in fifth line of section 3, and insert "General Assembly," strike out "Legislature" in third line of section 5, and insert "General Assembly," in which amendments the concurrence of the House is asked.

I am further directed by the Senate to return H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Cambell, as requested by your honorable body.

J. A. T. HULL, *Secretary*.

PETITIONS.

By Mr. Hobbs: From citizens of Lee county, in relation to sectarian schools.

Referred to Committee on Constitutional Amendments.

By Mr. Horton: From citizens of Muscatine county, in relation to the railroad tariff law.

Referred to Committee on Railroads.

By Mr. Morse, of Wright: From citizens of Wright county, in relation to the railroad tariff law.

Referred to the Committee on railroads.

By Mr. Hobbs: From West Point township, Lee county, asking for such measures as will enable them to establish an independent district.

Referred to the Committee on Schools.

Also, in relation to fences.

Referred to the Committee on Agriculture.

By Mr. Hoag: From citizens of Page county, in relation to the present railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Lynch: From citizens of Des Moines county, in relation to the laws for the collection of debts.

Referred to the Committee on Judiciary.

By Mr. Palmer: From citizens of Butler county, in relation to the present railroad tariff law.

Referred to Committee on Railroads.

By Mr. Gilliland: From the citizens of O'Brien county, asking for a law to enable townships to vote taxes in aid of railroads.

Referred to Committee on Railroads.

By Mr. Irwin of Lee: From citizens of Keokuk, in relation to the McGregor and Western Railroad land grant.

Referred to the Committee on Railroads.

By Mr. Given: From citizens of Polk county, in relation to the taxation of church property.

Referred to the Committee on Judiciary.

By Mr. Case: From citizens of Bremer county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Reed, of Howard: From citizens of Howard county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Reed, of Jackson: From citizens of Jackson county, asking for the passage of a law providing for the destruction of cockleburrs.

Referred the Committee on Agriculture.

By Mr. Rees: From citizens of Crawford county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Given: From citizens of Polk county, asking for a law to establish libraries.

Referred to the Committee on Cities and Towns.

By Mr. Gilliland: From citizens of Plymouth county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Brush: From citizens of Mitchell county, in relation to the present railroad tariff law.

Referred to the Committee on Railroads.

Also, in relation to sectarian schools.

Referred to the Committee on Schools.

Leave of absence until Thursday, was granted Mr. Johnson of Benton.

REPORTS OF COMMITTEES.

Mr. Rae, from the Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 301, A bill for an act amending section 286 of the

Code of 1873, relating to the elections for the relocation of county seats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out sections 2 and 3, and as thus amended the bill do pass.

RAE, *Chairman*.

Ordered passed on file.

Mr. Scott, from the Committee on Military Affairs, submitted the following report.

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred S. F. No. 40, A bill for an act authorizing the Governor to appoint four Aids-de-Camp, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred H. F. No. 73, A bill for an act to provide for the copying certain old rosters and indices in the Adjutant General's office, and making appropriations therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

R. G. SCOTT, *Chairman*.

Reports ordered passed on file.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following reports:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 352, A bill for an act to amend sections 282, 283, 285, 287, and 288, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 111, A bill for an act to amend section 1, of chapter 28, of the laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 349, A bill for an act to amend section 288 of the Code, in relation to the changing of county roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 286, A bill for an act requiring all county officers, to report receipts and expenditures to the board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House

with the recommendation that it be amended by striking out the words "all county officers" in the fourth line thereof, and inserting in lieu of the words so stricken out the words "sheriff and recorder," and that as so amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 313, A bill for an act to amend subdivision four of section 969 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 60, A bill for an act to amend section 320, chapter 3, title 4 of the Code, so as to require county auditors to make an annual report of county expenditures, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 306, A bill for an act to repeal section 1433, title 11, chapter 2 of the Code, and chapter 26 of the acts of the Fifteenth General Assembly, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, and the same was ordered printed.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 345, A bill for an act to repeal sections 283, 287, and 288 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the number "287," in the first line of section one, and by striking out the proposed section 287, and that as so amended the bill do pass. It was further ordered that the bill be printed as originally offered.

Also the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 41, A bill for an act to amend section 1495 of chapter 4, title 11 of the Code, relating to partition fences. Also, H. F. No. 361, A bill for an act to regulate the building of partition fences in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that H. F. No. 361 be substituted for H. F. No. 41, and that the substitute do pass.

G. S. ROBINSON, *Chairman.*

Reports ordered passed on file.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No 165, A bill for an act to legalize the sale of certain school

lands in Cherokee county, Iowa, and to authorize the treasurer of said county to refund certain money illegally paid therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILSON, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By Mr. Given: H. F. No. 390, A bill for an act to amend sections 2618 and 2619 of the Code, relating to notice by publication.

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

By Mr. Jaqua: H. F. No. 391, A bill for an act to amend section 24 of the acts of the Fifteenth General Assembly, in relation to the delinquent taxes.

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

By Mr. Hoag: H. F. No. 392, A bill for an act to abolish the circuit courts and establish county courts.

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

By Mr. Said: H. F. No. 393, A bill for an act providing for submitting to the people the question of voting a tax for the purchase of fair grounds.

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

By Mr. Gilliland: H. F. No. 394, A bill for an act to amend chapter 34 of the local laws of the Fifteenth General Assembly.

Read first and second time, when Mr. Gilliland moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

By unanimous consent Mr. Gilliland moved to amend by striking out section 2, and inserting in lieu thereof section one.

The motion to amend prevailed.

The question then being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brown, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Irwin of Lee, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—86.

The nays were none.

Absent or not voting:

Messrs. Baker, Bolter, Campbell, Homer, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Manning, Mills, Rae, Rees, and Shepardson—13.

So the bill passed and the title was agreed to.

By Mr. Graves: H. F. No. 395, A bill for an act to regulate the right of railroad companies to change the line of their roads.

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

Also, H. F. No. 396, A bill for an act to amend an act relative to assignments for benefit of creditors.

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

Also, H. F. No. 397, A bill for an act to punish fraud in commercial transactions.

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

Also, H. F. No. 398, A bill for an act to repeal an act relative to protection of creditors.

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

Also, H. F. No. 399, A bill for an act to amend an act relative to frauds, etc.

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

Also, H. F. No. 400, A bill for an act to facilitate the equitable distribution of the assets of bankrupts.

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

By Mr. Case: H. F. No. 401, A bill for an act to give boards of supervisors additional powers in certain cases.

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

By Mr. Hobbs: H. F. No. 402, A bill for an act to repeal sections 3783 and 3784 of the Code, and to enact a substitute therefor.

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

By Mr. Johnson of Winneshiek: H. F. No. 403, A bill for an act to amend section 1892 of the Code, in relation to State Library.

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

On motion of Mr. Shaw, H. F. No. 121, A bill for an act appropriating \$550.50 in payment of claims of E. Blakeslee, was taken up together with the report of the committee.

Mr. Shaw moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brown, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway Hoag, Hobbs, Horstman, Horton, Hotchkiss, Irwin of Lee, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry,

McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—85.

The nays were none.

Absent or not voting:

Messrs. Baker, Bolter, Campbell, Crawford of Dubuque, Homer, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, McCarty, Mills, Rae, Rees, and Shepardson—14.

So the bill passed and the title was agreed to.

RESOLUTIONS.

Mr. Glover offered the following resolution which was not adopted.

Resolved, That an allowance of three dollars per week for stationery be made to each regular reporter for a daily newspaper reporting the daily proceedings of this House.

Mr. Smith offered the following resolution:

Resolved, That Miss Susan B. Anthony be invited to address the members of the House, this evening, at such time and place and upon such subject as she may designate.

On its adoption, Mr. Given moved the previous question, which was not seconded.

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

Mr. Robinson moved that H. F. No. 345, A bill for an act to repeal sections 283, 287, and 288 of the Code, be made a special order for Tuesday, February 29, at 10:30 o'clock.

The motion did not prevail.

COMMUNICATIONS ON SPEAKER'S TABLE.

The Speaker presented a letter from H. C. Hammock, Mayor of Atlanta, Georgia, which was referred to the Committee on Federal Relations, with instructions to report.

Communication from Attorney General M. E. Cutts, opinion on the publication of the proposed amendment to the Constitution passed by the Fifteenth General Assembly, was read and ordered printed.

BILLS ON SECOND READING.

H. F. No. 160, A bill for an act to repeal section 1776, chapter 9, title 12 of the Code, was taken up, with the report of the committee recommending amendments, and amendments adopted.

Mr. Crawford, of Dubuque, moved to amend by striking out all after the word "dollars," in the eighth line.

Mr. Reed, of Jackson, moved that the bill pass on file.

The motion prevailed.

H. F. No. 64, A bill for an act to enable independent school districts to divide their districts, was taken up and indefinitely postponed.

H. F. No. 219, A bill for an act to amend section 1799 of the Code, was taken up and referred to the Committee on County and Township Organizations.

H. F. No. 87, A bill for an act to amend section 3974 of the Code, was taken up, considered, and passed on file.

H. F. No. 234. A bill for an act to amend section 1381, title 11, chapter 1 of the Code, was taken up and considered.

Mr. Crawford of Scott, moved to amend:

Provided, That the provisions of this act shall not apply to counties in which the population is less than thirty thousand inhabitants.

The motion to amend prevailed.

The House refused to order the bill engrossed for a third reading.

On motion of Mr. Smith, the special order set for this afternoon, "the proposed amendment to the Constitution" be made the special order for to-morrow at 2:10 o'clock, P. M.

The motion prevailed.

At 12 o'clock the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The Speaker called the House to order.

Mr. Crawford of Scott, moved to reconsider the vote by which the House refused to order H. F. No. 234 engrossed for a third reading.

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:

S. F. No. 20, A bill for an act to enlarge the powers of the Trustees of the Soldiers' Orphans' Homes, and provide for other indigent children of the State, and make provisions for industrial pursuits therein.

I am further direct to inform your honorable body that the Senate has passed H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committee appointed to visit the various State institutions, and amended the title by adding the words "and for other purposes," in which the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following joint resolution and find the same correctly enrolled:

House joint resolution relating to the robbery of the Bremer county treasury, and instructing the Auditor of State relating to the same.

MCNEILL, *Chairman.*

Mr. Crawford of Scott moved to amend by inserting, "the provisions of this act shall not apply to counties of less than 34,000 inhabitants."

Mr. Tice moved to amend the amendment by inserting "33,000."

The amendment to the amendment was adopted.

The amendment was adopted, and the bill ordered engrossed for a third reading.

SENATE MESSAGES.

On motion of Mr. Given, the House took up Senate messages.

S. F. No. 39, A bill for an act to regulate the omission of the property of religious societies from assessment and taxation was taken up, and referred to the Committee on Ways and Means.

S. F. No. 161, A bill for an act to amend section 3809, chapter 2, title 23 of the Code, in relation to settlements by township clerks, was then taken up.

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

S. F. No. 165, A bill for an act to amend chapter 25 of laws of the Fifteenth General Assembly, in relation to city and town lots, was taken up.

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

ENROLLED BILLS.

Mr. McNeill from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

S. F. No. 86, A bill for an act to amend chapter 2 of title 16 of the Code, relating to probate of wills.

MCNEILL, *Chairman.*

H. F. No. 63, A bill for an act to quiet title to certain school lands in Appanoose county, Iowa, was then taken up and passed on file.

H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources of the State, was then taken up, and the question being shall the House concur in the Senate amendments to strike out

the word "legislature," and insert "General Assembly," the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brown, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemmenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White Williams, Young, and Mr. Speaker—89.

The nays were none.

Absent or not voting:

Messrs. Baker, Bolter, Campbell, Johnson of Benton, Jordan, McElderry, McHugh, Ra., Shepardson, and Wilson—10.

So the Senate amendments were concurred in.

Leave of absence was granted Messrs. McElderry, and Bolter, until to-morrow.

S. F. No. 222, A bill for an act to amend sections 129, and 384 of the Code, was then taken up.

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

S. F. No. 48, A bill for an act to amend section 2742, of chapter 9, of title 17 of the Code, regulating the taking of testimony in equity actions, was then taken up.

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

Substitute for S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code, relating to the number of members of Mutual Insurance Companies was then taken up.

Read first and second time, and referred to Committee on Insurance.

S. F. No. 112, A bill for an act to repeal section 3791, chapter 2, title 23 of the Code of 1873, in relation to the compensation of members of board of supervisors, was then taken up.

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

S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, was then taken up.

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

S. F. No. 22, A bill for an act to amend section 500, of chapter 10, title 4 of the code, was then taken up.

Read first and second time, and referred to Committee on Cities and Towns.

S. F. No. 20, A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphan Homes, was then taken up.

Read first and second time, and referred to the Committee on Orphans' Homes.

H. F. No. 374, was then taken up, and the Senate amendments to the title was concurred in.

BILLS ON SECOND READING.

H. F. No. 209, A bill for an act to amend chapter 6, title 13, of the Code, was then taken up, and the amendments recommended by the committee were adopted.

Mr. Given moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brown, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Uri, White, Williams, Young, and Mr. Speaker—88.

The nays were:

Mr. Gibbons—1.

Absent or not voting:

Messrs. Baker, Bolter, Campbell, Crawford of Dubuque, Johnson of Benton, McElderry, Rae, Rees, Shepardson, and Wilson—10.

So the bill passed.

On motion of Mr. Reed of Howard, the title was amended so as to read, "To legalize the acknowledgments taken by certain county officers."

H. F. No. 208, A bill for an act to repeal section 1955 of the Code, and to enact a substitute therefor, was taken up.

Mr. Rees moved to strike out deputy clerk and deputy auditor.

Mr. Deweese moved to refer the bill to the Judiciary Committee.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the House:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, without amendment:

H. F. No. 32, A bill for an act to legalize the levy of certain taxes, and to provide for the collection thereof.

R. B. BAIRD.

Second Assistant Secretary.

BILLS ON SECOND READING RESUMED.

H. F. No. 280, A bill for an act in relation to the powers of school boards, was then taken up and the House refused to order it engrossed for a third reading.

H. F. No. 282, A bill for an act to further define the duties of the superintendent of public instruction, was then taken up and the amendments recommended by the committee were adopted, the bill was then ordered engrossed for a third reading.

Mr. Glover moved to take up S. F. No. 59, A bill for an act to authorize counties to bond their indebtedness, the amendments recommended by the committee were adopted.

Mr. Deweese moved to amend and strike out the figures "1873" where it occurs in the bill.

The motion prevailed.

On motion of Mr. Glover, the rule was suspended, the bill considered engrossed and read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brush, Calvin, Case, Christy, Clark of Marion, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hemenway, Hoag, Homer, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Underwood, White, Williams, Young, and Mr. Speaker—65.

The nays were:

Messrs. Bush, Chapman, Craver, Deweese, Elliott, Gray, Harned, Hobbs, Horstman, Hotchkiss, Jaqua, Proudfoot, Reed of Jackson, Stuckey, Thayer, and Tice—16.

Absent or not voting:

Messrs. Baker, Bolter, Brown, Campbell, Clark of Johnson, Cleveland, Evans, Hall, Horton, Hunt, Johnson of Benton, McElderry, Maris, Mentzel, Rae, Shepardson, Ure, and Wilson—18.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

H. F. No. 90, A bill for an act to amend section 105 of the Code, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Birchard, Brooks, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Craver, Crawford of Dubuque, Danforth, Deweese, Dixon, Elliott, Evans, Gibbons, Gilt-

ner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—78.

The nays were none.

Absent or not voting:

Messrs. Baker, Benton, Bolter, Brown, Bush, Campbell, Cleveland, Colvin, Crawford of Scott, Fuller, Gilliland, Hall, Hunt, Johnson of Benton, McElderry, Manning, Maris, Moffit, Rae, Shepardson, and Stone—21.

So the bill passed and the title was agreed to.

H. F. No. 46, A bill for an act to amend section 1774 of the Code, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brush, Bush, Christy, Clark of Marion, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Gibbons, Giltner, Graves, Gray, Hobbs, Horton, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Taylor, Madson, Mills, Moffit, Morse of Adams, Mueller, Proudfoot, Reed of Jackson, Scott, Shaw, Smith, Stuart, Stuckey, Thayer, Underwood, White, Williams, Young and Mr. Speaker—51.

The nays were:

Messrs. Brooks, Calvin, Case, Chapman, Clark of Johnson, Craver, Dixon, Evans, Fuller, Gilliland, Given, Glover, Harned, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Hunt, Jaqua, Jordan, Madden of Polk, Mentzel, Morse of Wright, Norris, Palmer, Reed of Howard, Rees, Robinson, Said, Simmons, Tice, Ure, and Wilson—34.

Absent or not voting:

Messrs. Baker, Bolter, Brown, Campbell, Cleveland Glendenning, Hall, Johnson of Benton, McElderry, Manning, Maris, Rae, Shepardson, and Stone,—14.

So the bill passed and the title was agreed to.

H. F. No. 103, A bill for an act to amend sections 240 and 241 of the Code, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of

Taylor, Madson, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—81.

The nays were:

Messrs. Gilliland, Homer, and White—3.

Absent or not voting:

Messrs. Baker, Bolter, Brown, Campbell, Cleveland, Glendenning, Glover, Hall, Johnson of Benton, McElderry, Manning, Maris, Rae, Reed of Howard, and Shepardson—15.

So the bill passed and the title was agreed to.

H. F. No. 15, A bill for an act to amend section 1725, chapter 9 of the Code, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Birchard, Brooks, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—84.

The nays were none.

Absent or not voting:

Messrs. Baker, Benton, Bolter, Brown, Campbell, Dixon, Giltner, Graves, Johnson of Benton, McElderry, McHugh, Manning, Maris, Rae, and Shepardson—15.

So the bill passed and the title was agreed to.

Substitute for H. F. Nos. 65, 66, 67, 68, 69, 120, 20, and 178, A bill for an act to repeal subdivision one (1) of section 796, and section 835 of the Code, was taken up, and, on motion of Mr. Rees, was re-committed to the Committee on Ways and Means, with instructions to report amendments.

H. F. No. 196, A bill for an act relating to life insurance, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Bush, Calvin, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Madden of

Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—84.

The nays were none.

Absent or not voting:

Messrs. Bolter, Campbell, Case, Evans, Hunt, Johnson of Benton, Johnston of Dubuque, Lane, Lynch, McElderry, McHugh, Maris, Shepardson, Smith, and Wilson—15.

So the bill passed and the title was agreed to.

H. F. No. 229, A bill for an act to amend 5th paragraph of section 3814, of the Code, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hem-enway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Manning, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—80.

The nays were:

Messrs. Bush, Lathrop, Madden of Taylor, Madson, Reed of Howard, Reed of Jackson, Smith, and White—8.

Absent or not voting:

Messrs. Bolter, Campbell, Evans, Hunt, Johnson of Benton, Johnston of Dubuque, Lane, McElderry, Maris, Morse of Wright, and Shepardson—11.

So the bill passed and the title was agreed to.

SENATE MESSAGES.

On motion of Mr. Clark of Warren, the House took up Senate messages.

Mr. Gilliland moved to take up the motion to reconsider the vote by which the House agreed to adjourn on the third of March.

The motion prevailed.

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

The Senate resolution to adjourn on the 10th of March was taken up, read and considered, and on motion of Mr. Bush, the consideration was postponed until Thursday, March 2d, at 2:30 p. m., and made a special order.

REPORT OF COMMITTEE.

Leave was granted Mr. Bush to submit a report from the Committee on Constitutional Amendments, as follows:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred joint resolution to amend section 16 of article 4 of the Constitution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, the following:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred Senate joint resolution to amend section 4, article 3 of the Constitution, relating to the qualifications of members of the House of Representatives, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

BUSH, *Chairman.*

Reports ordered passed on file.

On motion of Mr. Bush, the resolution relating to the qualification of members of the House of Representatives, was made a special order for to-morrow, together with the proposed amendment to the constitution.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 317, A bill for an act to legalize the official acts of George B. Wilson, a notary public in and for Adair county.

McNEILL, *Chairman.*

BILLS ON SECOND READING.

On motion of Mr. Dixon, the House took up bills on second reading.

H. F. No. 134, A bill for an act in relation to cattle ways across public highways, was taken up and considered.

Mr. Madden of Polk, moved to amend by inserting in section 1 after the word "across," "or over or under."

The motion prevailed.

M. Tice moved to amend: Provided that the grade shall not be at a greater elevation than one foot in ten.

Mr. Hobbs offered a substitute for the amendment:

"Provided that no portion of the highway shall thereby be elevated above the proper grade."

The motion did not prevail.

The question recurring on the amendment offered by Mr. Tice, it was lost.

Mr. Williams moved to amend: Insert after the word "supervisors," the words, "of any county."

The motion prevailed.

Mr. Homer moved to amend: Add to section 1, "provided, said cattle ways shall not interfere with the travel upon such highway."

The motion prevailed.

Mr. Ure moved to amend section 2: Insert "or at his option shall remove such cattle ways."

Mr Wilson moved to refer to the Committee on Roads and Highways.

The motion did not prevail.

On motion of Mr. Johnston, of Dubuque, the bill was recommitted to the Committee on Agriculture.

Mr. Bush moved that the Committee on Ways and Means be instructed to report an amendment to last line of paragraph 2, section 3, of substitute for H. F. Nos 65, 66, 67, 69, 20, and 120, namely: insert "valuation of the State."

The motion prevailed.

Mr. Gibbons asked leave to file a motion to reconsider the vote by which S. F. No. 59, A bill for an act to amend sections 289 and 290 of the Code, was passed.

Mr. Clark, of Johnson, moved that H. F. No. 379 be taken up and referred to a special committee of three.

The motion prevailed.

Leave was granted Mr. Gibbons to introduce H. F. No. 404, A bill for an act to regulate and license the sale of beer, wine, and spirituous liquors.

Read first and second time, and referred to the Committee on Suppression of Intemperance and ordered printed.

Leave was granted Mr. Graves to introduce H. F. No. 405, A bill for an act suppressing intemperance, by providing a police regulation.

Read first and second time, and referred to the Committee on Police Regulation and ordered printed.

Leave was granted Mr. Elliott to introduce H. F. No. 406, A bill for an act to amend section 2272, chapter 5, title 15 of the Code.

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

The Speaker announced the following committee on H. F. No. 379 Messrs. Glendenning, Dixon, and Kauffman.

At 5 o'clock P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 24, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. J. Telleen.

Journal of yesterday read.

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

Leave of absence was granted to Mr. Crawford of Scott, until Saturday.

PETITIONS.

By Mr. Mentzel: From citizens of Clayton county, asking for a judicious license law.

Referred.

Messrs. Rees, McHugh, Jordan, Robinson, Rae, Calvin, Hemenway, Graves, Hotchkiss, Lathrop, Deweese, and Mills presented petitions from citizens of Webster, Chickasaw, Linn, Buena Vista, Crawford, Buchanan, Black Hawk, Dubuque, Davis, Jones, Jasper, and Marshall counties, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Horton: From citizens of Muscatine county, in relation to the liquor law.

Referred to the Committee on Suppression of Intemperance.

Messrs. Gilliland, McCune, Graves, Brush, Brown, Clark of Johnson, Jordan, and Given, presented petitions from citizens of Woodbury, Johnson, Dubuque, Mitchell, Allamakee, Linn, and Polk counties, relating to life insurance.

Referred to the Committee on Insurance.

By Mr. Hoag: From citizens of Page county, in relation to female suffrage.

Referred to the Committee on Constitutional Amendments.

By Mr. Christy: A similar petition from citizens of Van Buren county.

Referred to the Committee on Constitutional Amendments.

By Mr. Palmer: From citizens of Butler county, in relation to the railroad tariff law.

Referred to Committee on Railroads.

By Mr. Brown: From citizens of Allamakee county, in relation to capital punishment.

Referred.

REPORTS OF COMMITTEES.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was re-

ferred S. F. No. 104, A bill for an act for the relief and support of the State Agricultural Society, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. G. MADDEN, *Chairman.*

Ordered passed on file.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions, and for other purposes.

McNEILL, *Chairman.*

Mr. Brush, from the Committee on Insurance, submitted the following report:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 324, A bill for an act to amend section 807, of chapter 1, title 6 of the Code of Iowa, relative to taxing insurance companies beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. P. BRUSH, *Chairman.*

Ordered passed on file.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 383, A bill for an act to amend section 1864, chapter 12, title 12 of the Code, relative to compensation for examining titles when loaning school money, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 54, and the substitute therefor, Bills for an act to amend section 3775, of the Code, relating to fees of State and district officers, beg leave to report that they have had the same under consideration, have furnished a substitute therefor, and have instructed me to report the same back to the House with the recommendation that it do pass.

LOUIS CASE, *Chairman.*

Reports ordered passed on file.

INTRODUCTION OF BILLS.

By Mr. McHugh: H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, Chickasaw county, Iowa, was read first and second time.

Mr. McHugh moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Shaw, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—92.

The nays were none.

Absent or not voting:

Messrs. Bush, Crawford of Scott, McElderry, Rees, Shepardson, Stone, and Wilson—7.

So the bill passed and the title was agreed to.

By Mr. Given: H. F. No. 408, A bill for an act to amend section 4588 of the Code, relating to bail on appeals after conviction.

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

Also, H. F. No. 409, A bill for an act to amend section 3793 of the Code, relating to the compensation of county treasurers.

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

By Mr. Clark of Marion: H. F. No. 410, A bill for an act to amend section 963 of the Code, in relation to appeals for damages in road cases.

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

By Mr. Horton: H. F. No. 411, A bill for an act to erect a new sub-district from parts of Wapeonoc and Pike townships, in Muscatine county, Iowa.

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

By Mr. Clark of Johnson: H. F. No. 412, A bill for an act to repeal section 807 of the Code, relating to tax on life insurance companies.

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

By Mr. Rae: H. F. No 413, A bill for an act to legalize the levy of of certain school taxes in Jackson township, Crawford county, Iowa.

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

By Mr Calvin: H. F. No. 414, A bill for an act to provide for the organization of district townships.

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

By Mr. Gray: H. F. No. 415, A bill for an act to repeal section 2117 of the Code, and to enact a substitute therefor, and to amend sections 2119 and 2128 of the Code.

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

Mr. Graves moved that H. F. No. 254, be recommitted to the Committee on Ways and Means.

The motion prevailed.

The hour having arrived for the consideration of special order, H. F. No. 236, A bill for an act to amend sections 404, 405, 406, 843, 850 851, 865, 866, and 890 of the Code.

On motion of Mr. Harned the bill was taken up and considered.

Mr. Danforth moved that the bill be considered by sections.

The motion prevailed.

Mr. Stuart moved to amend section 1, second line, by inserting the words "of the" after the word "Code."

The motion prevailed.

On motion of Mr. Stuart the words "of 1873," were stricken out of second line of section 1.

Mr. Given moved that the bill be recommitted to the Committee on Ways and Means, with instruction to report a clause for semi-annual payment of taxes.

Mr. Baker moved to amend the motion, that a special committee of five be appointed to prepare a bill for the payment of taxes semi-annually.

The motion prevailed.

The motion as amended was lost.

Mr. Reed of Howard, moved to amend section 5, by striking out the words "the first Monday in January."

Mr. Rees, moved to amend section 8, of the bill by adding thereto the words, "and by striking out all after the word "tax" in the sixth line to and including the words "thereafter" in the seventh line."

On the adoption of this amendment, Mr. Dixon demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Brooks, Cleveland, Colvin, Evans, Glendenning, Gray, Hall, Hemenway, Hotchkiss, Johnson of Benton, Lynch, McCartney, McCune, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mills, Morse of Adams, Norris, Palmer, Reed of Howard, Rees, Shaw, Smith, Stuart, Underwood, and Williams—29.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Craver, Crawford of Dubuque, Danforth, Deweese, Dixon, Elliott, Ful-

ler, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McHugh, Maris, Mentzel, Moffit, Morse of Wright, Mueller, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Simmons, Stone, Stuckey, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—62.

Absent or not voting:

Messrs. Bush, Calvin, Crawford of Scott, Hunt, Irwin of Lee, Lane, McElderry, and Shepardson—8.

So the amendment did not prevail.

Mr. Dixon moved to amend section 8 by striking out all after the word "first," in the 8th line, and before the word "but," in the 8th line, and inserting "one per cent a month for the first five months, and two per cent a month thereafter."

The amendment was adopted.

Mr. Brooks moved to amend section 10 by striking out the word "coming."

The motion prevailed.

On the question, shall the bill be ordered engrossed for a third reading, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Benton, Bolter, Christy, Clark of Marion, Cleveland, Colvin, Dixon, Elliott, Given, Glendenning, Glover, Gray Hall, Harned, Hemenway, Hoag, Hobbs, Horton, Hotchkiss, Hunt, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Shaw, Smith, Stone, Stuart, Underwood, White, Williams, and Wilson—51.

The nays were:

Messrs. Allen, Auld, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Craver, Crawford of Dubuque, Danforth, Deweese, Fuller, Gibbons, Gilliland, Giltner, Graves, Homer, Horstman, Irwin of Warren, Johnson of Winneshiek, Jordan, Kauffman, Lynch, Maris, Morse of Wright, Mueller, Reed of Jackson, Robinson, Said, Scott, Simmons, Stuckey, Thayer, Tice, Ure, Young, and Mr. Speaker—41.

Absent or not voting:

Messrs. Bush, Crawford of Scott, Evans, Irwin of Lee, McCartney, McElderry, and Shepardson—7.

So the bill was ordered engrossed for a third reading.

At 12 m. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

House called to order by the Speaker.

REPORTS OF COMMITTEES.

Mr. Norris, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 37, A bill for an act authorizing township trustees to regulate the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of section 1, "township trustees" and inserting County Boards of Supervisors, and in the seventh line strike out the word townships and insert the word counties, and in the tenth line strike out township and insert counties, and as so amended the bill pass, and that the bill be printed.

Also, the following:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 245, A bill for an act to prevent gambling devices from being kept in drinking saloons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be amended by adding after the word "alley," in the sixth line, "dice," and as so amended that it do pass, and the bill be printed.

NORRIS, *Chairman*.

Reports ordered passed on file.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills' to-wit:

H. F. No. 320, A bill for an act making appropriation to pay the expenses incurred by the ceremonies of inauguration.

House joint resolution relating to the robbery of the Bremer county treasury, and instructing the Auditor of State in relation to the same.

MCNEILL, *Chairman*.

Leave was granted Mr. Horton to withdraw the petition presented by himself in relation to railroads.

The House resumed consideration of bills on second reading.

H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title

5 of the Code, relating to township officers, was then taken up and considered.

Mr. Bush offered the following amendment to section 1 of the bill:

Highway supervisors must reside in the district for which he was elected, and in the election of such supervisors no elector shall vote for more than one supervisor and none other than the one residing in the district in which the elector resides, but no person shall be required to serve as supervisor who is exempt by this act from performing labor on the highway.

The amendment was adopted.

Mr. Williams moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brush, Bush, Calvin, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Taylor, Madson, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—83.

The nays were:

Messrs. Chapman, Mentzel, and White—3.

Absent or not voting:

Messrs. Brown, Cleveland, Crawford of Scott, Elliott, Gilliland, Graves, Irwin of Lee, McElderry, Madden of Polk, Rees, Shaw, Sheppardson, and Stone—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor by his private secretary, W. H. Fleming, Esq., and passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of special order, joint resolution to strike the word "male" from the Constitution, on motion of Mr. Smith it was taken up.

Mr. Irwin of Lee, moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and were as follows.

The yeas were:

Messrs. Auld, Benton, Birchard, Brown, Clark of Marion, Crawford

of Dubuque, Evans, Gibbons, Gilliland, Gray, Hobbs, Horstman, Hunt, Irwin of Lee, Johnston of Dubuque, McCune, Madden of Taylor, Mentzel, Morse of Adams, Mueller, Shaw, Stuckey, Thayer, White, and Young—25.

The nays were:

Messrs. Allen, Baker, Bolter, Brooks, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Fuller, Giltner, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hoag, Homer, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mills, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Simmons, Smith, Stone, Stuart, Tice, Underwood, Ure, Williams, Wilson, and Mr. Speaker—69.

Absent or not voting:

Messrs. Campbell, Cleveland, Crawford of Scott, McElderry, and Shepardson—5.

So the motion to lay on the table did not prevail.

Mr. Williams offered the following resolution:

Resolved, That we refer this question of woman's rights to a special committee of five, consisting of Messrs. Given, Smith, Dixon, Bolter, and Gibbons, with instructions to report to this House on Tuesday next some plan or proposition that will be tangible for action by this House at once.

Mr. Gibbons moved to amend by striking out the name of Gibbons, and Williams be inserted in lieu thereof.

The motion prevailed.

Mr. Given moved that all the names be stricken out except Williams.

The motion prevailed.

Mr. Madden of Polk moved to lay the resolution on the table.

The motion prevailed.

Mr. Smith moved the previous question, which the House refused to second.

Mr. Johnson of Winneshiek moved to strike out all after the word "confirmed," in the 11th line.

The motion did not prevail.

Mr. Gilliland moved the previous question, which was seconded.

The question being, shall the main question be now put, was decided in the affirmative.

On the question, shall the resolution be adopted, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Bolter, Brooks, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Deweese, Giltner, Given, Glendenning, Glover, Hall, Hoag, Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McHugh, McNeill, Madden of Polk, Madson, Maris, Mills, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, Smith, Tice, Underwood, Ure, and Wilson—54.

The nays were:

Messrs. Auld, Benton, Birchard, Brown, Bush, Christy, Clark of Marion, Crawford of Dubuque, Danforth, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Gray, Harned, Hemenway, Hobbs, Horstman, Johnston of Dubuque, Johnson of Winneshiek, McCune, Madden of Taylor, Manning, Mentzel, Morse of Adams, Mueller, Reed of Jackson, Rees, Shaw, Simmons, Stone, Stuart, Stuckey, Thayer, White, Williams, Young, and Mr. Speaker—40.

Absent or not voting:

Messrs. Crawford of Scott, Graves, Irwin of Lee, McElderry, and Shepardson—5.

So the joint resolution passed the House.

Leave was granted Mr. Wilson to present a petition relating to the claim of James Harvey.

Also, to introduce H. F. No. 416, A bill for an act for the payment of the claim of James Harvey, was read first and second time, when Mr. Wilson moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Giltner, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCune, McHugh, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—79.

The nays were:

Messrs. Clark of Marion—1.

Absent or not voting:

Messrs. Benton, Cleveland, Crawford of Scott, Dixon, Gilliland, Given, Glendenning, Hotchkiss, Irwin of Lee, Kauffman, McCartney, McElderry, McNeill, Madden of Taylor, Manning, Shepardson, Stuart, Stuckey, and Ure—19.

So the bill passed and the title was agreed to.

Mr. Brooks moved that when this House adjourn it be at 5:30 P. M.

The motion did not prevail.

At 5 P. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 25, 1876. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. H. J. Burleigh.

Journal of yesterday read.

On motion of Mr. Elliott, the further 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 bills and joint resolutions, in which the concurrence of the House is asked:

S. F. No. 149, A bill for an act to amend section 900, etc.

S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes.

S. F. No. 191, A bill for an act providing for holding three terms of the district court annually in Allamakee county, in the tenth judicial district.

S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

Joint resolution requesting our members of Congress to procure the passage of an act modifying the act of Congress granting lands to Iowa for an Agricultural College.

Joint resolution proposing to amend section 11, article 1 of the Constitution of the State of Iowa.

Joint resolution proposing to amend section 13 of article 5 of the Constitution of the State of Iowa.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 145, A bill for an act to repeal the following sections of the Code, and enact substitutes therefor, viz.: Section 985, title 7, chapter 2, in relation to powers and duties of road supervisors.

H. F. No. 285, A bill for an act for the relief of Mrs. Malinda Baldwin of Polk county, State of Iowa.

Also, with amendment, H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to fees of township trustees, amendments noted in the bill, in which the concurrence of the House is asked.

J. A. T. HULL, *Secretary.*

PETITIONS.

By Mr. Rees: From citizens of Fort Dodge, in relation to administering the death penalty.

Referred to the Committee on Judiciary.

By Messrs. Lynch, Bolter, Brown, Gray, Clark of Marion, Ure, Rae, Hobbs, Stuart, Young, Danforth, Hall, McCune, and Campbell: From citizens of Des Moines, Harrison, Allamakee, Muscatine Marion, Linn, Crawford, Lee, Jackson, Clinton, Hardin, Johnson, and Shelby counties, in relation to the liquor law.

Referred to the Committee on Suppression of Intemperance.

By Messrs. Young, Morse of Wright, Hall, Bush, Fuller, Bolter, Madden of Taylor, Robinson, Morse of Adams, Case, Rees, and Crawford of Dubuque, in relation to the railroad tariff law.

Referred to Committee on Railroads.

By Messrs. Hunt, Elliott, Tice, Robinson, Said and Proudfoot, in relation to insurance.

Referred to Committee on Insurance.

By Messrs. Reed of Howard, Maris, Gibbons, Lane, White, Dixon, Johnson of Winneshiek, Craver, Johnston of Dubuque, Christy, Reed of Jackson, Crawford of Dubuque, Hemenway, and Given, in relation to the liquor law.

Referred to the Committee on Police Regulations.

By Mr. Norris: In relation to the liquor law.

Referred to the Committee on Suppression of Intemperance.

By Mr. Hall: From citizens of Hardin county relating to the same subject.

Referred to the Committee on Suppression of Intemperance.

By Mr. Norris: From citizens of Dallas county, in relation to the taxation of church property.

Referred to the Committee on Ways and Means.

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:

S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa to the purchase by the United States of certain real estate, situated in Keokuk, Lee county, Iowa, and ceding jurisdiction thereover.

R. B. BAIRD,

Second Assistant Secretary.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 32, A bill for an act to legalize the levy of certain taxes for the insane, and to provide for the collection thereof.

H. F. No. 172, A bill for an act to amend section 765 of the Code, in relation to the power of commissioners appointed by the Governor.

S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the acts of the officers acting thereunder.

H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources and products of the State of Iowa, at the Centennial Exposition.

McNEILL, *Chairman.*

ENGROSSED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 282, substitute for a bill for an act to further define the duties of the Superintendent of Public Instruction, and to authorize him to issue State diplomas and State certificates.

H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1 of the Code.

JORDAN, *Chairman.*

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, H. F. No. 35, A bill for an act to restore the death penalty.

On motion of Mr. Brown the special order was taken up and considered.

Mr. Madden of Polk, moved that the special order be postponed one week from to-day, March 3, at 10:30 o'clock A. M.

Leave was granted Mr. Dixon to offer the following resolution:

Resolved, That the law abolishing capital punishment should receive a proper and respectful consideration and should not be repealed unless it be shown that crime, and especially murder, has increased in consequence of the change that has been made in the law, and in order to give the present law a fair trial, this House is opposed to any change in the law at this time.

Mr. Giltner moved to amend the motion to postpone by striking out "Friday," and "Monday."

The motion did not prevail.

Question recurring on the motion to postpone to a day certain was decided in the negative.

Mr. Gibbons offered a substitute for the pending question.

The substitute was adopted.

Mr. Hobbs moved to refer the bill adopted by the House to the Judiciary Committee.

Mr. Glendenning moved to refer the bill to the Committee of the whole House.

The motion did not prevail.

The question on the motion to refer the bill to Judiciary Committee did not prevail.

Mr. Dixon moved to strike out all after the enacting clause and insert the resolution submitted by himself.

Mr. Hobbs moved to postpone the consideration of the bill, and refer it to the Judiciary Committee.

The motion did not prevail.

At 12 o'clock *m.* the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The House called to order by the Speaker.

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:

S. F. No. 231, A bill for an act to amend sections 1060 and 1064 of the Code of 1873, in relation to corporations for pecuniary profit.

S. F. No. 173, A bill for an act to amend section 3049 of the Code of Iowa, title 18, chapter 2, "of executions."

Also that the Senate has passed, without amendment, substitute for H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School investigation.

Also, that the Senate has passed H. F. No. 355, A bill for an act empowering cities to extend their corporate limits, with the following amendment: Strike out all after the enacting clause, and insert the substitute herewith transmitted.

I am further directed to inform your honorable body that the Senate has ordered printed the special message of the Governor relative to prison labor.

J. A. T. HULL, *Secretary.*

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, to-wit:

H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committees appointed to visit the various State institutions, and for other purposes.

MCNEILL, *Chairman.*

REPORTS OF COMMITTEES.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred substitute for S. F. Nos. 7 and 80, A bill for an act to provide for a board of charities and prescribing its duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation further than that the House order the printing of said bill.

WILSON, *Chairman.*

Ordered passed on file.

Mr. Jaqua, from the Committee on Soldier's Orphans' Homes, submitted the following report:

MR. SPEAKER:—Your Committee on Soldiers' Orphans' Homes, to whom was referred S. F. No. 20, A bill for an act to enlarge the powers of the Trustees of the Soldiers' Orphans' Homes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JAQUA, *Chairman.*

Ordered passed on file.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 167, A bill for an act to increase the limits of taxation in cities of the second class, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 72, A bill for an act to repeal section 963 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out in the publication clause the word "bill" and insert the word "act," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 269, A bill for an act to repeal section 2353 of the Code of 1873, and to provide for the mode of probating wills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 331, A bill for an act to release lands shown on county treasurers' books to be liable to tax sale for taxes voted in aid in the construction of any railway or railways where such taxes have been

forfeited by reason of non-fulfillment of the contract by the company to which such taxes were voted, and to refund taxes not already refunded, beg leave to report that they have had the same under consideration, have ordered it printed and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 135, A bill for an act to repeal section 3567, title 21, chapter 1 of the Code, relating to filing transcripts in the clerk's office, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out, beginning on line thirteen, the words "when the judgment with costs exceeds \$15," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 230, A bill for an act to repeal sections 3903 and 3904, chapter 4, title 24 of the Code, relating to larceny in the night time, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 161, A bill for an act to amend section 2254 of the Code, beg leave to report that they had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 185, A bill for an act in relation to evidence on book account, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been already reported.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 38, A bill for an act to amend chapter 1 of title 21 of the Code of 1873, relative to the commencement of actions in justices' courts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 350, A bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, and 1954 of chapter 6, title 11 of the Code, relating to the conveyance of real property. Also, sections 3792 and 3797 of chapter 2, title 23, relating to county and township officers, beg leave to report

that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 199, A bill for an act requiring executors and administrators to be residents of Iowa, and giving the right of trial by jury in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 328, A bill for an act to repeal section 1491 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out all after the word "demand" in line twenty nine, page one, and insert the words "he may have his action to recover the same by ordinary or equitable proceedings with one per cent. per month interest," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 342, A bill for an act to amend section 58 of the Code, and to require the Governor to offer a reward for the arrest and conviction of criminals in certain cases, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 147, A bill for an act to amend chapter 2, title 18, section 3074 of the Code, regulating exemptions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 311, A bill for an act requiring persons taking ice from the lakes, ponds, rivers and other streams of the State, to construct guards around the opening made by them in the ice, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 319, A bill for an act to amend section 1988, chapter 8 of the Code, in relation to homesteads exempt from judicial sale, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 406, A bill for an act to amend section 2272, chapter 5, title 15 of the Code, in relation to guardianship, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Insert after the word "ward" in line twenty-eighth, the words "or other guardian as the court may order upon hearing such application," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred H. F. No. 299, A bill for an act to repeal sections 1948, 1949, 1950, 1951, 1952, 1953, and 1954 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 224, A bill for an act to repeal sections 133, 134, 135 and 136 of chapter 1, title 3 of the Code, relating to the organization of the Supreme Court, and section 3189, chapter 2 of title 19 of the Code, relating to appellate proceedings in the Supreme Court, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 4, A bill for an act to amend section 3849 of the Code of 1873, chapter 2, of title 24, relating to the punishment of murder in the first degree, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass, another bill on the same subject having been heretofore reported by the committee.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 364, A bill for an act to legalize the levy of certain taxes in the county of Howard; and the extending of the same upon the tax books of said county, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House, with the recommendation that it do pass.

JNO. Y. STONE, *Chairman.*

Reports ordered passed on file.

Mr. Horton, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred S. F. No. 90, A bill for an act to amend section 990, chapter 2, title 7 of the Code of 1873, in relation to highways and bridges, beg leave to report that they have had the same under consideration,

and have instructed me to report the same back to the House, with the recommendation that it do pass.

CHAS. C. HORTON, *Chairman.*

Ordered passed on file.

S. B. Gilliland, from the Committee on Public Lands, submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred H. F. No. 351, A bill for an act to legalize the sale of an eighty acre tract of school land sold to John A. Perkins, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred H. F. No. 274, A bill for an act legalizing the sale of certain school lands in Pottawattamie county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

S. B. GILLILAND, *Chairman.*

Reports ordered passed on file.

C. C. Horton, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred S. F. No. 62, A bill for an act to amend section 921 of the Code, relating to width of roads in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out, in the 6th line, the word "permanent," and insert in lieu thereof the words, "stone and lime," and that, as amended, it do pass.

C. C. HORTON, *Chairman.*

Ordered passed on file.

Mr. Evans, from the Committee on Agricultural College, submitted the following report:

MR. SPEAKER:—Your Committee on Agricultural College, to whom was referred S. F. No. 98, A bill for an act granting authority to the Board of Trustees of the Iowa Agricultural College to establish an agency for leasing, re-leasing, and sale of college endowment lands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

M. EVANS, *Chairman.*

Ordered passed on file.

Mr. Kauffman, from the Committee on Hospital for the Insane, submitted the following report:

MR. SPEAKER:—Your Committee on Hospital for the Insane, to whom was referred H. F. No. 149, A bill for an act to repeal sections 1427, 1428, and 1433, of the Code, and chapter 26 of the public laws of the Fifteenth General Assembly, relating to the care of the insane, and to enact a substitute therefor, beg leave to report that they have had

the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. KAUFFMAN, *Chairman*.

Ordered passed on file.

Mr. Glover, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. F. No. 276, A bill for an act to regulate county printing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. F. No. 336, A bill for an act to amend section 492, chapter 10, title 4 of the Code, requiring the proceedings of city councils to be published, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. F. No. 184, A bill for an act to add to section 872, chapter 2, title 6, Code of 1873, relating to tax sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. F. No. 108, A bill for an act to amend section 3833 of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. F. GLOVER, *Chairman*.

Reports ordered passed on file.

Leave was granted Mr. Irwin of Lee, to record his vote "no" on the joint resolution to strike the word "male" from the Constitution.

Leave of absence was granted Mr. Given on account of sickness.

The communication from the Governor in relation to prison labor, was read and referred to the Committee on Penitentiary, and ordered printed.

The question recurring on the motion of Mr. Dixon to strike out and insert the resolution offered by himself, the resolution was withdrawn by the consent of the House.

Mr. Dixon moved to strike out all after the enacting clause.

Mr. Hunt was granted leave to file a motion to reconsider the vote by which the House adopted the joint resolution to strike the word "male" from the Constitution.

Mr. Dixon moved that when this House adjourn it be at 5.10 P. M., The motion did not prevail.

Mr. Dewese moved that the House do now adjourn.

The motion prevailed.

At 5 P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 26, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. M. Fording

Journal of yesterday read.

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

REPORT OF COMMITTEE.

Mr. Cleveland submitted the following report from the Committee on Federal Relations, which was adopted:

FEBRUARY 25, 1876.

To the Honorable House of Representative, State of Iowa:

Your committee, to whom was referred the communication from the citizens of Atlanta, Georgia, beg leave to report:

That we cordially and heartily endorse the sentiments contained in the communication from the mayor and citizens of Atlanta to this General Assembly. And we, as a legislative body of a sister State, extend to them—and not to them only, but to all the Southern States—the hand of good will and fellowship. And we would say to them, that we hail with joy the approaching day when State boundary lines shall have no power to separate us in unity of feeling and purpose, but that North and South, East and West, may all rejoice in the common heritage of our great and glorious country.

We would like to accept of your generous offer to visit you in your homes, in your public and private places, to behold the beautiful scenery of your mountains and your valleys, so much in contrast to our own broad and beautiful prairie State. And we would suggest to this House the propriety of sending a delegation from this General Assembly to visit you at your homes in accordance with the spirit of your generous invitation.

REPORT FROM SPECIAL COMMITTEE.

MR. SPEAKER:—The Special Committee appointed by this House to confer with the city authorities of the city of Des Moines, regarding the establishment of a permanent grade for the streets surrounding the new capitol building, ask leave to report that they have conferred with the chairman of the Committee on Streets and Alleys, and the City Engineer of said city, and that your committee and said officers have agreed upon the following grade as the permanent grade for the streets hereinafter named. The grade at the points hereinafter designated are above the datum line or base of levels established by said city in ordinance number fifty-seven of the revised ordinances of 1874, as follows, to-wit:

	FEET.
On East Walnut street at its intersection with Seventh street.....	33.60
At a point two hundred feet east of Seventh street on said Walnut street	37.00
At a point four hundred feet east of Seventh street on said Walnut street.....	43.00
At a point five hundred feet east of Seventh street on said Walnut street.....	48 06
At the center of said Walnut and Ninth streets.....	72.10
At the center of East Tenth and Walnut streets.....	100 00
At the center of East Eleventh and Walnut streets.....	108.00
At the center of East Locust and Eleventh streets.....	112.50
At the center of East Sycamore and Eleventh streets.....	111 50
At the center of East Sycamore and Tenth streets.....	102.50
At the center of East Sycamore and Ninth streets.....	94.00
At the center of East Ninth and Locust streets.....	83.00

And we unanimously recommend to the city council of said city the adoption of said above mentioned grade.

All of which we respectfully submit to your honorable body, and recommend its adoption.

WM. G. MADDEN, }
SAMUEL REES, } *Committee.*
WM. T. SHAW, }

REPORTS OF COMMITTEES.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 145, A bill for an act to repeal the following sections of the Code, and enact substitutes therefor, viz: Section 985, title 7, chapter 2, in relation to powers and duties of road supervisors.

H. F. No. 285, A bill for an act for the relief of Mrs. Malinda Baldwin, of Polk county, State of Iowa.

McNEILL, *Chairman.*

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 168, A bill for an act to repeal sections 1745 1754, 1755, and 1772, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 382, A bill for an act to amend section 1801, of chapter 9, title 12, of the Code, relating to the establishment of district boundaries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding at the end of the

6th line, the words, "surveyed, platted, and," and that with this amendment, it do pass.

W. M. BROOKS, *Chairman.*

Reports ordered passed on file.

Mr. Madden, from the Committee on Agriculture, submitted the following reports:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 356, A bill for an act in relation to partition fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 333, A bill for an act to regulate Sheriff's sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 134, A bill for an act to construct cattle ways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the following amendment, and as amended it do pass: That the grade of the highway over the cattle way shall not exceed one and a half feet in ten (10.)

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 141, A bill for an act requiring railroads to fence their line of road, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 348, A bill for an act to allow boards of supervisors to erect and maintain watering troughs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 206, A bill for an act in relation to estrays beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

W. G. MADDEN, *Chairman.*

Reports ordered passed on file.

Mr. Bush, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred H. F. No. 337, A bill for an act providing for the publication of proposed amendments to the Constitution, beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the House with the enclosed bill as a substitute, with the recommendation that the substitute do pass.

BUSH, *Chairman.*

Ordered passed on file.

Mr. Norris, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 250, A bill for an act to amend chapter 6, title 11 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

N. C. NORRIS, *Chairman.*

Ordered passed on file.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred the petition of Joshua Swallow, for compensation for services as recruiting officer during the war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the claim be not allowed.

Also, the following:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 202, and substitute therefor, A bill for an act to reimburse Polk county for expenses incurred in trial of cases against State officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

WILSON, *Chairman.*

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred substitute for H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, and amending the charters of such cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the words "Provided, that in case of suit brought for foreclosure of any such deed, the court may allow a reasonable attorney's fee to be assessed as costs against the property," be added to section 4 of the bill; and also that the words "may be so taken and condemned and" be inserted between the words "granted" and "such," in the second line of section 11; also, the word "three" be inserted in blank of first line of section 13, and the words "*Daily Times*" added to publication clause, and that, as so amended, it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 334, A bill for an act to legalize the incorporation and ordinances of the town of Lennox, Taylor county, Iowa, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 300, A bill for an act to amend section 493 of the Code, relating to the appropriation of money by city council, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 214, A bill for an act to empower cities and towns to make contracts with railroad and bridge companies, and others, for use of wagon bridges across rivers, etc., beg leave to report that they have had the same under consideration, and adopted a substitute therefor, and have instructed me to report the same back to the House with the recommendation that it (said substitute) do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 23, A bill for an act to amend section 560, chapter 12, title 4, of the Code, in relation to plats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Reports ordered passed on file.

Mr. Graves, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred substitute for H. F. Nos. 65, 66, 67, 69, 20, 120, 178, etc., A bill for an act to amend title 6 of the Code, relative to revenue, beg leave to report that they have had the same under consideration, under special instructions given us, and have instructed me to report the same back to the House with the recommendation that as amended it do pass. To second subdivision of section 796, add the words, "Provided, that counties having a population of less than (14,000) fourteen thousand, may levy six mills." To second subdivision of section 834, add the words, "valuation of the State."

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 338, A bill for an act to amend section 823 of the Code, relating to the duties of township assessors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation

that sections 2 and 3 be stricken from the bill, and that as so amended it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 347, A bill for an act providing for the qualification of civil engineers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 373, A bill for an act to amend sections 867 and 890, of chapter 2, title 6 of the Code, concerning revenue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the first part of section 1 be stricken from the bill, and that the words "until the same shall have become delinquent" be substituted for "the first day of March after they become due," and that as so amended it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 305, A bill for an act amendatory of, and in addition to, section 814 of the Code, title 6, chapter 1 of the assessment of taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the words "the same" be stricken from the last line of the bill, and the words "said memorandum" be substituted in lieu thereof, and that as so amended, it do pass.

Also the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 327, A bill for an act to amend sections 327 and 330 of the Code, relating to the payment of county warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred S. F. No 39, A bill for an act to regulate the omission of the property of religious societies from assessment and taxation, and amendatory of section 797, chapter 1, title 6 of the Code, in relation to revenue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, and that the same be ordered printed.

J. K. GRAVES, *Chairman.*

Reports ordered passed on file.

Mr. Clark, of Johnson, from the Committee on Railroads, submitted the following reports:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of the construction of railroads since the 1st day of January, 1868, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House

with the recommendation that it be amended as follows: (1.) In section 1, by striking from eighth line the words, "with interest at the rate of ten per cent." (2.) In section 2, by striking from fourth and fifth lines the words, "with ten per cent. interest thereon from the date of said receipt until the drawing of said order." (3.) And striking out section (5) five; and as so amended it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 343, A bill for an act limiting charges for transportation on railroads hereafter built, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

R. CLARK, *Chairman.*

Reports ordered passed on file.

Leave was granted Mr. Gibbons to withdraw the motion filed by himself to reconsider the vote by which S. F. No. 59, A bill for an act to authorize counties to bond their indebtedness passed the House.

On motion of Mr. Hobbs, H. F. No. 266 was recommitted to the Committee on Compensation of Public Officers.

On motion of Mr. Mills, H. F. No. 217 was referred to the Committee on Agriculture.

Leave was granted Mr. Colvin to introduce H. F. No. 417. A bill for an act to amend section 1570 of the Code, in relation to banks.

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

RESOLUTION.

Mr. Morse of Wright offered the following resolution, which was adopted:

Resolved, That the Speaker of the House be, and is hereby, empowered to draw warrants on the Auditor of State in favor of J. H. Stevenson, for part pay at the same rate per day as the other assistant clerks of the House.

Leave was granted Mr. Brooks to introduce H. F. No. 418, A bill for an act to amend section 1715, relating to division of school funds.

Read first and second time, when Mr. Brooks moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of

Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—88.

The nays were none.

Absent or not voting:

Messrs Benton, Birchard, Crawford of Dubuque, Crawford of Scott, Evans, Given, Johnson of Winneshiek, McElderry, Manning, Morse of Adams, and Ure—11.

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.

S. F. No. 233, A bill for an act to amend section 1144, in chapter 4, of title 9 of the Code, relating to fire insurance companies.

R. B. BAIRD.

Second Assistant Secretary.

Mr. Madden of Polk, moved that when this House adjourn, it be at 12:15.

The motion prevailed.

Mr. Brown moved the previous question which was seconded.

The question recurring on the motion of Mr. Dixon to strike out all after the enacting clause, the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Birchard, Bolter, Brooks, Brush, Calvin, Christy, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeil, Madden of Polk, Madson, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Said, Shaw, Stone, Stuart, Tice, Wilson, and Mr. Speaker—42.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brown, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Hall, Harned, Hoag, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lynch, McHugh, Madden of Taylor, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Scott, Shepardson, Simmons, Smith, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—49.

Absent or not voting:

Messrs. Bush, Evans, Given, Graves, Lane, McElderry, Manning, and Moffit—8.

So the motion to strike out did not prevail.

The question recurring on ordering the bill engrossed for a third reading, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Graves, Hall, Harned, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lynch, McHugh, Madden of Taylor, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Scott, Shepardson, Simmons, Smith, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—49.

The nays were:

Messrs. Birchard, Bolter, Brooks, Brush, Calvin, Christy, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Madison, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Said, Shaw, Stone, Stuart, Tice, Wilson, and Mr. Speaker—42.

Absent or not voting:

Messrs. Bush, Evans, Given, Hoag, Lane, McElderry, Manning, and Moffit—8.

So the bill was ordered engrossed for a third reading.

At 12:35 P. M., on motion of Mr. Hunt, the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

Leave of absence was granted Mr. Moffit.

Mr. Giltner moved a call of the House, which was seconded.

The clerk proceeded to call the roll, when Mr. Tice moved that further proceedings under the call be dispensed with.

The motion prevailed.

Leave of absence was granted Messrs. Said and Graves.

Mr.———moved that the vote by which substitute for H. F. No. 35, was ordered to a third reading be reconsidered.

Mr.———moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Craver, Crawford of Scott, Deweese, Dixon, Glover, Gray, Hobbs, Horstman, Irwin of Lee, Johnson of Benton, Kauffman, Lathrop, McCune, McNeill, Madden of Polk, Madden of Taylor, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, and Mr. Speaker—23.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Danforth, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Hall, Harned, Hemenway, Hoag, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnston of Dubuque, Jordan, Lane, Lynch, McElderry, McHugh, Maris, Mentzel, Mills, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, and Young—65.

Absent or not voting:

Messrs. Evans, Graves, Jaqua, Johnson of Winneshiek, McCartney, Madson, Manning, Moffit, Said, and Stuart—10.

So the motion to lay the motion to reconsider on the table, did not prevail.

The question then recurring on the motion to reconsider, the motion prevailed.

Leave was granted Mr. Brown to withdraw his motion for the previous question.

Leave of absence was granted Mr. Evans until Monday.

On motion of Mr. Clark of Johnson, the bill was considered by sections.

On motion of Mr. Clark of Johnson, the words "of Iowa, 1873," were stricken out.

Mr. Hobbs moved to amend by striking out the words "with death" in section 1, and inserting in lieu thereof or "imprisonment in the penitentiary for life, at the discretion of the jury."

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Bolter, Brush, Calvin, Christy, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Ra^c, Robinson, Shaw, Stone, Tice, Wilson, and Mr. Speaker—38.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Bush, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Hall, Harned, Hoag, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McElderry, McHugh, Madden of Taylor, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Scott, Shepardson, Simmons, Smith, Stuckey, Thayer, Underwood, Ure, White Williams, and Young—54.

Absent or not voting:

Messrs. Evans, Graves, Madson, Manning, Moffit, Said, and Stuart—7.

So the amendment did not prevail.

Mr. Hobbs moved to amend by adding the following to the end of

the first section: "Or imprisonment in the penitentiary for life, as the jury may determine by their verdict."

Mr. Given moved to amend this amendment by striking out the words "as the jury may determine by their verdict."

The motion to strike out did not prevail.

The question then recurring, on the motion of Mr. Hobbs the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Birchard, Bolter, Brush, Calvin, Christy, Clark of Johnson, Deweese, Dixon, Elliott, Given, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McNeill, Madson, Maris, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Scott, Shaw, Simmons, Smith, Stone, Stuart, Tice, Wilson, and Mr. Speaker—48.

The nays were:

Messrs. Baker, Benton, Brooks, Brown, Bush, Campbell, Case, Chapman, Clark of Marion, Crawford of Dubuque, Danforth, Fuller, Gibbons, Gilliland, Giltner, Harned, Hoag, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnston of Dubuque, McElderry, McHugh, Madden of Taylor, Mentzel, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Shepardson, Stuckey, Thayer, Ure, White, Williams, and Young—37.

Absent or not voting:

Messrs. Allen, Cleveland, Craver, Crawford of Scott, Evans, Glendenning, Graves, Hall, Madden of Polk, Manning, Moffit, Norris, Said, and Underwood—14.

So the amendment was adopted.

Mr. Clark, of Johnson, moved to reconsider the vote by which the House adopted the amendment.

Mr. Hobbs moved to lay the motion to reconsider on the table.

Mr. Gibbons moved that the House do now adjourn.

The motion prevailed.

At 4:30 P. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 28, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. Mr. Gill.

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

PETITIONS.

By Mr. Baker: From citizens of Lucas county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Horton: From citizens of Muscatine county, in relation to railroads.

Referred to the Committee on Railroads.

By Mr. Brown: From citizens of Allamakee county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Homer: From citizens of Waterloo, in relation to life insurance.

Referred to the Committee on Insurance.

Leave was granted Mr. Auld to introduce H. F. No. 419, A bill for an act to repeal section 1433, chapter 2, title 11 of the Code, and chapter 26, of the public acts of the Fifteenth General Assembly, relating to care of insane patients.

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

Leave was granted Mr. Hobbs to introduce H. F. No. 420, A bill for an act relating to the law of inheritance.

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

Leave was granted Mr. Rae to present a petition from citizens of Cherokee county, in relation to roads.

Also, to introduce H. F. No. 421, A bill for an act to amend section 985 of the Code.

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

By leave, Mr. Lane introduced H. F. No. 422, A bill for an act to amend section 824, chapter 1, title 6 of the Code, relating to the duty of assessors.

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

ENROLLED BILLS.

Mr. McNeill from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No 285, A bill for an act for the relief of Mrs. Malinda Baldwin, of Polk county, State of Iowa.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes for the insane, and to provide for the collection thereof.

H. F. No. 145, A bill for an act to repeal the following section of the Code, and enact a substitute therefor, viz: section 985, title 7, chapter 2, in relation to powers and duties of road supervisors.

H. F. No. 172, A bill for an act to amend section 765, of the Code, in relation to the power of commissioners appointed by the Governor.

S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the acts of the officers acting thereunder.

H. F. No. 264, A bill for an act to appropriate money to aid in ex-

hibiting the resources and products of the State of Iowa at the Centennial Exposition.

McNEILL, *Chairman.*

REPORT OF COMMITTEE.

Mr. Brooks, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 216, A bill for an act to repeal section 1800, relating to independent school districts, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out "three" and inserting "two" before miles in the last line but one, and that with this amendment it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 248, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as indicated in the bill, and that, with these amendments, it do pass.

W. M. BROOKS, *Chairman.*

Reports ordered 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 bills, in which the concurrence of the House is asked:

S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers.

S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest, and costs due thereon.

Also, that the Senate has passed the following bill without amendment:

H. F. No. 58, A bill for an act to repeal section 989, chapter 2, title 7 of the Code, and to enact a substitute therefor, in relation to the powers and duties of road supervisors.

Also, that the Senate has passed H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of fish commissioners, and appropriate money to carry out the provisions of this act, with the following amendments, viz: strike out of the bill the word "commissioners" wherever found, except in section 14, and insert "commissioner;" strike out of second line, section 4, the

word "wire" and insert "weir;" strike out of third line in same section the words "hinder or obstruct the" and insert "prevent;" also, to strike out of section 7 the words "ten thousand" and insert "seven thousand five hundred."

Also, that the Senate concurs in the first and second House amendments to S. F. No. 59, A bill for an act to amend sections 289 and 290 of the Code, title 4, chapter 1 (of counties), and refuses to concur in the third House amendment to the same bill.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Lane introduced H. F. No. 423, A bill for an act to amend section 960, of chapter 1, of title 7 of the Code.

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

Mr. Jordan introduced H. F. No. 424, A bill for an act to repeal section 851, chapter 2, title 6 of the Code, relating to the collection of taxes.

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

Mr. Kauffman presented a petition from citizens of Henry county in relation to insurance companies.

Also, H. F. No. 425, A bill for an act to repeal section 807, chapter 1, title 6 of the Code, relating to taxation of mutual insurance companies.

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

Mr. Mills introduced H. F. No. 426, A bill for an act to provide for the erection of a Horticultural Laboratory at the Agricultural College.

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

Leave of absence was granted Messrs. Given, and Deweese.

By leave, Mr Crawford of Scott, presented two petitions from citizens of Scott county in relation to life insurance companies, and in relation to a license law.

Referred respectively to the Committees on Ways and Means, and Suppression of Intemperance.

Mr. Stone from the Committee on Judiciary, reported a substitute for H. F. Nos. 2, 4, and 13, which was made a special order for 2:30 P. M. to-morrow.

By leave, Mr. Mills presented two petitions from citizens of Marshall county in relation to the liquor law and insurance.

Referred.

Messrs. Robinson, Clark of Marion, Calvin, McHugh, Morse of Wright, Palmer, Fuller, and Jordan, presented petitions from citizens of the State in relation to the railroad tariff law.

Messrs. McElderry and Lynch presented petitions from citizens of Union and Des Moines counties in relation to Insurance.

Referred to the Committee on Insurance.

Mr. Fuller presented a petition from citizens of Fayette county in relation to mechanics' lien.

Referred to the Committee on Judiciary.

Mr. McHugh presented a petition from citizens of Chickasaw county in relation to a license law.

Referred to the Committee on Police Regulations.

Mr. Calvin presented a petition from citizens of Buchanan county in relation to the liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. Cleveland moved that the report of the Committee on Federal Relations be printed and a copy sent to the mayor of Atlanta, Georgia.

The motion prevailed.

Mr. Morse of Wright, introduced H. F. No. 427, A bill for an act to amend section 135 of the Code.

Read first and second time, when Mr. Morse moved that the rule be suspended, the bill considered engrossed and read a third time now.

Mr. Bush moved to amend by inserting the words "Hancock, Keokuk, Worth, Winnebago, Cerro Gordo, and Wright."

On motion of Mr. Bush, the bill was referred to the Committee on Judicial Districts.

Mr. Lathrop offered the following joint resolution:

JOINT RESOLUTION.

WHEREAS, Numerous charges of mismanagement of the affairs of the penitentiary at Anamosa, have been, and are being made, derogatory to the character of the commissioners and the warden of said institution, and

WHEREAS, The parties making these charges assert that they are prepared to prove the same, therefore

Be it Resolved by the House of Representatives, the Senate concurring, That a joint committee, consisting of three from the House and two from the Senate be appointed to investigate into the truth or falsity of all such charges of mismanagement made against the warden, commissioners, and officers of the Additional Penitentiary located at Anamosa, Jones county, Iowa; and such committee is hereby empowered to send for persons and papers, and to visit the penitentiary at Anamosa and is requested to report their findings to this General Assembly at as early a day as possible, or if not, to the executive council or next General Assembly.

On motion of Mr. Danforth, the resolution was made a special order for February 29th, at 2:30 P. M.

Mr. Gibbons moved to take up Senate messages.

The motion prevailed.

Substitute for H. F. No. 355, A bill for an act to extend the incorporate limits of cities, was taken up, read first and second time, when Mr. Gibbons moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Campbell, Case, Chapman, Christy, Clark of Johnson,

Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glover, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Ure, Wilson, Young, and Mr. Speaker—77.

The nays were:

Messrs. Danforth, Horton, Shaw, and White—4.

Absent or not voting:

Messrs. Calvin, Crawford of Dubuque, Deweese, Dixon, Evans, Given, Glendenning, Graves, Hall, McElderry, Madden of Polk, Manning, Moffit, Norris, Reed of Howard, Tice, Underwood, and Williams—18.

So the bill passed and the title was agreed to.

ENGROSSED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 236, A bill for an act to amend sections 404, 405, and 406, chapter 9, title 4, sections 483 and 853, chapter 1, sections 857, 865, 866, and 890, chapter 2, title 6, Code of 1873, relating to the collection of taxes.

JORDAN, *Chairman.*

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill, and find the same correctly enrolled:

Substitute for H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School investigation.

MCNEILL, *Chairman.*

H. F. No. 101, A bill for an act to promote fish culture, was taken up, and the question being on the concurrence of the House on the first three Senate amendments, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Gibbons, Gilliland, Giltner, Glendenning, Glover, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of

Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Ure, White, Williams, Wilson, Young, and Mr. Speaker—84.

The nays were none.

Absent or not voting:

Messrs. Deweese, Dixon, Evans, Fuller, Given, Graves, Hall, McHugh, Madden of Polk, Manning, Moffit, Morse of Adams, Norris, Tice, and Underwood—15.

So the Senate amendments were agreed to.

On motion of Mr. Clark of Johnson, the consideration of substitute for H. F. No. 35, A bill for an act to restore the death penalty, was postponed until 2:15 p. m., to-morrow.

Mr. Stone moved that when this House adjourn it be until 10 o'clock to-morrow.

The motion prevailed.

Mr. Hemenway introduced H. F. 428, A bill for an act to protect the purchaser of mortgaged chattel property, was read first and second time, and referred to the Judiciary Committee.

On motion of Mr. Gibbons, H. F. 404 was referred the Committee on Police Regulations.

Mr. Crawford of Scott moved that when this House adjourn it be at 12:30.

The motion prevailed.

S. F. No. 228, A bill for an act to legalize incorporations for pecuniary profit, was taken up, read a first and second time, when Mr. Crawford of Scott moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Danforth, Elliott, Gibbons, Gilliland, Giltner, Glendenning, Glover, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Thayer, Williams, Wilson, Young, and Mr. Speaker—75.

The nays were:

Messrs. Bush, Smith, and Stuckey—3.

Absent or not voting:

Messrs. Benton, Bolter, Colvin, Crawford of Dubuque, Deweese, Dixon, Evans, Fuller, Given, Graves, Hall, Madden of Polk, Manning,

Moffit, Norris, Reed of Jackson, Shepardson, Tice, Underwood, Ure and White—21.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, to-wit:

H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the reform school investigation.

McNEILL, *Chairman.*

RESOLUTION.

Mr. Wilson offered the following resolution:

Resolved, That the Committee on Penitentiaries be instructed to inquire into the expediency of presenting a bill providing that in letting prison labor, the contractors shall be held to put in good machinery in the shops of the penitentiaries, and to use due care in operating the same, and to be absolutely responsible for any damages caused either by carelessness or defective machinery in their shops.

Mr. Smith moved to amend by inserting, "with instructions to inquire into the expediency of."

The amendment was adopted.

The resolution was then adopted.

Leave was granted Mr. Clark, of Johnson, to withdraw his motion to reconsider the vote by which H. F. No. 63, A bill for an act to quiet title of certain lands in Geo. Campbell, passed the House.

RESOLUTION.

Mr. McElderry offered the following resolution:

WHEREAS, The present means of heating and ventilating this Hall of Representatives is eminently unhealthy; therefore

Be it resolved, That the Executive Council are hereby instructed to secure other and better means for heating and ventilating this hall, than those now employed, by the next session of the General Assembly.

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

Resolved, That the Auditor of State be instructed to furnish this House with a statement of the total amount heretofore appropriated by the State in aid of the Agricultural College and State University.

At 12:35 P. M., on motion of Mr. Auld, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 29, 1876. }

The House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. M. Fording.

On motion of Mr. Case, 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 bills and joint resolution, in which the concurrence of the House is asked:

S. F. No. 26, A bill for an act to repeal section 1061 of the Code, and to enact a substitute therefor.

S. F. No. 63, A bill for an act to amend chapter 5, title 12, of the Code of 1873, and add thereto.

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville and its ordinances, and the acts of its officers thereunder.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise, or some other work of a similar character, on County and Township Officers.

S. F. No. 143, A bill for an act to establish a central station for meteorological observations, and the appointment of a director thereof.

Substitute for S. F. No. 144, A bill for an act authorizing the State Treasurer to transfer certain moneys retained from the swamp land indemnity fund to the general revenue fund.

S. F. No. 169, A bill for an act to require the clerks of the several district and circuit courts to make annual reports to the Auditor of State.

S. F. No. 170, A bill for an act to provide for the collection of delinquent personal taxes in certain cases.

S. F. No. 202, A bill for an act to amend section 389, chapter 9, title 4, of the Code, in relation to township officers.

S. F. No. 193, A bill for an act requiring county surveyors, to record all surveys by them officially made.

S. F. No. 218, A bill for an act to amend section 482, chapter 10, title 4, of the Code.

S. F. No. 236, A bill for an act to amend section 2494, chapter 5, title 16, of the Code.

Joint resolution instructing our Senators, and requesting our Representatives in Congress, to prevent any extension of patents, on Wilson's patent on feed motion and similar patents on sewing machines.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 68, A bill for an act to amend section 1428, of the Code.

H. F. No. 14, A bill for an act to amend section 660, of the Code, in relation to the election of electors of President and Vice President.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts with the several county officers, and providing means to pay the expenses thereof.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11, of the Code.

H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23 of the Code, and to enact a substitute therefor.

Also, with amendments, H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814, of chapter 3, title 23 of the Code, relating to fees of witnesses, and to enact a substitute therefor:

Amend by adding to first section, "that the fifth paragraph of said section 3814, relating to experts, be amended by adding thereto the following: 'Provided, that such additional compensation so fixed shall not exceed four dollars per day while so employed;'" and amend the title by striking out the words, "repeal the first paragraph of," and insert the word "amend," and strike out the words "and to enact a substitute therefor."

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and to enact a substitute therefor, with the following amendment: Insert after the word "expenses" in the eighteenth line of section 1, the words, "it shall be the duty of the auditor to suspend such company from doing business in this State until said expenses are paid, if not so paid the same."

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

J. A. T. HULL, *Secretary.*

PETITIONS.

Messrs. Gilliland, Crawford of Dubuque, Morse of Wright, Wilson, Allen, Brush, Chapman, Campbell, and Hemenway, presented petitions from citizens of the State of Iowa, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

Messrs. Chapman, and Dewese presented petitions from citizens of Iowa asking for a license law.

Referred.

By Mr. Danforth: From citizens of Howard county asking for a change in certain laws.

Referred to the Committee on Ways and Means.

By Mr. Said: From citizens of Washington county in relation to the assessment of taxes.

Referred to the Committee on Ways and Means.

By Mr. Williams: From citizens of Iowa county in relation to independent districts.

Referred to the Committee on Schools.

By Mr. Simmons: From citizens of Fairfield in relation to the railroad tariff law.

Referred to the Committee on Railroads.

RESOLUTIONS.

Mr. Clark of Marion, offered the following resolution:

Resolved, That there shall not be any bill introduced in this House after March 4, next, except appropriation bills.

Mr. Birchard offered the following as a substitute:

Be it Resolved, That no bills shall be introduced in this House after the 4th day of March next, except through standing committees.

The substitute was adopted.

The resolution was then adopted.

On motion of Mr. Rees, H. F. No. 301 was referred to the Committee on Elections.

Mr. Bush called up the resolution asking information of the Auditor of State, which passed the House.

Mr. Bolter introduced H. F. No. 429, A bill for an act for the relief of Harrison county, which was read first and second time, when Mr. Bolter moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gilliland, Giltner, Glover, Gray, Hall, Harned, Hemenway, Hoag, Ho'bs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—90.

The nays were:

Messrs. Gibbons, Glendenning, and Norris—3.

Absent or not voting:

Messrs. Dixon, Given, Graves, Johnson of Winneshiek, Smith, and McHugh—6.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 58, A bill for an act to amend section 989 of chapter 2 of

title 7 of the Code, in relation to the powers and duties of road supervisors.

Senate substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits.

McNEILL, *Chairman.*

REPORTS OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 162, A bill for an act to amend sections 3818, 3829, 4413, and 4414 of the Code, relating to criminal prosecutions and to reduce the expenses thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 308, A bill for an act to amend sections 2628 and 2629, relating to notice of pendency of actions affecting real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 377, A bill for an act to repeal section 1271, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred joint resolution for a proposed amendment to the Constitution, to extend the jurisdiction of justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 329, A bill for an act to amend section 2017 of the Code, by adding thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 297, A bill for an act to amend section 227 of the Code, relating to the qualifications of jurors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 380, A bill for an act to amend section 3804, chapter

2, title 23, of the Code, in relation to fees of justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 263, A bill for an act to amend section 831 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on County and Township Organizations.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 329, A bill for an act to amend section 2017, of the Code, by adding thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

JNO. Y. STONE, *Chairman.*

Reports ordered passed on file.

Mr. Gilliland, from the Committee on Public Lands, submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred H. F. No. 160, A bill for an act to legalize the sale of certain school lands in Cherokee county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred S. F. No. 28, A bill for an act to legalize the sale of certain school lands in Allamakee county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

S. B. GILLILAND, *Chairman.*

Reports ordered passed on file.

Mr. Brush from the Committee on Insurance, submitted the following report:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred S. F. No. 233, A bill for an act to amend section 1144, chapter 4, title 9, of the Code, relating to Fire Insurance Companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 119, A bill for an act relating to Insurance Companies organized under chapter 4, section 1160, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass and that it be printed.

J. P. BRUSH, *Chairman.*

Reports ordered passed on file.

Mr. Kauffman from the Committee on Asylum for the Insane, submitted the following report:

MR. SPEAKER:—Your Committee on Asylum for the Insane to whom was referred H. F. No. 419, A bill for an act to repeal section 1433, chapter 2, title 11, of the Code, and chapter 26 of the Public Acts of the Fifteenth General Assembly, relating to case of insane patients, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Asylum for the Insane, to whom was referred H. F. No. 265, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the thirteenth line, and in the fourteenth line strike out all after sub-basement and insert ten thousand dollars, and that as so amended the bill do pass.

J. KAUFFMAN, *Chairman.*

Reports ordered passed on file.

Mr. Hemenway, from the Committee on State University, submitted the following report:

MR. SPEAKER:—Your Committee on State University, to whom was referred the resolution of the Des Moines County Medical Society, opposing any appropriations of public money for the support of medical schools, and also the several petitions of numerous citizens asking this legislature to adopt measures giving the Homeopathic medical profession a due portion of the funds appropriated to the Medical Department of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the statement that it is the opinion of the committee that the Medical Department of the State University should not be discontinued, and that two chairs of Homeopathic instruction should be provided in the Medical Department of the University, provided the same can be done for the period of the ensuing two years with an appropriation of not exceeding nine thousand six hundred dollars. The committee has further directed me to report as a proposed amendment to H. F. No. 88, an additional section thereto, providing for such instruction in the State University.

Also, the following:

MR. SPEAKER:—Your Committee on State University, to whom was referred the petition signed by Cyrus Beede, on behalf of Iowa Representative Meeting of Friends, held at Oskaloosa, asking legislative interposition to forbid any compulsory rules requiring military education in the State University and Agricultural College, beg leave to report that they have had the same under consideration, so far as relates to the State University, and have instructed me to report the same back to the House with the statement that in the opinion of the committee no legislation is necessary. That the question should be remitted to the board of Regents of the University, and that no rule should be adopted by the board which in any case shall require any pupil to receive any military education where such pupil or his parent objects thereto, on the ground of conscientious objection to such education.

Also, the following:

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code, relating to the State University, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also the following:

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 88, A bill for an act to extend aid to the State University, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows, viz:

1st. Strike out in the seventeenth line the word "tenth," and insert the word "fifteenth."

2d. Add thereto section 2, as follows, to-wit: (see exhibit appended).

3d. Add thereto section 3, as follows, to-wit: (see exhibit appended).

And that with these amendments the bill do pass.

H. C. HEMENWAY, *Chairman.*

Reports ordered passed on file.

Mr. McCartney, from the Committee on College for the Blind, submitted the following report:

MR. SPEAKER:—Your Committee on College for the Blind, to whom was referred H. F. No. 298, A bill for an act to amend section 1675 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the word "twelve" in the ninth line thereof, and inserting the word "ten," and as thus amended the bill do pass.

JOHN McCARTNEY, *Chairman.*

Ordered passed on file.

Mr. Johnson of Benton, from the Committee on Judicial Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Judicial Districts, to whom was referred H. F. No. 135, A bill for an act to amend section 135, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute for said bill, and recommend that the substitute do pass.

E. S. JOHNSON, *Chairman, pro tem.*

Ordered passed on file.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 228, A bill for an act to legalize corporations for pecuniary

profit, organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

Also, the following:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 58, A bill for an act to amend section 989, of chapter 2, of title 7, of the Code, in relation to the powers and duties of road supervisors.

Senate substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits.

S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52, of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

McNEILL, *Chairman.*

RESOLUTION.

Mr. Clark of Marion, offered the following resolution:

Resolved, That after this day this House will meet at 9 o'clock A. M.

Mr. Johnston of Dubuque, offered the following as a substitute:

Resolved, That on and after Wednesday, the first day of March next, this House shall meet at 9½ o'clock, A. M., and adjourn at 12 M., and meet at 2 P. M., and adjourn at 5½ P. M., until otherwise ordered.

The substitute was adopted.

The resolution was then adopted.

On motion of Mr. Clark of Johnson, Mr. Crawford of Scott was added to the special committee on H. F. No. 379.

On motion of Mr. Gibbons, H. F. No. 313 was referred to the Committee on Cities and Towns.

INTRODUCTION OF BILLS.

Mr. Craver introduced H. F. 430, A bill for an act to tax dogs and encourage sheep raising.

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

Mr. Brush introduced H. F. No. 431, A bill for an act to legalize the Farmers' Mutual Fire Insurance Company of Mitchell county.

Read first and second time, and passed on file.

Mr. Hunt introduced H. F. No. 432, A bill for an act for the punishment of tramps.

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

Also, H. F. No. 433, A bill for an act providing for the organization of the county of Cook.

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

Mr. Johnston, of Dubuque, introduced H. F. No. 434, A bill for an

act to amend section 796 of chapter 1, title 6 of the Code, relative to levying highway tax by county boards of supervisors.

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

Also, H. F. No. 435, A bill for an act to repeal section 1861 of chapter 12, title 12 of the Code, and enact a substitute therefor, relative to county auditors loaning school funds.

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

Also, H. F. No. 436, A bill for an act to punish persons breaking, or attempting to break, county jails.

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

Also, H. F. No. 437, A bill for an act to amend sections 1801 and 1802 of the Code.

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

Mr. Clark, of Johnson, introduced H. F. No. 438, A bill for an act to exempt from executions the manuscript papers of authors, and models of inventors.

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

Mr. Gilliland introduced H. F. 439, A bill for an act to provide for bringing suits in certain cases.

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

RESOLUTION.

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

Resolved, That the Committee on Schools be instructed to inquire into the expediency of so changing the law that sub-directors be elected for two years; a portion of the sub-directors in any district township to be elected each year; and to report by bill or otherwise.

SENATE MESSAGES.

On motion of Mr. Glover the House took up Senate messages.

S. F. No. 59, A bill for an act to authorize counties to bond their indebtedness.

The question being shall the House recede from its amendment by striking out the seventh and eighth lines, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Bush, Clark of Johnson, Clark of Marion, Colvin, Crawford of Dubuque, Danforth, Deweese, Elliott, Evans, Gray, Harned, Hoag, Horsman, Horton, Hotchkiss, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Moffit, Morse of Adams, Morse of Wright, Mueller, Proudfoot, Reed

of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stuckey, Thayer, Tice, Underwood, Ure, and Wilson—47.

The nays were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Cleveland, Craver, Crawford of Scott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Jordan, Lathrop, McCartney, McHugh, Mentzel, Mills, Norris, Palmer, Rae, Reed of Howard, Shaw, Smith, Stone, Stuart, White, Williams, Young, and Mr. Speaker—47.

Absent or not voting:

Messrs. Dixon, Given, Graves, Hall, and Jaqua—5.

So the House refused to recede from its amendment.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, joint resolution asking for a committee to investigate the affairs of the Anamosa Penitentiary, on motion of Mr. Lane, it was taken up.

Mr. Shaw moved to amend by authorizing the Committee to visit Anamosa, and if the investigation should be continued beyond the session of the present General Assembly, to make their report to the Executive Council.

At 12 m., the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The House called to order by the Speaker.

Mr. Glover moved that a Committee of Conference be appointed on the part of the House, of which Mr. Reed of Howard, be chairman, to confer with a like committee on the part of the Senate on S. F. No. 59, A bill for an act to authorize the bonding of county indebtedness.

The motion prevailed.

The Speaker appointed as such Committee of Conference:

Messrs. Reed of Howard, Glover, and Brown.

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:

S. F. No. 238. A bill for an act to amend section 2049 of the Code of 1873.

Also, that the Senate has passed without amendment, H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell.

Also, with amendment, H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns, amend by inserting in sixth line after words "eating houses," the words to "regulate license and tax or prohibit," and after word "tax" in seventh line by inserting the words "or prohibit."

†. H. F. No. 115, A bill for an act to amend section 1733, chapter 9, title 12 of the Code, relating to compensation of school officers. Amend by adding to first section the words: "Provided, the limitations herein of compensation shall not apply to independent districts, having by the last State census a population of 5,000."

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

I am further directed to inform your honorable body that the Senate insists on its amendments to H. F. No. 101, A bill for an act to promote fish culture, etc., and has appointed Senators Murphy, Cooley, and Campbell a committee of conference on the disagreeing vote of the two Houses thereon, and ask the appointment of a like committee on the part of the House.

J. A. T. HULL, *Secretary.*

Mr. Ure moved to amend by adding the following:

Said committee will inquire whether it be true, as charged, that the commissioners in the purchase of a quarry, failed to comply with section 3, chapter 43 of the acts of the Fourteenth General Assembly, requiring them to purchase the best and most eligible quarry on the line of the Dubuque Southwestern Railroad, and the value of the quarry so purchased to the State. Whether it be true, as charged, that said commissioners located the main buildings of said penitentiary on the lands of private individuals, without other title than a bond from third parties—who had no right to the fee simple—for a title to be given two years after such location, upon the payment of \$2,000. Whether it be true, as charged, that in the selection of plans for the buildings, no competition was invited or allowed, and that until long after the adoption of the plans, no estimate of the cost had been made. And it is further made the duty of said committee to inquire into all matters connected with the location and erection of said penitentiary.

Resolved further, That they be authorized to proceed to Anamosa, and there make such investigation, and report to the Governor and executive council.

Mr. Harned moved to lay the resolution on the table:

On this question the yeas and nays were demanded, and were as follows.

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brown, Calvin, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Deweese, Evans, Glover, Gray, Hall, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Kauffman, Lane, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard,

Reed of Jackson, Robinson, Said, Simmons, Stuart, Stuckey, Thayer, Underwood, White, Williams, and Young—57.

The nays were:

Messrs. Birchard, Brooks, Brush, Christy, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Hobbs, Irwin of Lee, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McElderry, Manning, Mills, Moffit, Morse of Adams, Mueller, Rees, Shaw, Shepardson, Smith, Stone, Tice, Ure, Wilson, and Mr. Speaker—35.

Absent or not voting:

Messrs. Bush, Dixon, Elliott, Given, Graves, Hunt, and Scott—7.

So the motion prevailed.

Mr Bolter moved that a committee of conference be appointed by the Speaker to confer with a like committee on the part of the Senate on the disagreeing vote of the two Houses on H. F. No. 101, A bill for an act to promote fish culture.

The motion prevailed.

Mr. Scott was granted leave of absence.

On motion of Mr. Brown, special order, substitute for H. F. No. 35, was taken up.

The question recurring on the motion of Mr. Dixon to lay the motion of Mr. Clark of Johnson to reconsider the vote by which the House adopted the following amendment: "Or imprisonment for life in the penitentiary at the discretion of the jury," on the table.

The motion to lay on the table did not prevail.

The motion to reconsider prevailed.

Mr. Clark of Johnson, offered the following as a substitute for the amendment offered by Mr. Hobbs:

Or, if a majority of the jury rendering the verdict do so recommend, by imprisonment for life, in the discretion of the court.

Mr. Crawford of Scott, offered the following as an amendment to the substitute:

In all cases where the jury has rendered a verdict of murder in the first degree upon circumstantial evidence alone, the sentence shall be imprisonment for life, or for a term of years, in the discretion of the court.

The amendment was lost.

The question recurring on the adoption of the amendment offered by Mr. Clark of Johnson, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Brush, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Hall, Harned, Hoag, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, Madden of Taylor, Maris, Mentzel, Norris, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Simmons, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—56.

The nays were:

Messrs. Birchard, Calvin, Christy, Colvin, Craver, Crawford of Da-

buque, Crawford of Scott, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Lathrop, McCune, McNeill, Madden of Polk, Madson, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Robinson, Said, Shaw, Shepardson, Smith, Stone, Wilson, and Mr. Speaker—35.

Absent or not voting:

Messrs. Bush, Dixon, Elliott, Given, Graves, Hunt, Scott, and Tice—8.

So 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 appointed as committee of conference on the disagreeing votes of the two houses on S. F. No. 59, A bill for an act to provide for bonding indebtedness, Senators Perkins, Woolson, and McCormack.

R. B. BAIRD,

Second Assistant Secretary.

Mr. Benton offered the following as an amendment to the first section:

When a person charged with the commission of either of the crimes enumerated in the first section of this act, shall enter a plea of guilty, the court shall order the impaneling of a jury, which jury shall be subject to all the conditions of a jury impaneled to try a person charged with either of the crimes enumerated in the first section of this act, who, upon the plea of guilty being repeated by the defendant in their presence, in open court, shall fix the penalty of death or imprisonment for life. If the jury fail to fix the penalty, the penalty shall be death.

Mr. Hemenway offered the following as an amendment which did not prevail:

And in every case of a plea of guilty to a charge of murder in the first degree the sentence shall be imprisonment for life.

The question recurring on the amendment offered by Mr. Benton the amendment was not adopted.

Mr. Crawford of Scott, moved that the further consideration of section 1, be indefinitely postponed.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Bolter, Brush, Calvin, Christy, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Jordan, Kauffman, Lathrop, McCartney McCune, McNeill, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Said, Shaw, Stone, Stuart, Tice, Wilson, and Mr. Speaker—41.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Campbell, Case,

Chapman, Clark of Johnson, Clark of Marion, Cleveland, Danforth, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Hall, Harned, Hoag, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston, of Dubuque, Johnson of Winneshiek, Lane, Lynch, McElderry, McHugh, Madden of Taylor, Madson, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Shepardson, Simmons, Smith, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—51.

Absent or not voting:

Messrs. Bush, Dixon, Elliott, Given, Graves, and Scott—6.

So the motion to indefinitely postpone did not prevail.

Mr. Irwin of Lee, moved to amend section 2 of the bill, by striking out of the second line of said section, the words "one year" and inserting "ninety-nine years," also, by striking out of the third line the words, "fifteen months" and inserting "one hundred years."

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Bolter, Brush, Calvin, Christy, Craver, Crawford of Scott, Deweese, Glover, Gray Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Said, Shaw, Stone, Tice, Wilson, and Mr. Speaker—37.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Danforth, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Hall, Harned, Hoag, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McElderry, McHugh, Madden of Taylor, Madson, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Shepardson, Simmons, Smith, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—55.

Absent or not voting:

Messrs. Bush, Dixon, Elliott, Given, Graves, and Scott—7.

So the amendment did not prevail.

Mr. Norris moved that the vote on the amendment offered by Mr. Morse of Adams, be rescinded.

The motion did not prevail.

Mr. Smith moved to amend by inserting the words "a less judgment be suspended as hereinafter provided."

The motion prevailed.

Mr. Hemenway moved to amend section 2 by striking out all after the word "judgment," in the second line, to and including the word "months," in the third line, and insert, "which day shall not be less than three years and three months, nor more than three years and six months thereafter," to which Mr. Birchard offered the following amendment:

Provided, That it shall be left to the criminal whether he will be hung or imprisoned for life.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Bolter, Bush, Calvin, Christy, Colvin, Crawford of Scott, Deweese, Hobbs, Horstman, Irwin of Lee, Jordan, Mills, Morse of Wright, Mueller, Palmer, Robinsen, Tice, and Wilson—19.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Brush, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Danforth, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Gray, Hall, Harned, Hemenway, Hoag, Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Norris, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, Young, and Mr. Speaker—71.

Absent or not voting:

Messrs. Dixon, Elliott, Given, Glover, Graves, Johnston of Dubuque, Lathrop, Morse of Adams, and Scott—9.

So the amendment was not adopted.

The question then recurring on the amendment offered by Mr. Hemenway, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Bolter, Brush, Bush, Calvin, Christy, Colvin, Craver, Crawford of Scott, Deweese, Glover, Gray, Hemenway, Hobbs, Horstman, Horton, Irwin of Lee, Jordan, Kauffman, McCartney, McCune, McNeill, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Said, Shaw, Smith, Stone, Stuart, Tice, Wilson, and Mr. Speaker—40.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brown, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Danforth, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Hall, Harned, Hoag, Homer, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McElderry, McHugh, Madden of Taylor, Madson, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Shepardson, Simmons, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—51.

Absent or not voting:

Messrs. Brooks, Crawford of Dubuque, Dixon, Elliott, Given, Graves, Lathrop, and Scott—8.

The amendment was not adopted.

The House thereupon adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 1, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. J. R. Murphy.

Pending the reading of the journal, Mr. Maris moved that the further reading be dispensed with.

Mr. Morse of Adams was granted leave to withdraw the amendment offered by himself to substitute for H. F. No. 35.

Leave was granted Mr. Bush to call up H. F. No. 427, A bill for an act to amend section 135 of the Code, relating to appeals to the Supreme Court.

The substitute reported by the committee was adopted.

Mr. Bush moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gilliland, Giltner, Glendenning, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—83.

The nays were none.

Absent or not voting:

Messrs. Dixon, Elliott, Gibbons, Given, Glover, Graves, Hunt, Irwin of Lee, Jaqua, Johnson of Winneshiek, McElderry, Madden of Polk, Said, Scott, Shepardson, and Wilson—16.

So the bill passed and the title was agreed to.

SENATE MESSAGES.

On motion of Mr. Brown, Senate messages were taken up.

S. F. No. 191, A bill for an act for holding three terms of the District Court, annually, in Allamakee county in the Tenth Judicial District of Iowa, was taken up, read a first and second time, and on motion of Mr. Brown the bill was referred to a special committee consisting of Messrs. Brown, Fuller, and White.

S. F. No. 30, A bill for an act to authorize cities organized under

special charter to provide for the construction of sewers, was taken up, read a first and second time, and referred to the Committee on Cities and Towns.

S. F. No. 63, A bill for an act to amend chapter 5, title 12, of the Code of 1873, and add thereto, was taken up, read a first and second time, when Mr. Hall moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gilliland, Giltner, Glendenning, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winnebiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—88.

The nays were none.

Absent or not voting:

Messrs. Birchard, Brooks, Dixon, Gibbons, Given, Glover, Hunt, Irwin of Lee, McElderry, Scott, and Ure—11.

So the bill passed and the title was agreed to.

Mr Stone moved that substitute for S. F. Nos. 2, 4, and 13, be taken up after the substitute for H. F. No. 35 had been disposed of.

The motion prevailed.

S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, was then taken up.

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

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:

S. F. No. 32, A bill for an act to restrain vagrancy and common beggary.

S. F. No. 150, A bill for an act to provide for changing the names of unincorporated towns and villages.

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with, and injury to, the property of railroad companies.

S. F. No. 225, A bill for an act to repeal section 209 of the Code, and

to enact a substitute therefor, in relation to graduates of the law department of the State University.

Also, that the Senate has ordered printed the usual number of copies of the report of the committee to visit the Orphans' Homes at Davenport and Cedar Falls.

I am also directed to inform your honorable body that the Senate has passed the following bills, with amendments, in which the concurrence of the House is asked:

Substitute for H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts. Amend by inserting after the word "account," in sixth line, "when the defendant has been personally served with the original notice therein, and the petition is duly verified and." Strike out all of the eighth line after the word "account." Strike out "pleading thereon," in tenth line, and insert "petition."

Substitute for H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes. Amend by adding to section 8 the words: "Provided, that nothing in this act shall be so construed as to authorize the leasing of the convict labor."

J. A. T. HULL, *Secretary.*

PETITIONS.

Messrs. Clark of Marion, Kauffman, Rae, Glendenning, Chapman, Ure, McCartney, Shepardson, Fuller, Johnson of Winneshiek, Rees, and Johnston of Dubuque, presented petitions from citizens of the State, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

Mr. Graves presented a petition from citizens of Dubuque, asking for a judicious license law.

Referred to the Committee on Police Regulations.

Messrs. Birchard, McCune, and Ure, presented petitions in relation to fences.

Referred to the Committee on Agriculture.

Mr. Johnson of Winneshiek, presented a petition from citizens of Winneshiek county, in relation to the prohibitory law.

Referred to the Committee on Police Regulations.

Mr. Reed of Howard, presented a petition from citizens of Howard county, in relation to county superintendents.

Referred to Committee on Schools.

Messrs. Chapman, and Hall, presented petitions in relation to sectarian Schools.

Referred to the Committee on Schools.

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville, Appanoose county, was then taken up and read first and second time, when Mr. Stuckey moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks,

Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderrv, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—91.

The nays were none.

Absent or not voting:

Messrs. Bush, Dixon, Evans, Given, Glover, Hunt, Scott, and White—8.

So the bill passed and the title was agreed to.

H. F. No. 115, A bill for an act to amend section 1733, of chapter 9, title 12 of the Code, relating to compensation of school officers, was then taken up, and the question being, shall the House concur in the Senate amendment, Mr. Rees moved to amend the Senate amendment by striking out "5,000" and inserting "3,000."

The motion prevailed.

The question being, shall the House concur in the Senate amendment, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Brooks, Brush, Bush, Calvin, Chapman, Clark of Johnson, Cleveland, Danforth, Deweese, Fuller, Graves, Harned, Hoag, Irwin of Lee, Jaqua, Johnson of Benton, Kauffman, Lynch, McCartney, McCune, Palmer, Rees, Said, Stone, Tice, Underwood, and Mr. Speaker—28.

The nays were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brown, Campbell, Case, Christy, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Elliott, Evans, Gibbons, Giltner, Glendenning, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, McElderry, McHugh, McNeill, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Shaw, Simmons, Smith, Stuart, Stuckey, Thayer, Ure, White, Williams, Wilson, and Young—60.

Absent or not voting:

Messrs. Crawford of Scott, Dixon, Gilliland, Given, Hall, Hunt, Madden of Polk, Madden of Taylor, Robinson, Scott, and Shepardson—11.

So the House refused to concur in the Senate amendment.

The joint resolution relating to extension of patents was then taken up and adopted by the House.

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns, was then taken up,

and the question being shall the House concur in the Senate amendments, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brooks, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Elliott, Evans, Fuller, Gilliland, Giltner, Glover, Graves, Hall, Harned, Hemenway, Hoag, Homer, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeil, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Shaw, Shepardson, Simmons, Smith, Stuckey, Tice, Underwood, Ure, Williams, Wilson, and Mr. Speaker—76.

The nays were:

Messrs. Benton, Crawford of Scott, Gibbons, Gray, Hobbs, Horstman, Menzies, Mueller, Stuart, Thayer, White, and Young—12.

Absent or not voting:

Messrs. Brown, Clark of Johnson, Dixon, Given, Glendenning, Horton, Hotchkiss, Hunt, Robinson, Scott, and Stone—11.

So the bill passed and the title was agreed to.

S. F. No. 236, A bill for an act to amend section 2494, chapter 5, title 16 of the Code, was then taken up.

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

S. F. No. 218, A bill for an act to amend section 482 of the Code, was then taken up.

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

By leave, Mr. Madden of Polk, introduced H. F. No. 440, A bill for an act to change the boundaries of Polk and Dallas counties, and provide for an election by the people of said counties for that purpose.

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

By leave, Mr. Jaqua, introduced H. F. No. 441, A bill for an act to amend section 3643 of the Code, relating to the competency of testimony.

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

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred substitute for H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, and amending the charters of such cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute herewith reported be adopted, and that the same do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

On motion of Mr. Gibbons substitute for H. F. No 213, A bill for an act relating to cities organized and existing under special charters and

amending the charters of such cities, was taken up together with the report of the committee.

Mr. Gibbons moved that the rule be suspended the bill considered engrossed and read a third time now

The motion prevailed and the bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brown, Brush, Case, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Dewese, Elliott, Graves, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Lathrop, Lynch, McCartney, McElderry, McHugh, Madden of Taylor, Mentzel, Moffit, Mueller, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Smith, Stone, Young, and Mr. Speaker—44.

The nays were:

Messrs. Benton, Bolter, Bush, Chapman, Clark of Johnson, Crawford of Scott, Danforth, Evans, Fuller, Gibbons, Giltner, Glendenning, Glover, Hemenway, Hotchkiss, Johnson of Winneshiek, Jordan, Kauffman, Lane, McNeill, Madden of Polk, Madson, Morse of Adams, Morse of Wright, Proudfoot, Stuart, Stuckey, Thayer, Underwood, Ure, and Williams—31.

Absent or not voting:

Messrs. Brooks, Calvin, Campbell, Dixon, Gilliland, Given, Hall, Hunt, Irwin of Warren, Jaqua, McCune, Manning, Maris, Mills, Rae, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Tice, White, and Wilson—24.

So the bill did not pass.

Mr. Clark of Johnson, moved to reconsider the vote by which substitute for H. F. No. 213, failed to pass the House.

The motion prevailed.

Mr. Ure moved that H. F. No. 213, be made a special order for Wednesday, March 8, at 2:15 p. m.

The motion prevailed.

Substitute for joint resolution to amend article 5 of the Constitution of the State of Iowa, was then taken up, read a first and second time and referred to the Judiciary Committee.

S. F. No. 193, A bill for an act requiring county surveyors to record all surveys by them officially made, was taken up, read a first and second time, and referred to the Committee on County and Township Organizations.

S. F. No. 202, A bill for an act to amend section 389, chapter 9, title 10 of the Code, in relation to township officers, was taken up, read a first and second time, and referred to the Committee on County and Township Organizations.

S. F. No. 170, A bill for an act to provide for collection of delinquent taxes in certain cases was taken up, and read a first and second time, and referred to the Committee on Ways and Means.

S. F. No. 169, A bill for an act to require the clerks of the several district and circuit courts to make annual reports to the Auditor of State, was taken up, read a first and second time, and referred to the Committee on Schools.

Substitute for S. F. No. 144, A bill for an act authorizing the State Treasurer to transfer certain moneys retained from the swamp land indemnity fund, to the general revenue fund, was taken up.

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

S. F. No. 143, A bill for an act to establish a central station for meteorological observations, and the appointment of a director thereof, was taken up.

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

S. F. No. 26, A bill for an act to repeal section 1061, of the Code and to enact a substitute therefor, was taken up.

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

At 12 m. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

Substitute for H. F. No. 6, A bill for an act to amend chapter 43 of the Fourteenth General Assembly, and for other purposes, was taken up, and the question being on concurring with the Senate amendment to the 8th section, in relation to convict labor, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Evans, Fuller, Gibbons, Giltner, Glover, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—81.

The nays were none.

Absent or not voting:

Messrs. Calvin, Crawford of Scott, Dixon, Elliott, Gilliland, Given, Glendenning, Graves, Hunt, Jaqua, Kauffman, Madden of Taylor, Maris, Mueller, Rees, Scott, Shepardson, and Tice—18.

So the amendment was adopted.

Leave of absence was granted Mr. Hunt.

H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts, was taken up, and the question being shall the House concur in the Senate amendments, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendinning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood Ure, White, Williams, Wilson, Young, and Mr. Speaker—90.

The nays were none.

Absent or not voting:

Messrs. Calvin, Dixon, Elliott, Given, Hunt, Madden of Taylor, Maris, Rees, and Scott—9.

So the amendment was concurred in.

S. F. No. 238, A bill for an act to amend section 2049 of the Code, was taken up, read first and second time, and referred to the Committee on Agriculture.

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of the Code, in relation to fees of witnesses, and enacting a substitute therefor was taken up, and the question being on concurring in the Senate amendment in relation to expert witnesses, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendinning, Glover, Graves, Hall, Harned, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—84.

The nays were:

Messrs. Brown, Campbell, Gray, Hobbs, and Manning—5.

Absent or not voting:

Messrs. Crawford of Scott, Dixon, Elliott, Given, Horton, Hunt, Irwin of Lee, Lane, Maris, and Scott—10.

So the amendment was concurred in.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and to enact a substitute therefor, was taken up and the question being on the concurrence with the Senate amendment, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Evans, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, and Young—81.

The nays were:

Messrs. Allen, Madson, and Mr. Speaker—3.

Absent or not voting:

Messrs. Auld, Crawford of Scott, Dixon, Elliott, Fuller, Given, Homer, Hunt, Irwin of Lee, Jordan, Lathrop, McCune, Maris, Scott, and Ure—15.

So amendment was concurred in.

Leave of absence was granted Mr. Robinson.

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to fees of Township Trustees, was taken up and the question being shall the House concur in the Senate amendments, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Brush, Calvin, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Glover, Graves, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—77.

The nays were:

Messrs. Bolter, Brown, Bush, Christy, Clark of Marion, Giltner, Gray, Hotchkiss, Lynch, Madson, and Stuckey—11.

Absent or not voting:

Messrs. Auld, Campbell, Dixon, Elliott, Given, Glendenning, Hunt, Kauffman, Maris, Robinson, and Scott—11.

So the Senate amendment was concurred in.

S. F. No. 32, A bill for an act to restrain vagrancy and common beggary, was taken up.

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

S. F. No. 150, A bill for an act to provide for the changing of names of unincorporated towns and villages, was taken up.

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

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with, and injury to, the property of railroad companies, was taken up.

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

S. F. No. 225, A bill for an act to repeal section 209 of the Code, and to enact a substitute therefor, was taken up.

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

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise, or some other work of a similar character, on County and Township Officers, was taken up, and referred to the Committee on County and Township Organizations.

S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7, of the Code, and for other purposes, was taken up.

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

Joint resolution in relation to Agricultural College fund, was taken up and referred to the Committee on Agricultural College.

S. F. No. 229, A bill for an act giving the United States jurisdiction of certain lands in the city of Keokuk, Lee county, Iowa, was taken up.

Read first and second time.

Mr. Irwin of Lee, moved that the rule be suspended, and the bill read a third time now.

Mr. Gibbons moved to amend by adding the following: "*Provided*, That the State of Iowa shall have and exercise, jurisdiction over criminal actions for all offenses committed within said territory."

The amendment was lost.

The question recurring on the motion of Mr. Irwin of Lee, to suspend the rule &c., the motion prevailed.

The question being shall the bill pass, the yeas nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Giltner, Glendenning, Glover, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Ra, Reed of Jackson, Rees, Said, Shaw, Shepardsou, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—86.

The nays were:

Mr. Gibbons—1.

Absent or not voting:

Messrs. Dixon, Evans, Gilliland, Given, Graves, Hall, Hunt, Reed of Howard, Robinson, Scott, Stuart, and Ure—12.

So the bill passed and the title was agreed to.

S. F. No. 173, A bill for an act to amend section 3049 of the Code of Iowa, was taken up, read first and second time, and referred to the Committee on Ways and Means.

S. F. No. 144, A bill for an act to amend section 900 of the Code of 1873, was taken up, read a first and second time, and referred to the Judiciary Committee.

S. F. No. 231, A bill for an act to amend sections 1060 and 1064 of the Code, was taken up, read a first and second time, and referred to the Committee on Private Incorporations.

By leave, Mr. Norris introduced H. F. No. 442, A bill for an act to legalize the town plat of the town of Tracy, now Vanmeter, Iowa, was read first and second time, when Mr. Smith moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Case, Chapinan, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Shaw, Shephardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—86.

The nays were none.

Absent or not voting:

Messrs Bolter, Bush, Campbell, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Given, Hall, Hunt, Robinson, Scott, and White—13.

So the bill passed and the title was agreed to.

Mr. Rees presented two petitions in relation to the railroad tariff law and fish.

Referred to the Committee on Railroads and Fish and Game respectively.

Mr. McElderry introduced H. F. No. 444, A bill for an act to repeal section 1828 of the Code, and to enact a substitute therefor.

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

SPECIAL ORDER.

Consideration of special order, substitute for H. F. No. 35, A bill for an act to restore the death penalty was resumed.

Mr. Clark of Johnson, moved to amend section 2, by adding the following: To be returned to the custody of the sheriff of the county in which judgment was rendered, when required by him, upon certified copy of judgment, or upon warrant of the Governor hereinafter required.

REPORTS OF COMMITTEES.

Mr. Horton, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 421, A bill for an act to amend section 985 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

C. C. HORTON, *Chairman.*

Ordered passed on file.

Mr. McCartney, from the Committee on College for the Blind, submitted the following report:

MR. SPEAKER:—Your Committee on College for the Blind, to whom was referred H. F. No. 238, A bill for an act making further appropriations for the College for the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the following substitute, with a recommendation that it do pass.

JOHN McCARTNEY, *Chairman.*

Ordered passed on file.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 253, A bill for an act appropriating money to pay the expenses of the committee that investigated the affairs of the Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the following sums be allowed: To W. H. Lees, \$216; to A. C. Dodge, \$212; to Mrs. Deborah Cattell, \$172; which shall be considered payment in full for services rendered, and your committee report the accompanying substitute with the recommendation that it do pass.

WILSON, *Chairman.*

Ordered passed on file.

Mr. Johnson, of Benton, from the Committee on Judicial Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Judicial Districts, to whom was referred H. F. No. 427, a bill for an act to amend section No. 135 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the

House with a substitute for said bill, and recommend that the substitute do pass.

E. S. JOHNSON, *Chairman, pro tem.*

Ordered passed on file.

REPORT OF COMMITTEE OF CONFERENCE.

The Committee of Conference, appointed upon the disagreeing vote of the two Houses on S. F. No. 59, beg leave to report that they have had the same under consideration, and have agreed to recommend that the 7th and 8th lines of said bill be stricken out.

GEORGE D. PERKINS,
J. L. McCORMACK,
On the part of Senate.

H. T. REED,
J. F. GLOVER,
LUTHER BROWN,
On the part of the House.

The amendment was adopted.

Mr. Clark, of Marion, moved to strike out the word "a," before the word "death," in the 5th section of the bill.

Adopted.

Mr. Dewese moved to amend section 6, by adding the following: "Unless the examination extends over the time fixed for execution, in which case and also."

Adopted.

Mr. Clark, of Johnson, moved to amend by striking out the word "imprisonment," in third line of section 10.

The amendment was adopted.

Mr. Clark, of Johnson, moved to amend section 12, by striking out the word "clear."

The amendment was adopted.

Mr. Clark, of Marion, moved to strike out the word "call," in section 13, and insert in lieu thereof the word "cause."

The motion prevailed.

Mr. Clark, of Marion, moved to amend section 13, by adding the following: "Provided, that number are in attendance."

The amendment was adopted.

Mr. Clark, of Johnson, offered the following amendment as an addition to section 19.

SEC. 19. Upon trial of indictment for murder in the first degree, it shall be cause of challenge to any juror called, if it shall appear that he entertains such conscientious opinions as would preclude his finding the defendant guilty, in which case he shall neither be permitted nor compelled to serve as a juror.

The amendment was adopted.

Mr. Stuckey moved to amend by adding the following as the publication clause: "This act to take effect from and after its publication in the *Iowa State Leader* and *Iowa State Register*."

The House refused to adopt the amendment.

Mr. Williams moved to reconsider the vote by which the House adopted section 13.

The motion prevailed.

Mr. Williams moved to amend section 13, by striking out all after the word "provisions," in the fourth line.

The motion prevailed.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns.

MCNEILL, *Chairman.*

On the question shall the bill be ordered engrossed for a third reading, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Bush, Campbell, Case, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Graves, Hall, Harned, Hoag, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winnebuck, Lane, Lynch, McElderry, McHugh, Madden of Taylor, Madson, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Shepardson, Simmons, Smith, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—53.

The nays were:

Messrs. Birchard, Bolter, Brush, Calvin, Chapman, Christy, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Said, Shaw, Stone, Stuart, Tice, Wilson, and Mr. Speaker—41.

Absent or not voting:

Messrs. Dixon, Given, Hunt, Robinson, and Scott—5.

So the bill was ordered to a third reading.

On motion of Mr. Stone, special order, substitute for H. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and punish the same, was taken up.

Mr. Baker moved to consider the bill by sections.

The motion prevailed.

Mr. Gibbons moved to strike out section 2.

The motion did not prevail.

Mr. Johnston of Dubuque, moved to amend section 4 by adding the following:

And any parties operating any public conveyance by which passengers are carried, shall keep posted up a copy of this law in such conveyance.

Adopted.

Mr. Stone moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—83.

The nays were:

Messrs. Baker, Fuller, Gibbons, Manning, and Wilson—5.

Absent and not voting:

Messrs. Cleveland, Dixon, Gilliland, Given, Hobbs, Hunt, McNeill, Madson, Robinson, Scott, and Shaw—11.

So the bill passed and the title was agreed to.

At 5:30 P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 2, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. M. N. Miles.

Journal of yesterday read.

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

Mr. Bolter moved to reconsider the vote by which the House passed substitute for H. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and punish the same.

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 report of conference committee on the disagreeing vote of the two Houses on S. F. No. 59, A bill for an act

to amend section 289 and section 290 of the Code, and has appointed Senators Hebard, Larrabee, and Wright as a second committee of conference thereon, and asks the appointment of a like committee on the part of the House.

J. A. T. HULL, *Secretary.*

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 14, A bill for an act to amend section 660 of the Code in relation to the election of electors of President and Vice President.

H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell.

H. F. No. 68, A bill for an act to amend section 1428 of the Code.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11, of the Code.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts, with the several county officers, and providing means to pay the expenses thereof.

H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23, of the Code, and to enact a substitute therefor.

MCNEILL, *Chairman.*

Mr. Hunt moved that the motion to reconsider be laid on the table. The motion prevailed.

Mr. Gibbons was granted leave to vote aye on S. F. No. 63.

Leave of absence was granted Mr. Mentzel.

The Speaker announced Messrs. Shaw, Hobbs, and Stone as a special committee of conference on the disagreeing vote of the two houses on S. F. No. 59.

Mr. Wilson presented a communication from W. S. Wilson, which was passed on file.

PETITIONS.

Messrs. Evans, Lane, Case, Maris, Rae, Norris, Thayer, Hobbs, and Clark of Marion, presented petitions from citizens of the State in relation to the railroad tariff law.

Referred to the Committee on Railroads.

Mr. Hunt presented a petition from citizens of Pottawattamie county asking for certain changes in the criminal statutes of the State.

Referred to the Judiciary Committee.

Mr. McHugh presented a petition from citizens of Chickasaw county, in relation to fences.

Referred to the Committee on Agriculture.

Leave was granted Mr. Maris to vote nay on H. F. No. 45.

Mr. Benton moved that the vote on the amendment offered by Mr. Morse of Adams to substitute for H. F. No. 35, be expunged from the journal.

The motion prevailed.

Mr. Graves presented a petition from citizens of Dubuque, in relation to the prohibitory liquor law.

Referred to the Committee on Police Regulations.

REPORT OF SPECIAL COMMITTEE.

Mr. Reed, from special committee on H. F. No. 138, submitted the following report:

MR. SPEAKER:—Your special committee, Reed of Jackson, Fuller, and Williams, to whom was referred H. F. No. 138, A bill for an act to provide for redeeming lands and town lots sold for taxes in certain cases, and to provide for making treasurer's deed for same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute, and recommend that said substitute do pass.

WM. H. REED, *Chairman.*

Ordered passed on file.

REPORTS OF COMMITTEES.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 439, A bill for an act to provide for bringing suits in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Judiciary.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 423, A bill for an act to amend section 960, of chapter 1, of title 7, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Roads and Highways.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 401, A bill for an act to give boards of supervisors additional powers in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding to the first section thereof the following: "Provided that such claims shall first be certified to be just by the trustees of the township in which such poor person resided," and that as so amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organi-

zations, to whom was referred H. F. No. 434, A bill for an act to amend section 796, chapter 1, title 6 of the Code, relating to the levying of highway tax by county boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended to make that portion after the word "following" in the fourth line of section 1, read as follows: "For making and repairing the public highways not less than one mill on the dollar," and that as so amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 381, A bill for an act to amend section 987, chapter 2, title 7 of the Code, relating to reports of road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 424, A bill for an act to repeal section 851, chapter 2, title 6, of the Code, relating to the collection for taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 368, A bill for an act to aid in facilitating the search of public records, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 161, A bill for an act to amend section 3809 of chapter 2, of title 23 of the Code, in relation to settlements of township clerks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 219, A bill for an act to amend section 1799 of the Code, relating to the change of township lines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

G. S. ROBINSON, *Chairman.*

Reports ordered passed on file.

Mr. Moffit, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER:—Your Committee on Police Regulations, to whom was referred H. F. No. 252, A bill for an act to enforce the speedy payment of workmen on works of internal improvement, beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the House with the recommendation that it.

MOFFIT, *Chairman.*

Ordered passed on file.

Mr. Brush, from the Committee on Insurance, submitted the following reports:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 412, A bill for an act to repeal section 807 of the Code, relating to tax on life insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it lie on the table.

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 389, A bill for an act to amend section 807, title 6, chapter 1 of the Code, relating to taxation of insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

J. P. BRUSH, *Chairman.*

Reports ordered passed on file.

Mr. Johnson of Winneshiek, from the Committee on State Library, submitted the following report:

MR. SPEAKER:—Your Committee on State Library, to whom was referred H. F. No. 403, A bill for an act to amend section 1892 of the Code, in relation to the State library, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

M. N. JOHNSON, *Chairman.*

Ordered passed on file.

Mr. Kauffman, from the Committee on Asylum for Insane, to whom was referred H. F. No. 21, A bill for an act to protect the citizens of Iowa against "empiricism," and elevate the standing of the medical profession, beg leave to report that they have had the same under consideration, and offer the accompanying substitute, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. KAUFFMAN, *Chairman.*

Ordered passed on file.

Mr. Baker, from special committee, submitted the following report:

MR. SPEAKER:—Your committee to whom was referred the petition of citizens of Russell, Lucas county, Iowa, praying that the present law regulating the sale and use of intoxicating liquors be not repealed, have given the same their careful attention and ask leave to report the result of their investigations.

Petitioners ask that the present law be retained for the reasons stated in petition.

The law as it now stands is either right or wrong. Its practical operation is either for the best interests of our State, or it is injurious to the welfare and prosperity of the State. If it is right, it is because it accomplishes the object sought by its advocates. If wrong, it fails to accomplish that object. If right, it should be retained upon our statute book in accordance with petitioners' prayer. If wrong, this honorable body should manifest its sense of justice by repealing it.

For ages past the best method of dealing with the question of regulating and controlling intoxicating liquors, has attracted the attention of the wisest men of the civilized world; hence, there is no novelty in the question as presented to-day for our deliberation and action.

Petitioners assert that this law has been tested and sustained in its general principles for more than twenty years. It is true that the courts have determined its constitutionality as a legal proposition, but your committee doubt that it has been sustained by public sentiment for that period. Petitioners would have represented the facts to a better advantage by saying that the law had been *retained* for more than twenty years.

The law as it now stands upon our statute book was undoubtedly framed by our wise legislators for the express purpose of checking the evils of intemperance, and the advocates of its retention offer that reason as their apology for desiring it to remain undisturbed. Their motives we will not question, as all men who desire to see the country and the people in the midst of happiness and prosperity will readily agree with petitioners that the suppression of intemperance should be one of the worthiest objects of public legislation. No sane man can shut his eyes to the fact that the misuse and abuse of intoxicating liquors throughout the enlightened world is an evil of immense magnitude, neither can he deny the fact that liquors in themselves occupy a vast space as articles of commercial value. But men will differ now, as they have in past ages, as to the best method of controlling the traffic in them. Some of those differences we will now examine.

The law which petitioners wish retained upon our statute prohibits the manufacture and sale within this State, excepting for medicinal, mechanical, culinary, and sacramental purposes, all kinds of intoxicating liquor, except beer and wine made from fruits grown in this State, which amounts to virtual prohibition of the liquor traffic in Iowa. Yet the fact is well known that hundreds of thousands of gallons of prohibited liquors are annually sold and consumed in this State in violation of the provisions of this law, and the liquor trade is increasing in magnitude notwithstanding the rigorous penalties provided for its infringement, while the costs of fruitless prosecutions against the willful violators of the statute aggregates an immense sum annually to the tax payers of the State, without the public deriving any corresponding good from their expensive investment; but on the contrary in spite of indictments, of prosecutions, and the clamor of fanatics for severer laws against the liquor dealers, the traffic steadily increases and grows in financial prosperity, until it now reaches sales of millions of dollars worth every year, and that too under a law enacted to prevent it.

The law recognizes the utility and necessity of alcoholic liquors in some respects, which is apparent from the fact that they may be sold for the purposes above named. It also recognizes the demand for them as a beverage, as may be seen by the encouragement offered for the manufacture of wine and beer without attempting to restrict their sale or use. Herein lies a gross absurdity. The framers of the law sought to prevent the use of intoxicating liquors as a beverage by defining the legitimate use of all liquors except wine and beer, and then pandered to the appetites they sought to control by granting to the

public the right to use certain articles of liquor indiscriminately, to-wit: wine and beer.

Another absurdity in this connection is that while our law gives evidently yielded to the tastes and appetites of a class of people by encouraging the manufacture and sale of wine, they at the same time prohibit the use of foreign wines, and by a severe interpretation of the law presume every one guilty of violating the statute who sells any kind of wine whatsoever; for our courts instruct the juries that anyone who is proven to be guilty of selling wine is presumed to have done so in violation of law, thereby throwing the burden of proof upon the accused to show that it was native wine and not made from fruits grown outside of the State, which is almost equivalent to compelling him to prove a negative in order to avoid the consequences of a legal accusation, so that the absurdity is apparent. The law virtually says "you have full power and license to manufacture and sell all the wine you please, but the moment you do so you may be indicted and fined not exceeding one thousand dollars for doing it, unless you can rebut the the presumption of guilty by showing that it was made in Iowa from native fruits." A difficult matter often for the accused to prove though ever so innocent, as the experience of the legal fraternity will bear witness.

But there are still greater absurdities in the law, it virtually constitutes the seller of intoxicating liquors the guardian of the buyer, and while we have a plain, simple statute expressly declaring that accessories before the fact *shall* be treated and *punished* as principals for the commission of crime, this law contravenes that rule and makes a wide distinction between the two parties constituting towards its violation. The licensed seller who sells a drop of liquor contrary to law incurs two penalties, one a fine of twenty dollars for the first offense of selling, fifty for the next and a hundred for the third, while at the same time he is subject to a fine of one thousand dollars for keeping a nuisance. The buyer who aids and abets him in the violation of law, by purchasing through false pretences incurs a penalty of ten dollars for the first offense and twenty for the next. This is upon the supposition that the vender has a legal right to sell under a permit. But the practical operation of the law appears ten fold more ridiculous when applied to those who sell without permit. Where the seller is alone held liable to the several penalties of the law, both for selling and for keeping with intent to sell, incurring all the penalties of the licensed dealer, while the buyer who assists him in his unlawful act *is exempted* from all punishment whatsoever. The effect of the law being to encourage purchasers to buy of illicit dealers in order to avoid the results of possible misrepresentations in buying of legitimate dealers.

The law is an absurdity because it makes the keeping of liquors with *intent* to sell a greater offense than the act of selling, it being the only instance in the history of legislation where the *intent* to commit a crime is regarded as a *greater* offense than the commission of the crime itself.

Again, the law regulates with careful vigilance the profits that dealers shall make upon their liquors and fix the maximum rate at thirty-three per cent. and imposes a greater penalty upon them for exceeding that sum in clear gain upon the traffic than it does for selling liquors for

illegal purposes, the one offense being a fine of one hundred dollars, the other a fine of twenty dollars. Evidently the legislature regarded the acquisition of wealth upon the part of liquor dealers as a more heinous offense against society than the mere act of selling liquor as a beverage.

An eminent political economist has said that the history of the world has demonstrated that no traffic, whether lawful or unlawful, which pays a net profit of thirty per cent. upon the capital invested, can be suppressed with a less penalty than capital punishment; yet our wise legislators are perfectly willing to concede a profit of thirty-three per cent. in the liquor trade, in the fond hope that the natural tendency will be to restrain it within a narrow channel, where the flood gates of competition cannot be opened, thereby increasing the traffic to the public detriment. This tacit recognition by our law of the profits arising from the business in Iowa, has doubtless done much towards inviting competition from every source, while the well known laws of trade, of supply and demand, have contributed largely to the same result.

Petitioners assert that "if this law is faithfully executed, it will pay all the expenses of prosecutions under it, and leave a revenue to the State." Even admitting that to be true, it will not reconcile the inconsistencies of the law with justice and common sense. But let us examine the facts as to this assertion of petitioners, and see how far our past experience in enforcing its provisions, have proved successful. The criminal reports of the State, as reported by the Secretary for 1868 and 1869, show that in that period there were 860 convictions for various crimes, of which fifty-six were for selling liquor, and 297 for nuisance, making a total of 353 convictions for violating our liquor law. The total amount of fines imposed for all offenses, was \$42,386.77; the total amount collected was \$36,577.25. The amount of costs paid by the counties in these prosecutions, was \$148,055.52, not including \$16,925.28 district attorneys' fees; showing a loss to the State of over \$118,000 in her criminal prosecutions, over fifty per cent. of which were for violating the State liquor law. These returns also show that many counties failed to make any report, which leaves us to infer that the aggregate cost was much larger. The criminal returns of the State for 1870 and 1871, show that in those two years there were 739 convictions for violations of our criminal laws, of which 112 were for selling liquor, 95 were for keeping with intent to sell, and 285 for the crime of nuisance, making a total of 472 convictions for the offense of illicit dealing in alcoholic liquors; over sixty per cent. of all the convictions being for a violation of the liquor law. It may be said that the crime of nuisance embraces a variety of offenses exclusive of dealing in liquor illegally, which is true, but the records will hardly show five per cent. of the convictions of that crime to be other than for violating the liquor law.

The total number of fines imposed by the courts in the same period for all the offenses enumerated, were \$32,372.91; the total amount collected was \$19,224.75; while the cost of all criminal prosecutions was \$112,802.66, not including \$10,832.66 district attorneys' fees, leaving the State of Iowa loser of over \$100,000 in those two years for her criminal prosecutions, over 60 per cent. of which were instituted against liquor dealers.

The criminal returns for 1872 and 1873, show that during those years there were 896 convictions, of which twelve were for keeping liquors with intent to sell; keeping nuisance, 110; nuisance, 318; violating liquor law, one; and selling liquor, 53; making a total of 494 convictions for violating the statute regulating intoxicating liquors, that being about fifty-nine per cent. of all the convictions in the State.

The total amount of fines imposed in that time for all offenses amounted to \$48,042.00. The total amount of fines collected was \$29,617.01, while the State, or rather the different counties of the State, paid as costs of criminal prosecutions, the sum of \$135,256.34, exclusive of \$14,844.89, district attorneys' fees; leaving the State net loser of over \$120,000 upon her criminal prosecutions for those two years. The returns for the past two years are not yet printed, consequently your committee are unable to give the results of the State's experience within that time. But the illustration already given will suffice to answer our purpose. Evidently, there has been a determined effort on the part of our courts to enforce the provisions of the liquor law, both in letter and spirit, as the convictions for its violation outnumber all others reported, and the figures pretty conclusively demonstrate that when "faithfully executed" it will *not* pay all the expenses of prosecutions and leave a revenue to the State, but upon the contrary its rigid enforcement only serves to *increase* the annual burdens laid upon the shoulders of the tax-payers.

The idea advanced by petitioners, with reference to its being made a source of revenue, is significant, and deserves special attention. If they accept the provisions of the present law as conducive to the welfare of the public in a financial sense, why not dispense with the enormous expense of prosecutions, and compromise with the liquor-selling interests by legitimatizing the traffic, and permitting the State to derive an immense revenue from it, without the unnecessary expense attending the intervention of courts, prosecutors, and grand juries, in collecting this revenue?

But, it may be insisted that this law is not "faithfully executed." So much the worse then for the public if it should be, for if it now costs about five dollars to collect one, and the aggregate expenses of collecting this revenue swells in proportion as this law is "faithfully executed," it becomes a still more serious consideration for the tax-paying citizens of the State to contemplate. Another item of interest in connection with the expenses of the "faithful execution" of this law, that we have not yet considered, is the vast amount of costs accruing to the people in presenting the violators of the law for trial. A large proportion of those convictions are based upon indictments. Yet the costs of the grand jurors at two dollars per day, the costs of clouds of witnesses and bailiffs, including time and mileage, will usually amount each year to fully as much as the reported cost of *all* the criminal prosecutions in the State together. This immense outlay of money in "faithfully executing" the law is *not* included in the criminal reports to which we have alluded, but it is none the less suggestive of the fact that a better method might be offered for making the articles of intoxicating liquor pay a revenue to the State, unattended with the frightful cost of collecting it.

It may be alleged that a large proportion of the costs of criminal

prosecutions accrue in cases wherein the State is unsuccessful in procuring convictions. This fact your committee readily concede, and of course no estimate of the amount of money thus fruitlessly expended can be made, from the lack of statistics upon that subject, but would it not follow as a logical result of the foregoing figures, that a proportionate amount of money thus expended was spent in the attempt to "faithfully execute" this law against liquor dealers, and that a proportionate number of them escaped conviction the same as others accused of crime? It most certainly would.

The law does not limit the amount or quantity of liquor which licensed dealers may sell to any one person, but only defines the purpose for which it may be sold. This leaves the door open to great abuses, and the spirit of the law can be violated with impunity in that respect. It only holds the purchaser liable for wilful misrepresentation, and leaves him to be the judge of the necessary quantity to subserve his purpose, while it devolves upon the State to prove negatively that he did not get it for the purposes contemplated by law but that he procured it for unlawful purposes.

It also compels the seller to be the judge of the necessities of the public by authorizing him to sell for certain specific purposes only, his information in all cases to come from the applicant himself who desires the liquor, the record of the transaction to be the vendors protection, and the difficulty of proving a negative upon the part of the State the chief protection of the liquor.

The law is defective because while it regulates the profit of the seller it contains no provision as to the quality of liquor that shall be dispensed to the public, so that poisonous, impure and adulterated liquors of every kind may be dealt out for medicinal and other purposes knowingly and wilfully, and the seller reap his profit and incur no risk under the provisions of this law.

The law encourages dishonesty in commercial business by not only exempting the debtor who has in good faith purchased liquors, from paying for them, but it enables him to recover back all moneys and other property that he has paid for them, thereby offering a premium to the dishonest buyer for his dishonesty.

Petitioners assert that "this law has been worth millions of money to the State, and that millions of money would not now compensate the State for the loss of the law."

This is a proposition worthy of careful investigation. The criminal returns show conclusively that every year the State loses immense sums of money in the vain endeavor to crush the liquor traffic by prosecutions and that the State expends about five times the amount in prosecuting violators of the law that she receives from guilty culprits in fines; while our own observation leads us irresistably to the conclusion that a still larger sum is spent under the Grand Jury system that is unreported as a part of the costs. There are no liquors manufactured in the State except wine and beer, yet the consumption is large and constantly growing with the increase of population. All of those liquors are shipped in from other States, and are paid for in cash by our dealers. The amount annually paid out in this manner may safely be estimated at millions of dollars, and yet there is only enough imported within the State to meet the demand, for liquors, like any other article

of commerce, are subject to the same inexorable laws of trade,—the laws of supply and demand. The grain productions of our State are shipped to eastern distilleries, manufactured into liquors, and re-shipped again to Iowa, where they find a ready market and are resold at enormous profits to the foreign manufacturer and a loss to the consumer of the State, with the additional cost of transportation added.

Viewed as a business transaction, this is another serious loss to the people, and could readily be avoided by a law permitting the manufacture of such liquors within the State. Looking at the question in its mildest form, your committee are forced to the conclusion that it is very poor economy. These things all considered, we express it as the result of our unqualified conviction, that this law has caused an actual loss of millions of dollars to the people of the State instead of millions of clear gain.

The unwise policy of our present law must be apparent to every candid, reflecting mind, and after a full and fair trial of its merits for over twenty years, with the facts staring us in the face, your committee are of the opinion that it is a disastrous failure and does *not* accomplish the object for which it was enacted.

Liquor-selling in Iowa to-day is a traffic of immense magnitude, and that, too, in the face of the most stringent law in the Union. And while it might be so regulated, under a wise law, as to produce a large revenue to both State and counties, it on the contrary, is a source of vast expense to the public in their desperate endeavors to suppress it and drive it from our soil.

But in thus suggesting a remedy for the crying evils existing under the law, we are met by the advocates of prohibition with the startling and oft-repeated inquiry, "Will you license a crime because you cannot suppress it?" We answer, by no means. The selling of intoxicating liquors is no more a crime, within itself than the selling of any other article of merchandise. It is only a crime because our statute makes it so, while ordinary crimes, bad in themselves, are natural offenses against society, and were, long before written statutes began to govern civilized man. The legislative power of a State is supreme so long as it is not in conflict with the Federal Constitution, and bigotry and fanaticism in legislation may increase the list of offenses against the public almost at pleasure, and the individual whose ideas of independence impel him to disregard such laws, may readily become a criminal outlaw without committing a serious outrage upon society, or violating the code of common decency.

All sumptuary legislation is to some extent an infringement of the common rights of mankind, and is dangerous in its tendencies. The right to regulate what a man shall drink implies the right to regulate what he shall eat, and at last the principle of such legislation may become tyrannical and arbitrary in its operation. Sumptuary legislation is no new experiment, but is far from perfection even in this enlightened age. The tastes and appetites of mankind are so diversified that we may well doubt that any perfect system will ever be reached upon this question. Centuries ago the different powers of Europe tried by severe legislation to control by law the tastes of the people for tobacco. Even the Sultan of Turkey tried by severe penalties to restrict its

use, but the effort everywhere was a failure, and to-day thousands of tons of tobacco find a ready and profitable market in the old world, notwithstanding the unfriendly legislation of the sovereign powers. Supply and demand governed then as it does now, despite all opposition. China tried through its sovereign authority to check the use of opium, a deadly drug that was and is slowly destroying thousands of her citizens, but England, with all her philanthropy, forced open at the cannon's mouth the barriers to her commerce and compelled China to submit to the natural laws of supply and demand. And so it is throughout the world, both barbarous and enlightened. Every nation has its stimulants and its vices; the one is the result of a morbid or artificial appetite, and the other the result of its education; but in neither case can the evil be remedied by arbitrary legislation. It has failed for thousands of years, and will fail while civilization lasts.

While many citizens of the State loudly declaim against the evils of intemperance, they evidently adopt the worst method of correcting those evils. Compulsion in such matters is uncongenial to the masses, and is opposed to every freeman's ideas of personal liberty. The great remedy for such evils lies in the power of moral suasion. Let the bad results of vicious and intemperate conduct be portrayed in the school-room. Let the evils of intemperance be preached from the pulpit, proclaimed from the rostrum, and promulgated through the agency of the press. Let precept, accompanied with example, form the beacon lights for the guidance of the young, and then, and not till then, may we hope for a higher degree of progress in the right direction upon the part of rising generations.

We unhesitatingly admit the evils growing out of intoxicating liquors, but common sense compels us to assert that it is not the use, but the abuse of them, that causes the hue and cry against them.

The scientific, mechanical, and medical world declare their virtues, and urge the necessity of alcoholic liquors; so does it with reference to the deadly poisons, but it is not with a view to afflict mankind with their use. Neither is enlightened science responsible for the misuse of those poisons. Hence, we infer that an attempt to prohibit the manufacture and sale of them would result as disastrously to the prohibition advocates as does our law with reference to intoxicating liquors; and yet, while either is placed within the reach of man, evil results will necessarily follow to a greater or less extent, as the tastes, passions, and inclinations of mankind are educated.

In our humble opinion, the legislators of to-day must make a virtue of necessity, and treat all such things as they find them, in the manner best calculated to protect the public, and promote the welfare of the State.

In view of the foregoing considerations, your committee are of the opinion that the prayer of petitioners ought not to be granted, because inconsistent with liberality and justice, and at war with the true history of our past experience.

We would therefore recommend that this honorably body meet the exigencies of the occasion by repealing the present odious and absurd law regulating the manufacture and sale of intoxicating liquors, and that they enact in lieu thereof a sound, sensible, practical license law,

as the best and only means for suppressing the evils of intemperance.
All of which is respectfully submitted.

D. M. BAKER,

Chairman of Special Committee.

Ordered passed on file.

INTRODUCTION OF BILLS.

Mr. Morse of Adams, introduced H. F. No. 445, A bill for an act conferring certain powers on cities and incorporated towns.

Read first and second time, and referred to Committee on Suppression of Intemperance.

Mr. Rees introduced H. F. No. 446, A bill for an act to amend section 2999, title 18, chapter 1, of the Code.

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

Mr. Lane introduced H. F. No. 447, A bill for an act to amend section 203, of the Code.

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

Mr. Glendenning introduced H. F. No. 448, A bill for an act to amend section 4472, of chapter 24 of the Code.

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

Mr. Madden of Polk, introduced H. F. No. 449, A bill for an act concerning certain delinquent taxes.

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

Mr. Gilliland introduced H. F. No. 450, A bill for act to provide for taking the census of the State.

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

Mr. Graves introduced H. F. No. 451, A bill for an act to prevent the wanton destruction of game.

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

Mr. Gibbons introduced H. F. No. 452, A bill for an act to amend section 3074, chapter 2, title 18 of the Code, concerning exemptions.

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

Mr. Seevers introduced H. F. No. 453, A bill for an act to amend section 1, chapter 31 of the public acts of the Fifteenth General Assembly, was read first and second time, and referred to a special committee consisting of Messrs. Clark of Marion, Deweese, and Craver.

Mr. Smith introduced H. F. No. 454, A bill for an act in relation to evidence of right of dower.

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

Mr. Craver introduced H. F. No. 455, A bill for an act to repeal section 3513, chapter 1, title 21 of the Code, and to enact a substitute therefor.

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

Mr. Clark of Marion introduced H. F. No. 456, A bill for an act to amend section 12 of the Code, in relation to mileage of members of the General Assembly.

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

RESOLUTION.

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

Resolved, That the Secretary of State be and he is hereby instructed to furnish regular reporters of daily newspapers in this House stationery to the amount of two dollars per week.

COMMUNICATION FROM THE AUDITOR OF STATE.

The Speaker presented the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE, }
DES MOINES, March 1st, 1876. }

HON. JNO. H. GEAR, *Speaker of the House of Representatives*:
SIR:—In compliance with the resolution adopted by the House of Representatives this day, I have the honor to submit the following statement, showing the several amounts heretofore appropriated and expended for the use of the Iowa State Agricultural College, and the Iowa State University, respectively.

Very respectfully,

BUREN R. SHERMAN,
Auditor of State.

APPROPRIATIONS FOR IOWA STATE UNIVERSITY.

Year.	Chapter.	Section.	FOR WHAT PURPOSE APPROPRIATED.	Amount
1858	41	1	For building and repairs.....	\$ 13,000.00
1864	73	1	For building.....	20,000.00
1866	84	1,2,3,4	For building and improvements.....	21,000.00
1868	23	1	For repairs and aid to scientific departments.....	20,000.00
1870	36	1	For support.....	25,000.00
1872	68	1	For increase of salaries, improvements, etc.....	52,300.00
1874	65	1	For support.....	46,000.00
{ 1880 1864 1873	Revision 59 Code	of 5 of	} For Trustees' mileage.....	9,881.00
Total for all purposes.....				\$206,681.00

APPROPRIATIONS FOR IOWA STATE AGRICULTURAL COLLEGE AND FARM.

Year.	Chapter.	Section.	FOR WHAT PURPOSE.	Amount.
1853	91	12	For the purchase of land.....	\$ 10,000.00
1864	62	1	For a permanent building.....	20,000.00
1866	112	1	For the completion of the building, and to pay off indebtedness.....	91,000.00
1868	81	1	For outbuildings and improvements.....	37,750.00
1868	177	1	For building.....	10,000.00
1870	118	1	For building, improvements, and repairs.....	68,500.00
1872	118	1	For building and improvements.....	38,500.00
1874	48	1	For repairs and furniture.....	8,500.00
1874	78	1	For physical laboratory building.....	25,000.00
{ Revision of 1860 and Code of 1873 }			For Trustees' mileage and per diem.....	15,463.55
Total for all purposes.....				\$319,713.55

Mr. Birchard moved that S. F. No. 20, A bill for an act to enlarge the powers of the board of trustees of the Soldiers' Orphans' Home, be taken up and ordered printed, and on motion of Mr. Bush it was made a special order for Monday, March 6, at two o'clock P. M.

Leave was granted Mr. Madden, of Polk, to call up S. F. No. 104, A bill for an act for the support of the State Agricultural Society.

Mr. Madden, of Polk, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

At 12 M. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

House called to order by the Speaker.

The question recurring on the motion of Mr. Madden of Polk, to suspend the rule, Mr. Benton offered the following as an amendment to the bill: *Provided*, no portion of this appropriation shall be expended in premiums on running, trotting, pacing, or walking horses.

The amendment was lost.

Mr. Clark of Marion, moved to amend by adding the following: *Provided*, that after the year 1876, the fairs shall be held in the county of Polk and within three miles of the city of Des Moines.

The amendment was adopted.

The question then recurring on the motion of Mr. Madden of Polk, to suspend the rule, consider the bill engrossed and read a third time now, the motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Bolter, Campbell, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Evans, Gilliland, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Homer, Hunt, Irwin of Warren, Johnson of Benton, Kauffman, Lathrop, Lynch, McCartney, McElderry, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Morse of Adams, Morse of Wright, Norris, Palmer, Rees, Robinson, Said, Simmons, Smith, Stone, Thayer, Underwood, and Wilson—48.

The nays were.

Messrs. Allen, Benton, Brooks, Brown, Brush, Bush, Calvin, Case, Chapman, Danforth, Elliott, Fuller, Gibbons, Giltner, Gray, Harned, Hobbs, Horstman, Horton, Hotchkiss, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Lane, McCune, McHugh, Madson, Mentzel, Mills, Moffit, Mueller, Proudfoot, Reed of Howard, Reed of Jackson, Shaw, Shepardson, Stuart, Stuckey, Tice, Ure, White, Williams, Young, and Mr. Speaker—44.

Absent or not voting:

Messrs. Crawford of Dubuque, Dixon, Given, Irwin of Lee, Jordan, Rae, and Scott—7.

So the bill failed to pass the House.

Mr. Bush moved to reconsider the vote by which the House refused to pass S. F. No. 104.

The motion prevailed.

Mr. Clark of Johnson moved to reconsider the vote by which the House ordered the bill engrossed for a third reading.

The motion prevailed.

By leave, Mr. Clark of Marion, withdrew his amendment to the bill.

Mr. Clark of Marion, moved that the rule be suspended, the bill considered engrossed and read a third time now.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Brush, Bush, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Evans, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Homer, Horton, Hunt, Irwin of Warren, Jaqua, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Rees, Robinson, Said, Shaw, Simmons, Stone, Thayer, Underwood, Ure, Williams, Wilson, and Mr. Speaker—60.

The nays were:

Messrs. Allen, Benton, Birchard, Bolter, Brooks, Brown, Calvin, Campbell, Danforth, Elliott, Giltner, Harned, Hobbs, Horstman, Hotchkiss, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, McHugh, Madson, Mentzel, Proudfoot, Reed of Howard, Reed of Jackson, Shepardson, Smith, Stuart, Stuckey, Tice, White, and Young—31.

Absent or not voting:

Messrs. Case, Crawford of Dubuque, Dixon, Given, Irwin of Lee, Johnson of Benton, Jordan, and Scott—8.

So the bill was ordered to a third reading.

On motion of Mr. Glendenning, the special order set for this hour, joint resolution in relation to adjournment, was taken up.

Mr. Glendenning moved to strike out the "10th," and insert "15th."

Mr. Clark, of Marion, moved to strike out "15th," and insert "16th."

Mr. Gibbons moved to defer the consideration of the resolution until the 9th inst.

The motion was lost.

The motion recurring on the amendment offered by Mr. Clark, to strike out "15th," and insert "16th," the amendment was adopted.

Mr. Robinson moved to strike out "16th," and insert "23d."

The amendment was lost.

Mr. Birchard moved to strike out "1:20 o'clock," and insert "10 o'clock."

The motion prevailed.

Mr. Gibbons moved to strike out "10 o'clock," and insert "6 P. M."

The motion did not prevail.

Mr. Glendenning moved to strike out the word "next," and insert in lieu thereof the word "inst."

The motion prevailed.

Mr. Stone moved to amend by adding the following: "Provided, this resolution shall not go into effect if in the mean time either House should deem it necessary to extend the session."

The amendment was lost.

Mr. Rees moved to strike out "noon" and insert "A. M."

The motion prevailed.

The question being on the adoption of the resolution, the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Brooks, Brown, Calvin, Campbell, Case, Chapman, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Glendenning, Gray, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winnebiek, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Proudfoot, Rse, Reed of Howard, Rees, Said, Shaw, Shepardson, Simmons, Smith, Stuart, Stuckey, Tice, Underwood, Wilson, and Young—61.

The nays were:

Messrs. Allen, Benton, Bolter, Brush, Bush, Christy, Clark of Johnson, Craver, Gibbons, Gilliland, Giltner, Glover, Graves, Hall Harned, Hemenway, Kauffman, McElderry, Madden of Polk, Maris, Morse of Wright, Norris, Palmer, Reed of Jackson, Robinson, Stone, Thayer, Ure, White, Williams, and Mr. Speaker—31.

Absent or not voting:

Messrs. Crawford of Dubuque, Dixon, Given, Irwin of Lee, Jordan, Lane, and Scott—7.

So the resolution was adopted.

Mr. Hobbs, filed a motion to reconsider the vote by which the House adopted the resolution.

Mr. Reed of Jackson, moved to defer the consideration of the motion to reconsider, one week.

Mr. Clark of Marion, moved to lay the motion on the table.

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:

S. F. No. 159, A bill for an act creating the 14th judicial district, and providing for the election of district and circuit judges, and a district attorney therein, and changing the boundaries of the 3rd, 4th, 5th, 11th, and 13th judicial districts.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment.

H. F. No. 259. A bill for an act to legalize the official acts of the town council of Creston, Iowa, and the ordinances thereof.

H. F. No. 429, A bill for an act for the relief of Harrison county.

J. A. T. HULL, *Secretary.*

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts with the several county officers, and providing means to pay the expenses thereof.

H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23 of the Code, and to enact a substitute therefor.

H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of electors of President and Vice President.

H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell.

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10 of cities and incorporated towns.

H. F. No. 68, A bill for an act to amend section 1428 of the Code.

Also the following:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees.

H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes.

H. F. No. 13, A bill for an act to amend section 3814 of chapter 3, title 23 of the Code, relating to the fees of witnesses.

Substitute for H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and to enact a substitute therefor.

McNEILL, *Chairman.*

RESOLUTION.

Mr. Craver offered the following resolution:

Resolved, That no member be allowed to speak more than ten minutes at any one time, on any question before the House.

Mr. Reed of Howard, moved to amend by striking out ten minutes and inserting in lieu thereof twenty-five minutes.

The motion did not prevail.

Mr. Giltner moved to strike out ten minutes and insert in lieu thereof five minutes.

The motion did not prevail.

The resolution was then adopted.

By leave, Mr. Glover introduced H. F. No. 457, A bill for an act to secure parties who sell or loan seed grain to other persons.

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

Mr. Manning introduced H. F. No. 58, A bill for an act to repeal section 851, chapter 1, title 6 of the Code.

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

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:

S. F. No. 216, A bill for an act to legalize ordinances Nos. 142 and 147, passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city.

S. F. No. 243, A bill for an act to provide for transfer of moneys raised by special levies to general county fund.

S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and corrected indexes to its records.

Also, that the Senate has concurred in House amendment to substitute for S. F. Nos. 2, 4 and 13, A bill for an act to define the crime of swindling and punish the same.

J. A. T. HULL, *Secretary.*

BILLS ON THIRD READING.

Substitute for H. F. No. 282, A bill for an act to establish a State Board of Examiners, and define their duties, was taken up, and the question being shall the bill pass, the yeas and nays were as follows.

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brush, Bush, Calvin, Christy, Craver, Deweese, Evans, Gibbons, Gilliland, Glover, Graves, Hemenway Horstman, Horton, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Jackson, Rees, Robinson, Shaw, Shepardson, Smith, Stuart, Thayer, Underwood, Williams, Young, and Mr. Speaker—48.

The nays were:

Messrs. Brooks, Brown, Campbell, Case, Clark of Marion, Cleveland, Colvin, Elliott, Fuller, Gray, Harned, Hoag, Hobbs, Homer, Hotchkiss, Irwin of Warren, Lane, Lathrop, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Proudfoot, Simmons, Stuckey, Tice, White, and Wilson—31.

Absent or not voting:

Messrs. Chapman, Clark of Johnson, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Giltner, Given, Glendenning, Hall, Hunt, Irwin of Lee, Jordan, Kauffman, Manning, Reed of Howard, Said, Scott, Stone, and Ure—20.

So the bill failed to pass the House.

Mr. Hobbs moved to reconsider the vote by which H. F. No. 282 failed to pass the House.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brush, Bush, Calvin, Christy, Craver, Deweese, Gibbons, Gilliland, Glover, Graves, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McCune, McElderry, McHugh, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Reed of Jackson, Rees, Shepardson, Stone, Stuart, Thayer, Williams, Young, and Mr. Speaker—45.

The nays were:

Messrs. Brooks, Brown, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Danforth, Elliott, Fuller, Glendenning, Harned, Hoag, Hotchkiss, Irwin of Warren, Johnson of Benton, McCartney, Madden of Taylor, Madson, Maris, Mentzel, Proudfoot, Rae, Robinson, Simmons, Stuckey, Tice, Underwood, Ure, and White—30.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Clark of Marion, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Giltner, Given, Hall, Irwin of Lee, Jordan, Kauffman, Lathrop, McNeill, Norris, Reed of Howard, Said, Scott, Shaw, Smith, and Wilson—24.

So the bill again failed to pass the House.

RESOLUTION.

Mr. Gilliland offered the following resolution:

Resolved, That the House hold night sessions, commencing tomorrow night at 7½, for the consideration of local bills only.

Mr. Reed of Jackson, moved to lay the resolution on the table.

The motion prevailed.

Mr. Reed of Howard, introduced H. F. No. 459, A bil for an act apportioning the State into representative districts, and fixing the ratio of representation.

Read first and second time, and referred to the Committee on Representative and Senatorial Districts.

BILLS ON SECOND READING.

H. F. No. 234, A bill for an act to amend section 1381, of the Code.

Mr. Maris moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hunt, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, White, Williams, and Young—69.

The nays were:

Messrs. Hobbs, McElderry, Stuckey, Wilson, and Mr. Speaker—5.

Absent or not voting:

Messrs. Auld, Bolter, Bush, Campbell, Clark of Johnson, Crawford of Dubuque, Danforth, Dixon, Evans, Given, Glendenning, Hall, Hotchkiss, Irwin of Lee, Irwin of Warren, Jordan, McHugh, McNeill, Madden of Taylor, Manning, Said, Scott, Shaw, Underwood, and Ure—25

So the bill passed and the title was agreed to.

Mr. Clark of Marion, moved to reconsider the vote by which the resolution in relation to adjournment was laid on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Marion, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Glendenning, Gray, Hoag, Homer,

Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Proudfoot, Rae, Reed of Howard, Shaw, Shepardson, Simmons, Stuart, Stuckey, Thayer, Tice, and Young—56.

The nays were:

Messrs. Allen, Bolter, Bush, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Gibbons, Gilliland, Giltner, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Lane, McElderry, Maris, Norris, Palmer, Reed of Jackson, Rees, Robinson, Smith, Stone, Underwood, Ure, White, Williams, Wilson, and Mr. Speaker—33.

Absent or not voting:

Messrs. Benton, Crawford of Dubuque, Dixon, Given, Irwin of Lee, Jordan, Kauffman, McNeill, Said, and Scott—10.

So the motion prevailed.

H. F. No. 96. A bill for an act to resume the lands granted the McGregor & Sioux City Railroad Company, was taken up, and on motion of Mr. Reed, of Howard, was made a special order for Friday, March 3d, at 10 A. M.

SENATE MESSAGES.

S. F. No. 159, A bill for an act creating the 14th judicial district, etc., was taken up.

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

S. F. No. 243, A bill for an act to provide for transfer of moneys to general fund, was taken up.

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

S. F. No. 244, A bill for an act to authorize Woodbury county, Iowa, to have made new and corrected indexes to its records, was taken up, read first and second time, when Mr. Robinson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The motion being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Danforth, Dewees, Elliott, Evans, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Maris, Mentzel, Mills, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Reed of Howard, Rees, Robinson, Shaw, Shepardson, Simmons, Smith, Stuckey, Thayer, Tice, Underwood White, Williams, Young, and Mr. Speaker—73.

The nays were:

Messrs. Fuller, Manning, Morse of Adams, and Wilson—4.

Absent or not voting:

Messrs. Benton, Bush, Colvin, Crawford of Dubuque, Dixon, Given, Gray, Hunt, Irwin of Lee, Jordan, McHugh, McNeill, Madden of Taylor, Madson, Mueller, Rae, Reed of Jackson, Said, Scott Stone, Stuart, and Ure—22.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled:

S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same.

McNEILL, *Chairman.*

Mr. Hotchkiss asked leave to offer a resolution.

Objections being made, Mr. Tice moved that Mr. Hotchkiss have leave to offer a resolution.

The motion prevailed.

At 5:35 P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, } DES MOINES, IOWA, March 3, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. H. H. ONeal.

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

Mr. Fuller moved that Substitute for H. F. Nos. 142, 210, and 459, be made a special order for Thursday, March 9th, at 10 A. M.

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:

Substitute for S. F. Nos. 67 and 86, A bill for an act to enable town-

ships and incorporated towns and cities to aid in the construction of railroads.

I am also directed to inform your honorable body that the Senate insists on its amendment to H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12 of the Code, relating to compensation of school officers, and has appointed Senators Rothert, Miller of Appanoose county, and Teale as a Committee of Conference on the part of the Senate and asks a like Committee on the part of the House.

J. A. T. HULL, *Secretary.*

REPORTS OF COMMITTEES.

Mr. Fuller, from the Committee on Senatorial and Representative Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Senatorial and Representative Districts, to whom was referred H. F. Nos. 142, 210, and 459, Bills for an act apportioning the State into Representative Districts, and declaring the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that they do not pass, and the majority of said committee have instructed me to report the following bill as a substitute for H. F. Nos. 142, 210, and 459, with the recommendation that it do pass.

WM. E. FULLER, *Chairman.*

Ordered passed on file.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred joint resolution in regard to the Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred S. F. No. 238, A bill for an act to amend section 2049, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 393, A bill for an act to vote aid in purchasing fair grounds, beg leave to report that they have had the same under consideration, have amended the same, and have instructed me to report the same back to the House with the recommendation that it do pass as amended.

WM. G. MADDEN, *Chairman.*

Reports ordered passed on file.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit.:

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees.

Substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits.

I also ask that this bill, which has been certified as a bill originating in the Senate as substitute for H. F. No. 355 by J. A. T. Hull, Secretary, be also certified to by J. W. Logan, Chief Clerk of this House, as H. F. No. 355.

H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly and for other purposes.

H. F. No. 13, A bill for an act to amend section 3814 of chapter 3, title 23 of the Code, relating to the fees of witnesses.

H. F. No. 135, A bill for an act to repeal section No. 1156, title 9, chapter 4, in relation to insurance companies and to enact a substitute therefor.

H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

MR. SPEAKER:—The Committee on Enrolled Bills, respectfully report that they have also examined the following bills and find the same correctly enrolled:

S. F. No. 63, A bill for an act to amend chapter 5, title 12 of the Code of 1873, and add thereto.

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville and its ordinances, and the acts of its officers thereunder.

S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa, to the purchase by the United States of certain real estate situated in the city of Keokuk, Lee county, Iowa, and ceding jurisdiction thereover.

McNEILL, *Chairman.*

By leave, Mr. Brush introduced H. F. No. 460, A bill for an act to legalize an election held in Mitchell county, Iowa.

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

Mr. Hotchkiss called up the resolution in relation to adjournment.

Mr. Bush moved a call of the House, which was seconded.

The Clerk proceeded to call the roll, when Mr. Gilliland moved that further proceedings under the call be dispensed with, which motion prevailed.

The question recurring on the resolution to adjourn, Mr. Reed of Jackson moved to lay the resolution on the table.

The motion did not prevail.

Mr. Gilliland moved to strike out the "fifteenth" and insert the "twenty-third."

The motion did not prevail.

Mr. Dewese moved to strike out the "fifteenth" and insert the "sixteenth at 3 P. M."

The motion prevailed.

Mr. Rees moved to lay the resolution on the table.

The motion prevailed.

Mr. Bush called up substitute for H. F. No. 197, a bill for an act to establish a Board of Railroad Commissioners.

Also, H. F. No. 325, A bill for an act for the election of a Board of

Railroad Commissioners, and moved to make them a special order for Tuesday, March 7th, at 10 o'clock, which motion prevailed.

Mr. Williams moved that special order set for this hour, H. F. No. 96, A bill for an act to resume the land granted the McGregor & Sioux City Railroad Company, be taken up.

The motion prevailed.

Mr. Clark of Johnson moved that the Chief Clerk be authorized to certify that H. F. No. 355 originated in the House.

At 12 m. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The Speaker called the House to order.

Mr. Reed of Howard, offered a substitute for H. F. No. 96, A bill for an act in relation to the lands granted to the McGregor and Missouri River Railroad Company.

Read first and second time.

Mr. Reed of Howard, moved that the substitute be adopted.

Mr. Clark of Johnson, moved to refer the bill and substitute to the Judiciary Committee.

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 bills in which the concurrence of the House is asked.

S. F. No. 15, A bill for an act to amend title 12, chapter 8 of the Code.

Substitute for S. F. No. 230, A bill for an act to provide for the publication of amendments to the constitution.

S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railways.

Also, that the Senate has concurred in House amendment to S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to make and correct indexes to its records.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment.

H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, Chickasaw county, Iowa.

H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts

of the Fifteenth General Assembly, and to re-enact section 3812 of the Code.

R. B. BAIRD.

Second Assistant Secretary.

ENROLLED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed:

S. F. No. 104, A bill for an act for the support of the Iowa State Agricultural Society.

JORDAN, *Chairman.*

Mr. Reed, of Jackson, moved to take H. F. No. 459 from the files and have the same printed.

The motion prevailed.

BILLS ON SECOND READING.

H. F. No. 222, A bill for an act to amend section 829 of the Code, was taken up, together with the report of the committee, and ordered engrossed for a third reading.

H. F. No. 209, A bill for an act to amend section 93 of the Code, was then taken up, together with the report of the committee, and the report of the committee recommending an amendment to section 1 of the bill was adopted.

The question being on ordering the bill engrossed for a third reading, the bill was ordered engrossed for a third reading.

Mr. Reed, of Jackson, moved to reconsider the vote by which the House ordered the bill engrossed for a third reading.

The motion prevailed.

Mr. Reed, of Jackson, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer,

Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, and Young—90.

The nays were:

Mr. Wilson—1.

Absent or not voting:

Messrs. Birchard, Dixon, Given, Manning, Mills, Scott, Simmons, and Mr. Speaker—8.

So the bill passed and the title was agreed to.

On motion of Mr. Wilson, substitute for H. F. No. 253, A bill for an act to pay the commissioners appointed by Governor C. C. Carpenter, to investigate the affairs of the Iowa Reform School, with report of committee recommending that substitute be adopted, was taken up, considered, and the report of the committee was adopted.

Mr. Wilson moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Bolter, Brooks, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Evans, Fuller, Gibbons, Gilliland, Glover, Graves, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, Underwood, Williams, Wilson, Young, and Mr. Speaker .
—72.

The nays were:

Messrs. Brown, Clark of Marion, Cleveland, Elliott, Glendenning, Gray, Harned, Hotchkiss, Reed of Jackson, and Stuckey—10.

Absent or not voting:

Messrs. Benton, Birchard, Bush, Deweese, Dixon, Giltner, Given, Hall, Jaqua, Kauffman, McNeill, Madden of Taylor, Manning, Scott, Shaw, Ure, and White—17.

So the bill passed and the title was agreed to.

Mr. McCartney moved to reconsider the vote by which substitute for H. F. No. 253 passed the House.

Mr. Wilson moved to lay the motion to reconsider the vote on the table.

The motion to lay on the table prevailed.

BILLS ON THIRD READING.

S. F. No. 104, A bill for an act for the relief of the State Agricultural Society, was read a third time, and the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Bolter, Brush, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Homer, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Marris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Robinson, Shaw, Simmons, Stone, Thayer, Underwood, Ure, Williams, Wilson, and Mr. Speaker—57.

The nays were:

Messrs. Allen, Benton, Brooks, Brown, Calvin, Campbell, Case, Chapman, Crawford of Dubuque, Danforth, Elliott, Giltner, Harned, Hobbs, Horstman, Hotchkiss, Johnston of Dubuque, Johnson of Winneshieki, Lathrop, McHugh, Madson, Mentzel, Mueller, Proudfoot, Reed of Jackson, Shepardson, Smith, Stuart, Stuckey, Tice, White, and Young—82.

Absent or not voting:

Messrs. Birchard, Bush, Dixon, Evans, Given, Irwin of Lee, Manning, Rees, Said, and Scott—10.

So the bill passed and the title was agreed to.

ENGROSSED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed:

H. F. No. 35, substitute for a bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore Capital Punishment.

JORDAN, *Chairman.*

On motion of Mr. McCartney, H. F. No. 238 was taken from the Speaker's table and referred to the Committee on Appropriations.

Mr. Wilson moved that substitute for S. F. Nos. 80 and 7, be made a special order for Tuesday the 7th inst., at 2:30 P. M.

The motion prevailed.

BILLS ON SECOND READING.

H. F. No. 36, A bill for an act to amend section 1738 of the Code and to provide for the compensation of School Directors, was taken up together with the report of the committee, and the House refused to order it engrossed for a third reading.

H. F. No. 81, A bill for an act to amend section 3800, chapter 2, title 23, of the Code, with report of Committee recommending that no action be taken thereon, was taken up, considered, and the report of Committee was adopted.

The question being on ordering the bill engrossed for a third reading, the House refused to order the bill engrossed for a third reading.

H. F. No. 228, A bill for an act to amend fifth paragraph of section 3814 of the Code, relating to compensation of experts as witnesses, was taken up and referred to the Judiciary Committee.

H. F. No. 225, A bill for an act to amend chapter 70 of the acts of the Fifteenth General Assembly, in reference to the restraining of stock from running at large, was taken up with report of the Committee recommending a substitute.

Mr. Reed of Jackson, moved that the bill be indefinitely postponed.

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 substitute for H. F. No. 27, A bill for an act to provide for the election of certain city officers in certain cities of the first class.

R. B. BAIRD,

Second Assistant Secretary.

Mr. Graves moved that when this House adjourn it be at 4:45 P. M. The motion prevailed.

Mr. White moved to make the bill under consideration a special order for the 8th inst., at 10:30 A. M.

The motion did not prevail.

Mr. Clark of Marion, moved that the bill be laid on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Benton, Bolter, Brush, Bush, Calvin, Chapman, Clark of Johnson, Clark of Marion, Colvin, Craver, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Harned, Hobbs, Horton, Irwin of Warren, Johnson of Benton, Johnston, of Dubuque, Johnson of Winneshiek, Jordan, McCune, McElderry, McHugh, McNeill, Madson, Maris, Morse of Adams, Morse of Wright, Norris, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Ure, Wilson, and Young—55.

The nays were:

Messrs. Allen, Auld, Birchard, Brown, Campbell, Christy, Cleveland, Crawford of Dubuque, Crawford of Scott, Graves, Hall, Hemenway, Hoag, Homer, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Kauffman, Lane, Lathrop, McCartney, Madden of Polk, Mentzel, Moffit, Mueller, Palmer, Scott, Shaw, Shepardson, Underwood, White, Williams, and Mr. Speaker—34.

Absent or not voting:

Messrs. Brooks, Case, Dixon, Given, Gray, Horstman, Lynch, Madden of Taylor, Manning, and Mills—10.

So the motion to lay on the table prevailed.

INTRODUCTION OF BILLS.

Mr. Rees introduced H. F. No. 461, A bill for an act to grant persons holding land by pre-emption and homestead the benefit of the statute of limitations.

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

Mr. Ure introduced H. F. No. 462, A bill for an act to amend sections 1923, 2951, 2117, and 2128 of the Code, and for other purposes.

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

Mr. Madden of Polk, introduced H. F. No. 463, A bill for an act to amend sections 545, and 3811 of the Code, in relation to jurors in police courts.

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

Mr. Hunt introduced H. F. No. 464, A bill for an act to amend section 4201, chapter of 11, title 25 of the Code, providing for allowing fees to private persons for making arrests.

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

REPORTS OF COMMITTEES.

Mr. Clark of Johnson, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred S. F. No. 221, A bill for an act to diminish liability to railroad accidents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 395, A bill for an act to regulate the right of railroad companies to change the line of their road, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and sub-committee to whom same was referred recommend passage of the substitute.

Also, the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 198, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, which a majority of the committee recommend do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. Nos. 197 and 325, Bills for acts to provide for railroad commissioners, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, which a majority of the committee recommend do pass.

R. CLARK, *Chairman.*

Reports ordered passed on file.

Mr. Glover, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. F. No. 366, A bill for an act in reference to the reports of public officers and institutions, and to provide for the printing and distributing public documents, amendatory of chapter 9, title 2 of the Code, relating to the general regulations of the executive department; also, of title 8, chapter 1, in relation to the militia; and also, of title 12, chapter 3, relating to the Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. F. GLOVER, *Chairman.*

Ordered passed on file.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled.

H. F. No. 259, A bill for an act to legalize the official acts and ordinances of the town council of the town of Creston, Union county, Iowa.

H. F. No. 429, A bill for an act for the relief of Harrison county.

H. F. No. 24, A bill for an act to repeal chapter 32, of the public acts of the Fifteenth General Assembly, and re-enact section 3812 of the Code.

H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, in Chickasaw county, Iowa, and certain proceedings had under said incorporation.

Also the following:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 63, A bill for an act to amend chapter 5, title 12 of the Code of 1873, and add thereto.

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville and its ordinances, and the acts of its officers thereunder.

S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa, to the purchase by the United States of certain real estate situated in the city of Keokuk, Lee county, Iowa, and ceding jurisdiction thereover.

McNEILL, *Chairman.*

Mr. Giltner introduced H. F. No. 465, A bill for an act regulating sheriffs' fees.

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

Leave of absence was granted Mr. Williams until Monday.

At 4:50 P. M., on motion of Mr. Wilson, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1876 }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Hon. E. Glendenning.

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

Leave of absence was granted Mr. Brooks.

Mr. Said presented a petition from citizens of Washington county, asking for certain changes in the Code in relation to the assessment of taxes.

Referred to the Committee on Ways and Means.

Mr. Case presented a petition from citizens of Bremer county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

Mr. Horton presented a petition from citizens of Muscatine county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

Mr. McNeill presented a petition from citizens of Decatur county, asking for the abolishment of the grand jury.

Referred to the Judiciary Committee.

Mr. Horton presented a petition from citizens of Muscatine county, in relation to independent districts.

Referred to the Committee on Schools.

On motion of Mr. Clark of Johnson, Senate messages were taken up. Senate substitute for H. F. No. 27, A bill for an act in relation to the appointment of sundry city officials.

Read first and second time, when Mr. Rees moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brown, Brush Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Gibbons, Glendenning, Graves, Gray, Harned, Hemenway, Hoag, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Smith, Stuart, Suckey, Thayer, Tice, Underwood, Ure, White, Wilson, Young, and Mr. Speaker—77.

The nays were:

Mr. Johnston of Dubuque—1.

Absent or not voting:

Messrs. Birchard, Brooks, Bush, Colvin, Dixon, Fuller, Gilliland, Giltner, Given, Glover, Hall, Hobbs, Homer, Jordan, Lathrop, Lynch, Madden of Polk, Shaw, Simmons, Stone, and Williams—21.

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, in which the concurrence of the House is asked:

Substitute for S. F. No. 21, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

Substitute for S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11, of the Code.

Substitute for S. F. No. 163, A bill for an act to amend section 2900, chapter 11, title 17, of the Code, in relation to offers to compromise.

Substitute for S. F. No. 106, A bill for an act amending sections 1207, 1212, and 1216, of chapter 2, title 10, of the Code, in relation to drains, ditches, and water-courses.

S. F. No. 223, A bill for an act to amend section 2049, of chapter 1, title 14, of the Code, in relation to the weight of a bushel of oats.

S. F. No. 245, A bill for an act to change the name of the village plat of Yankee Settlement Center, in Clayton county, Iowa.

Also, that the Senate has concurred in House amendments to Senate resolution relative to final adjournment.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 31, A bill for an act to amend section 518 of the Code, in relation to the duties of Mayors of cities.

H. F. No. 121, A bill for an act appropriating \$550.50 in payment of claim of E. Blakeslee.

H. F. No. 229, A bill for an act to compel Township Clerks to post up statement of receipts and disbursements at each general election.

H. F. No. 416, A bill for an act providing for the payment of the claim of James Harvey.

J. A. T. HULL, *Secretary.*

Mr. Hoag moved that H. F. No. 392, A bill for an act to create County Courts, be taken from the files and referred to a special committee of three, of which Mr. Gibbons shall be chairman.

The motion prevailed.

S. F. No. 216, A bill for an act to legalize the city ordinance of the city of Cedar Rapids, was taken up, read a first and second time, when Mr. Ure moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gibbons, Glendenning, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Scott, Shepardson, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Wilson, Young, and Mr. Speaker—79.

The nays were none.

Absent or not voting:

Messrs. Birchard, Brooks, Bush, Colvin, Dixon, Elliott, Gilliland, Giltner, Given, Glover, Hall, Hobbs, Horstman, Hunt, Jordan, Morse of Adams, Said, Shaw, Stone, and Williams—20.

So the bill passed and the title was agreed to.

Mr. Johnston of Dubuque, moved that a committee of conference be appointed to confer with a like committee on the part of the Senate on the disagreeing vote of the two Houses, on H. F. No. 115.

The motion prevailed.

The Speaker appointed as such committee, Messrs. Johnston of Dubuque, Stuart, and Hobbs.

S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, was read a first and second time and referred to the Committee on Railroads.

S. F. No. 15, A bill for an act to amend title 12, chapter 8 of the Code, was read a first and second time and referred to the Committee on Schools.

S. F. No. 230, A bill for an act to provide for the publication of amendments proposed to the Constitution was read a first and second time, and passed on file.

Substitute for S. F. Nos. 67 and 86, A bill for an act to authorize townships, cities and towns to vote aid to build railroads, was read a first and second time, and referred to the Committee on Railroads.

Mr. Auld moved that the bill be made a special order for Wednesday, March 8, at 10 A. M.

The motion prevailed.

Mr. Clark of Johnson, moved that H. F. No. 198, be made a special order for the same day and hour.

The motion prevailed.

Mr. Deweese moved that the appropriation bills be made a special order for March 10th, at 9:45 A. M.

The motion prevailed.

Mr. Bush offered a substitute for S. F. No. 230, and H. F. No. 337, A bill for an act providing for the publication of amendments to the Constitution.

The substitute was adopted.

Mr. Bush moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

Mr. Smith moved that the bill be recommitted to the Committee on Constitutional Amendments.

The motion did not prevail.

The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows :

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brush, Bush, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnson of Winneshiak, Jordan, Kauffman, Lane, Lynch, McCune, McHugh, McNeill, Madden of Polk, Madson, Manning, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Thayer, Tice, Underwood, Ure, White, Wilson, Young, and Mr. Speaker—73.

The nays were:

Messrs. Calvin, Case, Hobbs, Irwin of Warren, Lathrop, Moffit, Proudfoot, Rae, Shepardson, Smith, and Stuckey—11.

Absent or not voting:

Messrs. Brooks, Brown, Dixon, Elliott, Evans, Given, Hall, Hoag, Horstman, Johnston of Dubuque, McCartney, McElderry, Madden of Taylor, Maris, and Williams—15.

So the bill passed and the title was agreed to.

Joint resolution proposing to amend section 11, article 1 of the Constitution, was taken up, read, and referred to the Committee on Constitutional Amendments.

REPORT OF COMMITTEE.

Mr. Manning, from the Committee on Judicial Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Judicial Districts, to whom was referred H. F. No. 156 and S. F. No. 159, providing for the creation of the Fourteenth Judicial District, and changing the boundaries of other Judicial Districts therein named, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to the House, with the recommendation that the substitute do pass.

O. H. MANNING, *Chairman.*

Ordered passed on file.

Mr. Bolter moved that the substitute for H. F. No. 156 and S. F. No. 159, A bill for an act creating the Fourteenth Judicial District, be taken up and adopted.

The motion prevailed.

The bill was read a first and second time, when Mr. Manning moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, De-weese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Wilson, and Mr. Speaker—85.

The nays were:

Messrs. Clark of Marion, and Johnson of Winneshiek—2.

Absent or not voting:

Messrs. Birchard, Brooks, Dixon, Evans, Given, Hall, Hoag, Jaqua, Lathrop, Shaw, Williams, and Young—12.

So the bill passed and the title was agreed to.

Leave of absence was granted Messrs. Kauffman, Auld, McCartney, and the Sergeant-at-Arms until Monday.

REPORT OF COMMITTEE.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Mr. Graves moved that S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers, be now taken up.

The motion prevailed.

Mr. Graves moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

By unanimous consent, Mr. Crawford of Scott moved to amend the publication clause by adding the words, "without expense to the State."

The motion prevailed.

The bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Birchard, Bolter, Brown, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Duquque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, Ure, White, Young, and Mr. Speaker—76.

The nays were none.

Absent or not voting:

Messrs. Auld, Benton, Brooks, Brush, Bush, Campbell, Dixon, Given, Glover, Hall, Hotchkiss, Jaqua, Johnson of Benton, Lathrop, McCune, McNeill, Madden of Taylor, Manning, Rae, Stuckey, Underwood, Williams, and Wilson—23.

So the bill passed and the title was agreed to.

By leave, Mr. Smith introduced H. F. No. 466, A bill for an act to amend section 1955 of the Code.

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

By leave, Mr. Stuart introduced H. F. No. 467, A bill for an act for the relief of W. L. Thomas.

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

By leave, Mr. Johnston, of Dubuque, introduced H. F. No. 468, A bill for an act in relation to insurance companies.

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

By leave, Mr. Norris introduced H. F. No. 469, A bill for an act to amend section 431, chapter 10, title 4 of the Code.

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

REPORT OF COMMITTEE.

Mr Clark, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 395, A bill for an act to regulate the right of railroad companies to change the line of their road, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and sub-committee, to whom the same was referred, recommend the passage of substitute.

R. CLARK, *Chairman.*

Ordered passed on file.

- Mr. Crawford of Dubuque, moved that the substitute reported by the Railroad Committee for H. F. No. 395, A bill for an act to regulate the right of railroad corporations to change their line of road, be taken up.

The motion prevailed.

The bill was read a first and second time, and adopted.

Mr. Crawford of Dubuque moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Bolter, Brown, Calvin, Campbell, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Deweese, Evans, Gibbons, Gilliland, Glover, Graves, Harned, Hemenway, Hoag, Hobbs, Homer, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McElderry, McHugh, Madden of Taylor, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Reed of Jackson, Rees, Said, Scott, Shaw, Smith, Stone, Stuart, Thayer, Tice, Ure, White, Wilson, and Mr. Speaker—56.

The nays were:

Messrs. Birchard, Brush, Chapman, Crawford of Scott, Elliott, Giltner, Glendenning, Gray, Horstman, Hotchkiss, Irwin of Lee, Lathrop, Lynch, Madden of Polk, Madson, Maris, Norris, Palmer, Proudfoot, Robinson, Simmons, Stuckey, and Young—23.

Absent or not voting:

Messrs. Auld, Brooks, Bush, Case, Danforth, Dixon, Fuller, Given, Hall, Horton, Hunt, Johnson of Benton, McCune, McNeill, Manning, Rae, Reed of Howard, Shepardson, Underwood, and Williams—20.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled.

S. F. No. 104, A bill for an act for the support of the Iowa State Agricultural Society.

S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and corrected indexes to its records.

Joint resolution instructing our Senators and requesting our Representatives in Congress to prevent an extension of patents on Wilsons' patent feed motion, and similar patents on sewing machines.

H. F. No. 27, A bill for an act to provide for the election of certain officers in certain cities of the first class.

MR. SPEAKER:—The Committee on Enrolled Bills would also respectfully report that they have this day presented to the Governor for his approval the following bill, to-wit:

H. F. No. 27, A bill for an act to provide for the election of certain officers in certain cities of the first class.

McNEILL, *Chairman.*

Leave of absence was granted Mr. Underwood.

RESOLUTIONS.

Mr. Deweese, offered the following resolution:

WHEREAS, We have been startled with reports of the official misconduct of Gen. Wm. W. Belknap, as Secretary of War; and believing that if the charges made against the General are true, the fair fame of Iowa and the Nation is tarnished and stained with an ineffaceable stigma, and believing that official purity and integrity, are necessary to the good of the people and all good government, which consideration is paramount to the character and claims of any citizen or official of Iowa or the Nation, however distinguished for past services, character, and integrity; therefore,

Be it resolved by the House of Representatives of the State of Iowa, That the grave charges made against the late Secretary of War, demand a rigid and thorough investigation; and that, as the representatives of a people who are proud of the distinguished services and character of General Belknap, we demand that he be held personally responsible for his acts, and if guilty, that he be punished as demanded by the laws of the land.

Mr. Irwin of Lee offered the following as a substitute:

WHEREAS, The people of Iowa have heard with profound astonishment and great sorrow, the charges against General W. W. Belknap, late Secretary of War of the United States.

Be it resolved by the Iowa House of Representatives, That if these charges are proven true, we greatly deplore their damaging effect, but that at the same time we deny that they are the outgrowth of Republican institutions.

Resolved further, That we ask a searching investigation into the truth or falsity of these charges in the name of the people of Iowa, and demand a summary punishment if found true.

Resolved further, That in view of the past distinguished services of General Belknap, both as a civilian and soldier of the Union, we ask a suspension of judgment until he has been heard, a right which we accord to every man accused of malfeasance in office, and to which this case should be no exception.

Mr. Crawford, of Scott, moved to strike out the words "Republican institutions."

The motion did not prevail.

Mr. Clark, of Marion, moved to lay the resolution and substitute on the table.

The motion did not prevail.

Mr. Hobbs moved to refer the resolution and substitute to the Committee on Federal Relations.

At 12 M. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

Mr. Clark of Johnson, moved that the House confine itself for the day to bills on second reading, not involving discussions and introduction of new business.

The motion prevailed.

Mr. Mueller introduced House File 470, a bill for an act to amend Section 978 of the Code, was read a first and second time, when Mr. Mueller moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Birchard, Bolter, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Elliott, Evans, Fuller, Gibbons, Giltner, Glendenning, Graves, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCarty, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Ure, Wilson, Young, and Mr. Speaker—71.

The nays were:

Messrs. Benton, and Madson—2.

Absent or not voting:

Messrs. Auld, Brooks, Brown, Bush, Crawford of Dubuque, Danforth, Deweese, Dixon, Gilliland, Given, Glover, Gray, Hall, Hobbs, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, McCune, Mills, Moffit, Rae, Shepardson, Underwood, White, and Williams—26.

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Evans.

Mr. Hunt called up his motion to reconsider the vote by which the resolution to amend the constitution by striking the word "male" therefrom was adopted.

Mr. Smith moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Baker, Bolter, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Deweese, Gilliland, Giltner, Glendenning, Glover, Graves, Hoag, Homer, Horton, Hotch-

kiss, Irwin of Warren, Jaqua, Lathrop, Lynch, McCartney, McHugh, McNeill, Madden of Polk, Madson, Maris, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Reed of Howard, Robinson, Said, Scott, Shepardson, Smith, Stuckey, Tice, Ure, and Wilson—47.

The nays were:

Messrs Benton, Birchard, Bush, Christy, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Evans, Fuller, Gibbons, Gray, Harned, Hemenway, Horstman, Hunt, Irwin of Lee, Johnson of Winneshiek, Lane, McElderry, Madden of Taylor, Manning, Mentzel, Morse of Adams, Mueller, Reed of Jackson, Rees, Shaw, Simmons, Stone, Stuart, Thayer, White, Young, and Mr. Speaker—36.

Absent or not voting:

Messrs. Auld, Brooks, Brown, Dixon, Given, Hall, Hobbs, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, McCune, Mills, Rae, Underwood, and Williams—16.

So the motion to reconsider did not prevail.

Mr. Gilliland filed a motion to reconsider the vote by which the vote to reconsider was lost.

Mr. Shaw introduced H. F. No. 471, A bill for an act to authorize the transfer of convicts from the Fort Madison Penitentiary to the Anamosa Penitentiary, and to provide for the appointment of a deputy warden.

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

S. F. No. 233, A bill for an act to amend section 1144 in chapter 4, of title 9 of the Code, relating to fire insurance companies, was taken up, and Mr. Graves moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Bolter, Brush, Calvin, Case, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Harned, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Lane, Lynch, McCartney, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rees, Robinson, Said, Shepardson, Smith, Stuckey, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—63.

The nays were:

Messrs. Allen, Bush, Campbell, Chapman, Clark of Marion, Giltner, Hemenway, Maris, Moffit, Reed of Jackson, Scott, Simmons, and Stuart—13.

Absent or not voting:

Messrs. Auld, Birchard, Brooks, Brown, Dixon, Given, Hall, Hobbs, Hunt, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lathrop, McCune, McNeill, Mills, Rae, Reed of Howard, Shaw Stone, Underwood, and Williams—23.

So the bill passed and the title was agreed to.

Mr. Glover moved that H. F. No. 2 be taken from the files and referred

to a special committee, consisting of Messrs. Shaw, Stone, and Reed of Howard.

The motion prevailed.

The Speaker announced, as special committee on H. F. No. 392, Messrs. Gibbons, Harned, Deweese, White and Proudfoot.

Leave of absence was granted Messrs. Smith, Tice, Hall, Baker, and Stuart.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 24, A bill for an act to repeal chapter thirty-two (32), of the public acts of the Fifteenth General Assembly, and re-enact section 3812 of the Code.

H. F. No. 259, A bill for an act to legalize the official acts and ordinances of the town council of the town of Creston, Union county, Iowa.

H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, in Chickasaw county, Iowa, and certain proceedings had under said incorporation.

H. F. No. 429, A bill for an act for the relief of Harrison county.

McNEILL, *Chairman.*

S. F. No. 44, A bill for an act to amend section 3859 of the Code, was taken up.

Mr. Glover moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Giltner, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Reed of Howard, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—73.

The nays were:

Messrs. Crawford of Dubuque, Gilliland, Manning, and Reed of Jackson—4.

Absent or not voting:

Messrs. Auld, Birchard, Bolter, Brooks, Dixon, Given, Glendenning, Hall, Hobbs, Hunt, Johnson of Benton, Johnston of Dubuque, Kauff-

man, Lathrop, McCune, Mills, Mueller, Rae, Shaw, Smith, Underwood, and Williams—22.

So the bill passed and the title was agreed to.

Substitute for H. F. Nos. 152, 205, and 218, A bill for an act to repeal section 3791, of chapter 2, title 23, of the Code, and to enact a substitute therefor, was taken up.

Mr. Tice moved to strike out all in relation to mileage while on committee service.

The motion did not prevail.

Mr. Clark of Johnson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Bolter, Brown, Calvin, Chapman, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Glover, Graves, Gray, Harned, Hemenway, Hoag, Horstman, Horton, Irwin of Warren, Jaqua, Jordan, Lynch, McHugh, McNeill, Mentzel, Moffit, Morse of Adams, Morse of Wright, Palmer, Proudfoot, Reed of Howard, Said, Scott, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—44.

The nays were:

Messrs. Baker, Brush, Bush, Campbell, Clark of Marion, Danforth, Elliott, Fuller, Gibbons, Giltner, Homer, Hotchkiss, Johnston of Dubuque, Lane, McCartney, McElderry, Madden of Taylor, Madson, Manning, Maris, Mueller, Norris, Reed of Jackson, Rees, Robinson, Shaw, Shepardson, Simmons, Stone, Stuart, and Stuckey—31.

Absent or not voting:

Messrs. Auld, Brooks, Case, Colvin, Dixon, Evans, Gilliland, Given, Glendenning, Hall, Hobbs, Hunt, Irwin of Lee, Johnson of Benton, Johnson of Winneeshiek, Kauffman, Lathrop, McCune, Madden of Polk, Mills, Rae, Smith, Underwood, and Williams—24.

So the bill failed to pass the House.

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes, with report of committee recommending it do pass with amendments, was taken up, considered, and the report of the committee recommending that the words between the words "State" and "May" in the second line be stricken out, together with the other three amendments recommended by the committee, were concurred in.

Mr. Gibbons moved to insert after the word "State" the words "acting under the general incorporation law."

The motion prevailed.

Mr. McCartney moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brown, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Gilt-

ner, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McElderry, McFlugh, McNeill, Madden of Taylor, Madison, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—77.

The nays were:

Messrs. Proudfoot, and Shaw—2.

Absent or not voting:

Messrs. Auld, Brooks, Case, Dixon, Evans, Given, Glendenning, Hall, Hobbs, Hunt, Johnson of Benton, Kauffman, Lane, McCune, Madden of Polk, Mills, Rae, Smith, Underwood, and Williams—20.

So the bill passed and the title was agreed to.

On motion of Mr. White S. F. No. 167, A bill for an act to increase the limits of taxation in cities of the second class, with the report of committee recommending that it do pass was taken up, considered and the report of the committee was adopted.

Mr. White moved that the rule be suspended and the bill be considered engrossed and read a third time now, which prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Giltner, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lynch, McCartney, McElderry, McNeill, Madison, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—68.

The nays were:

Mr. Proudfoot—1.

Absent or not voting:

Messrs. Auld, Benton, Brooks, Bush, Case, Dixon, Evans, Gilliland, Given, Glendenning, Hall, Hobbs, Horton, Hunt, Johnson of Benton, Kauffman, Lathrop, McCune, McHugh, Madden of Polk, Madden of Taylor, Manning, Mills, Mueller, Rae, Smith, Stuart, Stuckey, Underwood, and Williams—30.

So the bill passed and the title was agreed to.

On motion of Mr. Elliott, H. F. No. 406, A bill for an act to amend section 2272 of the Code, in relation to guardianship, with report of committee recommending that it pass with amendments, was taken up, considered, and the report of the committee recommending that after the word "ward," in the twenty-eighth line, the words, "or other guardian, as the Court may order upon hearing such application," be added, was adopted.

Mr. Elliott moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Bolter, Brown, Brush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Harned, Hemenway, Hoag, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiak, Jordan, Lane, Lathrop, Lynch, McCartney, McElderry, McNeill, Madson, Maris, Mentzel, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Stone, Stuckey, Thayer, Tice, Ure, White, Young, and Mr. Speaker—67.

The nays were none.

Absent or not voting:

Messrs. Auld, Birchard, Brooks, Bush, Case, Dixon, Evans, Given, Hall, Hobbs, Homer, Horstman, Hunt, Jaqua, Johnson of Benton, Kauffman, McCune, McHugh, Madden of Polk, Madden of Taylor, Manning, Mills, Morse of Wright, Ræ, Shaw, Shepardson, Simmons, Smith, Underwood, Williams, and Wilson—32.

So the bill passed and the title was agreed to.

On motion of Mr. Clark, of Johnson, H. F. No. 165, a bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Clark, of Johnson, moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Baker, Bolter, Brown, Brush, Calvin, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiak, Jordan, Lane, Lathrop, Lynch, McElderry, McNeill, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stuart, Stuckey, Thayer, Tice, White, Young, and Mr. Speaker—69.

The nays were none.

Absent or not voting:

Messrs. Auld, Benton, Birchard, Brooks, Bush, Campbell, Case, Clark of Marion, Dixon, Evans, Given, Hall, Hobbs, Hunt, Johnson of Benton, Kauffman, McCartney, McCune, McHugh, Madden of Polk, Madden of Taylor, Manning, Mills, Ræ, Smith, Stone, Underwood, Ure, Williams, and Wilson—30.

So the bill passed and the title was agreed to.

Mr. McCartney introduced H. F. No. 472, A bill for an act making additional appropriations for the College for the Blind.

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

Leave of absence was granted Mr. Clark of Marion until Monday.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 104, A bill for an act for the support of the Iowa State Agricultural Society.

Joint resolution, instructing our Senators and requesting our Representatives in Congress to prevent an extension of patents on Wilson's patent on feed motion and similar patents on sewing machines.

MCNEILL, *Chairman.*

On motion of Mr. Brown, S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Brown moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Horstman, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lathrop, Lynch, McCartney, McElderry, McNeill, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—72.

The nays were none.

Absent or not voting:

Messrs. Auld, Brooks, Bush, Case, Deweese, Dixon, Evans, Giltner, Given, Hall, Hobbs, Homer, Horton, Hotchkiss, Hunt, Johnson of Benton, Kauffman, Lane, McCune, McHugh, Madden of Polk, Madden of Taylor, Mills, Ray, Smith, Underwood, and Williams—27.

So the bill passed and the title was agreed to.

Mr. Bolter introduced H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a justice of the peace of Harrison county, Iowa.

Read first and second time, when Mr. Bolter moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brown, Brush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horton, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCartney, McElderry, McNeill, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Thayer, Tice, Ure, White, Wilson, Young, and Mr. Speaker—70.

The nays were none.

Absent or not voting:

Messrs. Allen, Auld, Brooks, Bush, Calvin, Deweese, Dixon, Evans, Given, Hall, Hobbs, Horstman, Hotchkiss, Hunt, Jaqua, Johnson of Benton, Kauffman, McCune, McHugh, Madden of Polk, Madden of Taylor, Manning, Mills, Rae, Rees, Smith, Stuckey, Underwood, and Williams.—29.

So the bill passed and the title was agreed to.

On motion of Mr. Rees, House file No. 293, A bill for an act to legalize the assessment of property for taxation in Wahkonsa township, Webster County, Iowa, for the years 1869 and 1870, &c., with report of committee recommending that it do pass, with amendments, was taken up, considered, and the report of the committee was adopted.

Mr. Allen moved to amend the last section by inserting the words "without expense to the State."

The motion prevailed.

Mr. Rees moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Elliott, Fuller, Gibbons, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lynch, McCartney, McElderry, McNeill, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Stuart, Stuckey, Thayer, Ure, White, Wilson, and Mr. Speaker—67.

The nays were:

Mr. Crawford of Dubuque—1.

Absent or not voting:

Messrs. Auld, Brooks, Bush, Clark of Marion, Danforth, Deweese, Dixon, Evans, Gilliland, Giltner, Given, Hall, Hobbs, Hunt, Jaqua, Johnson of Benton, Kauffman, Lathrop, McCune, McHugh, Madden of Polk, Madden of Taylor, Mills, Rae, Shepardson, Smith, Stone, Tice, Underwood, Williams, and Young—31.

So the bill passed and the title was agreed to.

On motion of Mr. Reed of Howard, H. F. No. 364, A bill for an act to legalize the levy of certain road taxes in the county of Howard, and the extending of the same on the tax books of said county, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Reed of Howard moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Elliott, Fuller, Gibbons, Giltner, Glendenning, Glover, Harned, Hemenway, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Jordan, Lane, Lathrop, Lynch, McCartney, McElderry, McNeill, Madson, Manuing, Maris, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Stone, Stuart, Stuckey, Thayer, White, Wilson, Young, and Mr. Speaker—62.

The nays were:

Mr. Crawford of Dubuque—1.

Absent or not voting:

Messrs. Auld, Baker, Birchard, Bolter, Brooks, Bush, Clark of Marion, Deweese, Dixon, Evans, Gilliland, Given, Graves, Gray, Hall, Hoag, Hobbs, Hunt, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, McCune, McHugh, Madden of Polk, Madden of Taylor, Mills, Moffit, Rae, Shepardson, Simmons, Smith, Tice, Underwood, Ure, and Williams—36.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred S. F. No. 143, A bill for an act to establish a central station for meteorological observations, and the appointment of a director thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

W. DANFORTH, *Chairman.*

Ordered passed on file.

On motion of Mr. Shaw, H. F. No. 377, A bill for an act to repeal section 1271 of the Code, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Shaw moved that the rule be suspended, the bill be considered, engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Hemenway, Hoag, Homer, Horton, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, McCartney, McNeill, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Thayer, Ure, Wilson, Young, and Mr. Speaker—57.

The nays were:

Messrs. Cleveland, Gray, Harned, Horstman, Hotchkiss, Lynch, Proudfoot, and Stuckey—8.

Absent or not voting:

Messrs. Auld, Baker, Benton, Bolter, Brooks, Bush, Christy, Clark of Marion, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Given, Hall, Hobbs, Hunt, Irwin of Lee, Johnson of Benton, Kauffman, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Mills, Mueller, Rae, Smith, Tice, Underwood, White, and Williams—34.

So the bill passed and the title was agreed to.

Mr. Tice moved that the House do now adjourn.

The motion did not prevail.

Mr. Craver introduced H. F. No. 474, A bill for an act to amend section 1507, chapter 4, title 11 of the Code, in relation to partition fences.

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

Mr. Graves introduced H. F. No. 475, A bill for an act to amend section 1004 of the Code, relative to fences and bridges.

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

Mr. Birchard offered the following resolution:

Resolved That after this day the sessions of this House shall be from 9 A. M. to 1½ M., and from 2 P. M. to 6 P. M.

The motion was not adopted.

REPORT OF SPECIAL COMMITTEE.

Mr. Shaw, from the Special Committee, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 2, A bill for an act to amend an act entitled an act to amend section 289, and section 290 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the House with the recommendation that the accompanying amendment be adopted, and that as thus amended the bill do pass.

WM. T. SHAW, *Chairman.*

Ordered passed on file.

At 5:35 P. M. the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 6, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Rev. C. A. Gelwicks.

Mr. Crawford of Dubuque, moved a call of the House, which was seconded.

Leave of absence was granted Messrs. Bolter, Irwin of Lee, Dixon, and Brooks.

Mr. Crawford of Dubuque, moved that further proceedings under the call of the House be dispensed with.

The motion prevailed.

Mr. Graves moved that the reading of the journal be dispensed with. The motion prevailed.

PETITIONS.

By Mr. Benton: From citizens of Louisa county, in relation to restraining of stock.

Referred to Committee on Agriculture.

By Mr. Young: From citizens of Clinton county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Homer: A similar petition from citizens of Black Hawk county.

Referred to the Committee on Railroads.

By Mr. Deweese: From citizens of Jasper county, in relation to fences.

Referred to the Committee on Agriculture.

By Mr. Lathrop: From citizens of Jones county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

By Mr. Norris: From citizens of Dallas county, in relation to fences.

Referred to the Committee on Agriculture.

Also, in relation to the liquor law.

Referred to the Committee on Suppression of Intemperance.

Leave of absence was granted Mr. Wilson.

By leave, Mr. Colvin introduced H. F. No. 476, A bill for an act to amend section 784, chapter 10, title 5, of the Code.

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

The resolution, laid over under rule 34, to give reporters of daily papers stationery, was, on motion of Mr. Glover, taken up.

Mr. Danforth moved that the resolution be referred to the Committee on Printing.

The motion prevailed.

REPORT OF COMMITTEE.

Mr. McCartney, from the Committee on the College for the Blind, submitted the following report:

Mr. SPEAKER:—Your Committee on College for the Blind, to whom was referred S. F. No. 179, A bill for an act to repeal sections No. 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

JOHN McCARTNEY, *Chairman.*

Ordered passed on file.

PETITIONS.

By leave, Mr. Crawford, of Scott, presented a petition from the board of supervisors of Scott county, in relation to the collection of taxes.

Referred to the Committee on Ways and Means.

By leave, Mr. Hotchkiss presented a petition from citizens of Davis county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

BILLS ON SECOND READING.

H. F. No. 272, A bill for an act defining the rights of owners of land enclosed in common, with report of committee recommending that it do not pass, was taken up, considered, and the report of the committee was adopted, and the House refused to order the bill engrossed for a third reading.

S. F. No. 57, A bill for an act to destroy noxious weeds in highways, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted, and the bill was ordered engrossed for a third reading.

On motion of Mr. Madson, S. F. No. 238, A bill for an act to amend section 2049 of the Code of 1873, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Madson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Ure, Young, and Mr. Speaker—49.

The nays were none.

Absent or not voting:

Messrs. Auld, Baker, Bolter, Brooks, Bush, Clark of Marion, Dixon, Evans, Giltner, Given, Hall, Hobbs, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Jordan, McCune, Madden of Polk, Manning, Mills, Rae, Reed of Howard, Smith, Tice, Underwood, White, Williams, and Wilson—30.

So the bill passed and the title was agreed to.

House file No. 260, A bill for an act to amend Section 1,747 of the Code, with report of committee recommending that it be referred to the Committee on Schools, was taken up and considered.

Mr. Reed of Jackson, moved that the bill be laid on the table, and the motion prevailed.

House file No. 29, A bill for an act relating to the endowment of the Agricultural College, with report of committee recommending that it do pass, with amendments, was taken up, considered, and passed on file.

House file No. 273, A bill for an act regulating manual labor, with report of the committee recommending that it do pass, was taken up, considered, and the house refused to order the bill engrossed for a third reading.

House file No. 233, and Senate file No. 19, A bill for an act to repeal section 3789 of the Code, relating to Sheriffs' salary, and enacting a substitute therefor, was taken up and considered, with the report of the committee recommending a substitute, and the substitute was adopted.

Mr. Bolter moved that the bill be indefinitely postponed.

Mr. Shaw moved to amend the substitute and strike out section 3789 of the Code provided that said repeal shall not take effect until January 1st, 1877.

Mr. McElderry offered a substitute.

Mr. Stewart moved to amend the substitute and insert after the enacting clause the following:

That section 3789 of the Code be and is hereby repealed, and the following enacted in lieu thereof.

The amendment did not prevail.

Mr. Moffit moved to amend by striking out "two hundred dollars" and inserting "fifty dollars."

The motion did not prevail.

The substitute was then adopted.

Mr. Reed of Jackson moved to refer the bill to a special committee of three, with Mr. McElderry chairman.

The motion prevailed, and the Speaker appointed as such committee Messrs. McElderry, Reed of Jackson, and Craver.

H. F. No. 222, A bill for an act to amend section 629 of the Code, with report of Committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Crawford of Dubuque moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Fuller, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Maris, Mentzel, Moffit, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Ure, White, Young, and Mr. Speaker—65.

The nays were:

Messrs. Bolter, Deweese, Elliott, Hotchkiss, Madson, Morse of Adams, and Madden of Taylor—7.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Bush, Clark of Marion, Dixon, Evans, Gibbons, Given, Hall, Hobbs, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Jordan, McCune, Manning, Mills, Rae, Smith, Thayer, Tice, Underwood, Williams, and Wilson—26.

So the bill passed and the title was agreed to.

H. F. No. 176, A bill for an act to provide for the platting and surveying of cemeteries, etc., with report of committee recommending that it do pass with amendments, was taken up, considered, and Mr. Colvin moved to refer the bill to the Committee on County and Township Organizations.

Mr. Robinson moved to refer the bill to a special committee of three.

The motion prevailed.

The Speaker appointed as such committee, Messrs. Colvin, Deweese, and Robinson.

H. F. No. 284, A bill for an act to perfect title to certain lands in Matilda Carter, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. McElderry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Ure, White, Young, and Mr. Speaker—70.

The nays were none.

Absent or not voting:

Messrs. Auld, Baker, Birchard, Brooks, Bush, Clark of Johnson, Clark of Marion, Dixon, Evans, Giltner, Given, Hall, Hobbs, Hunt, Jaqua, Johnson of Benton, Jordan, Lathrop, McCune, Madden of Polk, Manning, Mills, Rae, Reed of Howard, Smith, Tice, Underwood Williams, and Wilson—29.

So the bill passed and the title was agreed to.

H. F. No. 246, A bill for an act to change the road tax on railroads to a bridge tax, with report of committee recommending that it do not pass was taken up, considered and the report of the committee was adopted.

The House refused to order the bill engrossed for a third reading.

H. F. No. 279, A bill for an act to amend section 970, chapter 2, title 7 of the Code, with report of committee recommending that it do pass was taken up, considered and the report of the committee was adopted.

Mr. Mueller moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Bolter, Brown, Brush, Campbell, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Taylor, Maris, Mentzel, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, White, and Mr. Speaker—63.

The nays were:

Messrs. Calvin, Fuller, Harned, Kauffman, Lane, Madson, Morse of Wright, Ure, and Young—9.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Bush, Case, Clark of Marion, Dixon, Evans, Gilliland, Given, Hall, Hobbs, Hunt, Jaqua, Johnson of Benton, Jordan, Lathrop, McCune, Madden of Polk, Manning, Mills, Rae, Smith, Tice, Underwood, Williams, and Wilson—27.

So the bill passed and the title was agreed to.

H. F. No. 247, A bill for an act to repeal section 576, chapter 5, title 4 of the Code, and to enact a substitute therefor, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Homer moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Bolter, Brown, Brush, Calviu, Campbell, Case, Christy, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Ure, White, and Young—65.

The nays were none.

Absent or not voting:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Bush, Chapman, Clark of Johnson, Clark of Marion, Danforth, Dixon, Evans, Given, Hall, Hobbs, Hunt, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, McCune, McNeill, Madden of Polk, Madden of Taylor, Manning, Mills, Rae, Robinson, Smith, Tice, Underwood, Williams, Wilson, and Mr. Speaker—34.

So the bill passed and the title was agreed to.

H. F. No. 167, A bill for an act to repeal section 1553, chapter 6, title 11, relating to intoxicating liquors, and to enact a substitute therefor, was taken up, considered, and passed on file.

H. F. No. 179, A bill for an act to amend chapter 12, title 25 of the Code, relating to preliminary examinations, was taken up, with the report of the committee recommending that it do not pass, and the House refused to order it engrossed for a third reading.

H. F. No. 153, A bill for an act to repeal subdivision 2, of section 796, chapter 1, title 6 of the Code, and chapter 28 of the public acts of the Fifteenth General Assembly, etc., with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted, and the bill was ordered engrossed for a third reading.

H. F. No. 243, A bill for an act to authorize the auditor of State to cause to be paid back to counties entitled thereto any excess of revenue due to said counties, excepting State taxes, with report of committee recommending that it do pass, with amendments, was taken up, considered, and the report of the committee adopted.

Mr. McCartney moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Bolter, Brush, Bush, Calvin,

Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Golver, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madson, Maris, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuckey, White, Young, and Mr. Speaker—66.

The nays were none.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Brown, Clark of Marion, Crawford of Dubuque, Dixon, Evans, Giltner, Given, Hall, Hobbs, Hunt, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Lathrop, McCune, Madden of Polk, Madden of Taylor, Manning, Mills, Moffit, Rae, Smith, Stuart, Thayer, Tice, Underwood, Ure, Williams, and Wilson—33.

So the bill passed and the title was agreed to.

REPORT OF SPECIAL COMMITTEE.

Mr. Crawford of Scott, from the Special Committee on H. F. No. 56, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 56, A bill for an act to amend chapter 1, title 6 of the Code, as to listing and assessing personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding after the word mortgage, in the fifth line, the words "excepting mortgages held by non-residents;" also, by adding after the word "office," in the fifth line, the words "for the preceding five years;" also, amend section 2 by striking out the words "twenty-five cents," in second line, and inserting in lieu thereof the words "fifteen cents." With these amendments the committee recommend that it do pass.

J. A. CRAWFORD, *Chairman.*

Ordered passed on file.

Mr. Graves moved that the substitute for H. F. Nos. 65, 66 and 67 be made a special order for 4 p. m. this afternoon.

The motion prevailed.

H. F. No. 22, A bill for an act to repeal section 12, chapter 2, title 1 of the Code, was taken up.

At 12 m. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

House called to order by the Speaker.

Mr. Hotchkiss moved to refer H. F. No. 22 to a special committee, of which Mr. Clark, of Marion, shall be chairman.

The motion did not prevail.

The question being on concurring with the report of the committee, Mr. Hotchkiss demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Allen, Benton, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Gibbons, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Maris, Mentzel, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stuart, Thayer, Ure, Young and Mr. Speaker—64.

The nays were:

Messrs. Clark of Marion, Giltner, Glendenning, Hotchkiss, Moffit, Mueller, and Stuckey—7.

Absent or not voting:

Messrs. Auld, Baker, Birchard, Bolter, Brooks, Clark of Johnson, Dixon, Elliott, Evans, Gilliland, Given, Hall, Irwin of Lee, Jaqua, Johnson of Benton, McCune, Madden of Polk, Mills, Rae, Shaw, Smith, Stone, Tice, Underwood, White, Williams, and Wilson—28.

So the report of the committee to lay on the table prevailed.

COMMITTEE REPORTS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully ask that they have H. F. No. 13, A bill for an act to amend section 3814 of chapter 3, title 23 of the Code, relating to the fees of witnesses, be referred back to them for correction.

McNEILL, *Chairman.*

Mr. McCartney, from the Committee on College for the Blind, submitted the following report:

MR. SPEAKER:—Your Committee on College for the Blind, to whom was referred S. F. No. 179, A bill for an act to repeal sections No. 1681, 1682, and 1683, chapter 6, title 12 of the Code, and for other purposes, beg leave to report that they have had the same under consideration,

and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN McCARTNEY, *Chairman.*

Ordered passed on file.

On motion of Mr. Stuart H. F. No. 13, was referred to the Committee on Enrolled Bills, with the request that it be enrolled.

RESOLUTION.

Leave was granted Mr. Lane to offer the following resolution:

Resolved, That all members that think their present salary is too high, are requested to draw the same and turn it over to the school fund of their respective counties.

Which passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, S. F. No. 20, on motion of Mr. Birchard the bill was made a special order for Thursday, March 9th, at 2:15 o'clock p. m.

Mr. Rees moved to reconsider the vote by which H. F. No. 395, A bill for an act to authorize railroads to change their lines, passed the House.

Mr. Graves moved to postpone the consideration of this motion until to-morrow morning at 10 o'clock.

The motion did not prevail.

The question recurring on the motion of Mr. Rees to reconsider, the motion prevailed.

Mr. Rees, moved to reconsider the vote by which the bill was ordered engrossed for a third reading.

The motion prevailed.

The bill was passed on file.

BILLS ON SECOND READING.

H. F. No. 296, A bill for an act to amend section 307, chapter 2, title 4, of the Code, with the report of the committee recommending that it do pass was taken up, considered, and the report of the committee was adopted.

Mr. Case moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Benton, Brown, Brush, Calvin, Case, Chapman, Christy, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Gibbons, Glover, Graves, Gray, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, McCartney, McElderry, McHugh, Maris, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Rees, Robinson, Shepardson, Stuart, Thayer, Ure, White, Young, and Mr. Speaker—50.

The nays were:

Messrs. Bolter, Bush, Campbell, Clark of Marion, Cleveland, Colvin, Deweese, Fuller, Giltner, Glendenning, Harned, Hobbs, Irwin of Lee, Lynch, McNeill, Madden of Polk, Madson, Manning, Moffit, Reed of Jackson, Said, Scott, Simmons, Stuckey, and Wilson—25.

Absent or not voting:

Messrs. Auld, Baker, Birchard, Brooks, Clark of Johnson, Dixon, Evans, Gilliland, Given, Hall, Jaqua, Johnson of Benton, Jordan, Lathrop, McCune, Madden of Taylor, Mills, Rae, Shaw, Smith, Stone, Tice, Underwood, and Williams—24.

So the bill failed to pass the House.

H. F. No. 275, A bill for an act to legalize the acts of S. L. Emerson and J. M. Thompson as Trustees, and S. L. Emerson as Clerk of Lincoln township, Union county, Iowa, with report of the committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. McElderry moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Robinson, Said, Scott, Shepardson, Simmons, Stuart, Stuckey, Thayer, Ure, Wilson, Young, and Mr. Speaker—67.

The nays were none.

Absent or not voting:

Messrs. Auld, Baker, Birchard, Brooks, Clark of Johnson, Crawford of Dubuque, Danforth, Dixon, Evans, Given, Hall, Hemenway, Hotchkiss, Jaqua, Johnson of Benton, Jordan, Lathrop, McCune, McHugh, Madden of Taylor, Mills, Rae, Reed of Howard, Reed of Jackson, Rees, Shaw, Smith, Stone, Tice, Underwood, White, and Williams—32.

So the bill passed and the title was agreed to.

H. F. No. 270, A bill for an act to legalize the official acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. McElderry moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case,

Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hun., Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Manning, Maris, Mentzel, Moffit, Morse of Wright, Mueller, Norris, Palmer, Prondfoot, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stuart, Stuckey, Thayer, Ure, Wilson, Young, and Mr. Speaker—67.

The nays were none.

Absent or not voting:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Clark of Johnson, Dixon, Evans, Giltner, Given, Hall, Hotchkiss, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Lathrop, McCune, Madden of Taylor, Madson, Mills, Morse of Adams, Rae, Reed of Howard, Reed of Jackson, Shaw, Smith, Stone, Tice, Underwood, White, and Williams—32.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

H. F. No. 236, A bill for an act to amend sections 404, 405, and 406, chapter 9, title 4; sections 843, and 853, chapter 1; sections 857, 865, 866, and 890, chapter 2, title 6 of the Code, was taken up, and on motion of Mr. Cleveland was passed on file.

Substitute for H. F. No. 35, A bill for an act to repeal section 3849 of the Code of Iowa, and to enact a substitute therefor was taken up, and on motion of Mr. Clark of Marion, was passed on file.

BILLS ON SECOND READING.

Mr. Clark of Marion, moved that bills on second reading be taken up. The motion prevailed.

H. F. No. 112, A bill for an act to amend subdivision 24, of section 303, chapter 2, title 4 of the Code, to allow boards of supervisors to make additional appropriations for county bridges.

Mr. Christy moved to strike out all after the word "aforesaid," in the twentieth line, and including "aforesaid," in the twenty-third line.

Mr. Kauffman moved to lay the bill on the table.

The motion did not prevail.

The question recurring on the motion of Mr. Christy the motion prevailed.

The substitute recommended by the committee was adopted.

Mr. Gilliland moved that 10,000 be stricken out and 5,000 inserted in lieu thereof.

The motion did not prevail.

Mr. Gibbons moved to amend by adding the following: *Provided*, That no county shall expend a sum exceeding fifteen thousand dollars in aid of the construction of a bridge across a stream which is the dividing line between two counties.

The motion prevailed.

Mr. Ure moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Benton, Birchard, Bolter, Brown, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Elliott, Gibbons, Glover, Graves, Harned, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Lane, McCartney, McElderry, McHugh, Madden of Polk, Manning, Maris, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stuckey, Thayer, Ure, Young, and Mr. Speaker—54.

The nays were:

Messrs. Allen, Brush, Clark of Johnson, Danforth, Gilliland, Giltner, Glendenning, Gray, Hemenway, Homer, Kauffman, Lynch, McNeill, Madson, Mentzel, Norris, Proudfoot, Reed of Jackson, White, and Wilson—20

Absent or not voting.

Messrs. Auld, Baker, Brooks, Deweese, Dixon, Evans, Fuller, Given, Hall, Jaqua, Johnson of Benton, Jordan, Lathrop, McCune, Madden of Taylor, Mills, Rae, Reed of Howard, Shaw, Smith, Stone, Stuart, Tice, Underwood, and Williams—25.

So the bill passed and the title was agreed to.

Leave was granted Mr. Wilson to introduce H. F. No. 477, A bill for an act to amend chapter 10, title 12, of the Code.

Read first and second time, when Mr. Rees moved that the bill be referred to a special committee of three.

The motion prevailed.

The Speaker appointed as such committee Messrs. Rees, Wilson, and Young.

On motion of Mr. Gibbons, H. F. No. 26, A bill for an act relating to the law of negligence, with report of Committee recommending that it pass with amendments, was taken up, considered, and the report of the Committee was adopted.

The first, second, third, and fourth amendments recommended by the Committee were concurred in.

Mr. Gibbons moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Birchard, Bolter, Calvin, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Rees,

Robinson, Said, Scott, Simmons, Stuckey, Thayer, Tice, Ure, and Wilson—58.

The nays were:

Messrs. Clark of Johnson, Johnson of Winneshiek, Madson, and White—4.

Absent or not voting:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Brush, Bush, Campbell, Case, Dixon, Evans, Gilliland, Given, Hall, Hunt, Jaqua, Johnson of Benton, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, Madden of Taylor, Mills, Rae, Reed of Howard, Shepardson, Smith, Stone, Stuart, Underwood, Williams, Young, and Mr. Speaker—37.

So the bill passed and the title was agreed to.

H. F. No. 322, A bill for an act to amend section 1784 of the Code, relating to payment over of school district taxes, with report of committee recommending that it do not pass, was taken up, considered, and the report of the committee was adopted.

The House refused to order the bill engrossed for a third reading.

REPORT OF COMMITTEE.

Mr. Hemenway, from the Committee on State University, submitted the following report:

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 221, A bill for an act to amend chapter 14 of the Code, relating to the State Historical Society, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute herewith reported be adopted in stead thereof, and that such substituted bill do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

H. F. No. 320, A bill for an act to repeal section 1798 of the Code, and to provide a substitute therefor, in relation to school districts, with report of committee recommending that it do not pass, was taken up, considered, and the report of the committee was adopted.

Passed on file.

H. F. No. 227, A bill for an act to repeal section 1865, relating to the loans of the school fund, was taken up, together with the report of the committee, and considered, and the House refused to order the bill engrossed for a third reading.

REPORT OF COMMITTEE.

Mr. Rees, from the Committee on H. F. No. 477, submitted the following report:

MR. SPEAKER:—Your Special Committee to whom was referred H. F. No. 477, A bill for an act to amend chapter 9, title 12 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding to section 2 of the bill the

words "provided that the provisions of this act shall apply to independent school district," and with this amendment the bill do pass.

SAMUEL REES, *Chairman.*

Ordered passed on file.

Mr. Rees moved that H. F. No. 477, A bill for an act to amend chapter 9, title 12 of the Code, be taken up and considered, together with the report of the committee.

The motion prevailed.

The amendment recommended by the committee was adopted.

Mr. Ure moved to refer the bill to the Committee on Schools.

Mr. Crawford of Scott, moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Bolter, Brown, Campbell, Cleveland, Colvin, Crawford of Scott, Fuller, Glendenning, Graves, Harned, Horstman, Hotchkiss, Irwin of Lee, Lathrop, Mauning, Moffit, Morse of Adams, Morse of Wright, Reed of Howard, Robinson, Scott, Stuckey, Tice, Ure, and White—28.

The nays were:

Messrs. Benton, Birchard, Brush Calvin, Case, Chapman, Christy, Craver, Crawford of Dubuque, Danforth, Deweese, Elliott, Gibbons, Gilliland, Giltner, Glover, Gray, Hemenway, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Said, Shepardson, Simmons, Thayer, Wilson, and Young—49.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Bush, Clark of Johnson, Clark of Marion, Dixon, Evans, Given, Hall, Jaqua, Johnson of Benton, Jordan, McCune, Madden of Taylor, Mills, Rae, Shaw, Smith, Stone, Stuart, Underwood, Williams, and Mr. Speaker—24.

So the motion to lay on the table did not prevail.

Mr. Kauffman moved to amend as follows:

Provided, That said compensation shall not exceed \$5 per year.

The motion prevailed.

Mr. Giltner offered a substitute for the bill, that School Directors shall be paid \$1.50 per day.

The House refused to adopt the substitute.

Mr. Stuckey moved to refer the bill to the Committee on Schools.

The motion did not prevail.

Mr. Rees moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Benton, Birchard, Christy, Clark of Marion, Craver, Crawford of Dubuque, Deweese, Elliott, Gilliland, Giltner, Glover, Gray, Hemenway, Hoag, Homer, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mueller,

Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Scott, Shepardson, Simmons, Thayer, Wilson, Young, and Mr. Speaker—41.

The nays were:

Messrs. Allen, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Cleveland, Colvin, Crawford of Scott, Danforth, Fuller, Gibbons, Glendenning, Graves, Harned, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Lathrop, McHugh, Manning, Moffit, Morse of Adams, Morse of Wright, Robinson, Said, Stuckey, Tice, Ure, and White—36.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Clark of Johnson, Dixon, Evans, Given, Hall, Jaqua, Johnson of Benton, Jordan, McCune, Madden of Taylor, Mills, Rae, Reed of Howard, Shaw, Smith, Stone, Stuart, Underwood, and Williams—22.

So the bill not having received a constitutional majority, failed to pass.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, substitute for H. F. Nos. 65, 66, and 67, it was, on motion of Mr. Graves, taken up and considered, with the report of the committee recommending amendments.

The first amendment recommended by the committee was adopted.

The second amendment recommended by the committee was adopted.

Mr. Robinson moved to strike out all that portion of the bill relating to counties levying taxes, in the second subdivision of the bill.

The motion was lost.

Mr. Robinson moved to strike out all after the word "poor," and insert, "for ordinary county revenue, including the support of the poor, a poll tax of fifty cents and a property tax as follows: in counties having a population exceeding 14,000 inhabitants, not more than four mills on a dollar; in counties having a population not exceeding 14,000 inhabitants, and having taxable property of an aggregate value exceeding \$1,000,000, as ascertained by the State and county tax list of the preceding year, not more than six mills on a dollar; in counties having taxable property of an aggregate value not exceeding \$1,000,000, as ascertained by the State and county tax list of the preceding year, not more than eight mills on a dollar."

The amendment was adopted.

Mr. Danforth moved to strike out 2½ mills and insert 2 mills.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Benton, Birchard, Bolter, Brown, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Danforth, Elliott, Fuller, Gibbons, Glendenning, Gray, Harned, Hoag, Hobbs, Horstman, Hotchkiss, Johnson of Winneshiek, McCartney, Madson, Manning, Mentzel, Moffit, Norris, Proudfoot, Reed of Jackson, Stuckey, Tice, and White—34.

The nays were:

Messrs. Allen, Brush, Bush, Calvin, Case, Clark of Johnson, Craver,

Crawford of Dubuque, Deweese, Gilliland, Giltner, Glover, Graves, Hemenway, Homer, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McElderry, McHugh, McNeill, Madden of Polk, Maris, Morse of Adams, Morse of Wright, Mueller, Palmer, Rees, Robinson, Said, Scott, Shepardson, Simmons, Thayer, Ure, Wilson, Young, and Mr. Speaker—44.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Dixon, Evans, Given, Hall, Jaqua, Johnson of Benton, Jordan, McCune, Madden of Taylor, Mills, Rae, Reed of Howard, Shaw, Smith, Stone, Stuart, Underwood, and Williams—21.

So the motion to amend did not prevail.

Mr. Graves moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Brush, Bush, Calvin, Case, Chapman, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Deweese, Elliott, Gilliland, Giltner, Glover, Graves, Hemenway, Homer, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McElderry, McHugh, McNeill, Madden of Polk, Maris, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Thayer, Ure, Wilson, Young, and Mr. Speaker—51.

The nays were:

Messrs. Birchard, Bolter, Brown, Campbell, Christy, Cleveland, Crawford of Scott, Danforth, Fuller, Gibbons, Glendenning, Gray, Harned, Hoag, Hobbs, Hotchkiss, Johnson of Winneshiek, McCartney, Madson, Manning, Mentzel, Moffit, Proudfoot, Stuckey, Tice, and White—27.

Absent or not voting:

Messrs. Auld, Baker, Brooks, Dixon, Evans, Given, Hall, Horstman, Jaqua, Johnson of Benton, Jordan, McCune, Madden of Taylor, Mills, Rae, Shaw, Smith, Stone, Stuart, Underwood, and Williams—21.

So the bill passed and the title was agreed to.

On motion of Mr. Hemenway, H. F. No. 88 was referred to the Committee on Appropriations.

The Speaker appointed as a special committee on H. F. No. 447, Messrs. Lane, Wilson, and Rees.

Mr. Crawford of Scott filed a motion to reconsider the vote by which the House refused to pass H. F. No. 477.

At 5:50, P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, March 7, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. Granger W. Smith.

On motion of Mr. Allen, 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 bill, in which the concurrence of the House is asked:

S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School Farm, at Salem, Lee county.

Also, that the Senate has passed, without amendment:

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same.

H. F. No. 196, A bill for an act relating to life insurance, and to prevent injustice to the assured.

Substitute for H. F. No. 156 and S. F. No. 159, A bill for an act creating the Fourteenth Judicial District, and providing for the election of District and Circuit Judges, and a District Attorney therein, and changing the boundaries of the Fourth Judicial District.

Also, that the Senate has passed H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending school in adjoining districts, and to enact a substitute therefor, with the following amendment, in which the concurrence of the House is asked: Strike out the words "one mile," and insert "one and a half miles."

Also, that the Senate has concurred in House amendments to S. F. No. 30, A bill for an act to authorize cities to provide for the construction of sewers.

J. A. T. HULL, *Secretary.*

REPORTS OF COMMITTEES.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 193, A bill for an act requiring county surveyors to record all surveys by them officially made, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 457, A bill for an act to protect the parties loaning seed grain, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also the following:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 217, A bill for an act in regard to working highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

WM. G. MADDEN, *Chairman*,

Ordered passed on file.

Mr. Norris, from the Committee on Suppression of Intemperance, submitted the following reports:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 232, A bill for an act to amend section 1539 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also the following:

MR. SPEAKER:—Your Committee on Suppression of Intemperance to whom was referred H. F. No. 445, A bill for an act conferring certain powers on cities and incorporated towns, to regulate the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out in eleventh line of section 1, "one mile," and inserting in lieu thereof "two miles," and as so amended that it do pass.

Also the following:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 255, A bill for an act to amend section 1540 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

T. C. NORRIS, *Chairman*.

Ordered passed on file.

Mr. Horton, from the Committee on Roads and Highways, submitted the following reports:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 315, A bill for an act to establish highways known as gateways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom

was referred H. F. No. 423, A bill for an act to amend section 960, chapter 1, title 7, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CHAS. C. HORTON, *Chairman.*

Ordered passed on file.

Mr. Clark, from the Special Committee, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 453, A bill for an act to amend section 1, chapter 31, of the Public Acts of the Fifteenth General Assembly, in relation to inspector of coal mines, beg leave to report that they have had the same under consideration, and have instructed me to report to report the same back to the House with the recommendation that it do pass.

G. T. CLARK, *Chairman.*

Ordered passed on file.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 397, A bill for an act to punish fraud in commercial transactions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 225, A bill for an act to repeal section 209 of the Code and enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 433, A bill for act providing for the organization of the county of Cook, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 318, A bill for an act to repeal sections 208 and 209 of the Code, and to enact a substitute in relation to the admission of persons to practice law, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House, with the recommendation that it be amended as follows: Strike out in the title and in lines five and six, the letters and figures "and 209," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 454, A bill for an act in relation to evidence of right of dower in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

Also, the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 400, A bill for an act to facilitate the equitable distribution of the assets of bankrupts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with recommendation that it do not pass.

Also, the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 387, A bill for an act to repeal section 2408, title 28, chapter 3, of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

Also the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 11, A bill for an act to punish three card monte playing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

Also the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 26, A bill for an act for the punishment of the players of three-card monte and other confidence games, and of persons for selling on railroad trains prize-packages and other prizes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

Also the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 408, A bill for an act to amend section 4588 of the Code, relating to bails on appeals after conviction, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 438, A bill for an act to exempt from executions and attachments the manuscripts, papers of authors, and models of inventors, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out all after the word inventors in line four and insert the words "shall be exempt from execution, provided the author or inventor is the head of a family," and that as thus amended the bill do pass

Also the following :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 441, A bill for an act to amend section 3643 of the Code, relating to the competency of testimony, beg leave to report that they have had the same under consideration, have ordered it

printed, and have instructed me to report the same back to the House with the recommendation that it be amended by the insertion of the publication clause, and that as thus amended, the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 371, A bill for an act to amend sections 892 and 893 of the Code in relation to the redemption of real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 310, A bill for an act to repeal section 209 of the Code, and enact a substitute therefor in relation to graduates of the law department of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 455, A bill for an act to repeal section 3513, chapter 1, title 2 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 357, A bill for an act to authorize counties to furnish justices of the peace and mayors of incorporated cities and towns with a copy of Conklin's treatise, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 24, A bill for an act regulating the jurisdiction of justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 277, A bill for an act to amend section 4240 of the Code, relating to excluding persons at preliminary examinations, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out the word "may," in line eight, and insert "shall"; in line nine, after the word "or," insert the words, "prosecuting witness and may": in line eleven strike out the words "any or," and also the words, "or such as the magistrate may deem advisable"; and in line thirteen, after

the word "attorneys," insert the words "the prosecuting witness and"; and that as thus amended the bill do pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 267, A bill for an act to amend section 900 of the Code of 1873, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred substitute for S. F. No. 100, A bill for an act to amend section 4228, chapter 12, title 25 of the Code, relating to change of venue on preliminary examinations, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 140, A bill for an act to perpetuate evidence of original notice, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred a substitute for a joint resolution proposing to amend section 13, article 5 of the Constitution of the State of Iowa, relating to the election of District Attorneys, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 158, A bill for an act defining the duties of sheriffs and other officers in executing the death penalty, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 149, A bill for an act to amend section 900 of the Code of 1873, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 447, A bill for an act to amend section 203 of the Code of 1873, beg leave to report the same back in pursuance of the order of the House.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 96, and a substitute therefor for A bill for an act to re-

sume all the lands and rights conferred upon the McGregor and Sioux City Railway Company by or under an act of Congress, approved May 12th, 1864, beg leave to report that they have had the same under consideration, have adopted the substitute and ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by the addition of the following section, to-wit:

“SECTION 5. The acceptance of the provisions of this act shall be deemed a release by the company accepting the same of all claims to unpatented land selected for and belonging to the original grant which has been entered and occupied in good faith pursuant to the provisions of the pre-emption or homestead laws. And upon the making of final proof of occupation and improvement now required by law, and of good faith, as aforesaid, to the satisfaction of the Register of the State Land Office, the Governor is hereby authorized to execute a patent for such land to the person entitled thereto.”

And that as thus amended the bill do pass.

JON. Y. STONE, *Chairman.*

Ordered passed on file.

Mr. Wilson presented a petition from citizens of Newton asking for an appropriation for meteorological observations.

Referred to the Committee on State University.

Mr. Dewese moved that the resolution submitted by himself in relation to Gen. Belknap, be taken up.

The motion prevailed.

The resolution was then taken up, together with the substitute offered by Mr. Irwin of Lee.

Mr. Hobbs moved to strike out the words in relation to the “fair fame of Iowa.”

Mr. Glover moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Bolter, Brown, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Marion, Colvin, Elliott, Gibbons, Giltner, Glendenning, Glover, Hall, Harned, Hemenway, Homer, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Winneshiek, Lane, Lynch, McHugh, McNeill, Madden of Polk, Madden of Taylor, Mentzel, Morse of Wright, Rae, Robinson, Shepardson, Simmons, Smith, Tice, Underwood, Ure, and White—45.

The nays were:

Messrs. Benton, Birchard, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dewese, Evans, Fuller, Gilliland, Given, Graves, Gray, Hoag, Hobbs, Horton, Jaqua, Johnston of Dubuque, Kauffman, Lathrop, McCune, McElderry, Madison, Manning, Maris, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Rees, Said, Scott, Shaw, Stone, Stuart, Stuckey, Thayer, Wilson, Young, and Mr. Speaker—44.

Absent or not voting:

Messrs. Brooks, Case, Dixon, Johnson of Benton, Jordan, McCartney, Mills, Moffit, Reed of Howard, and Williams—10.

So the motion to lay on the table prevailed.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order substitute for H. F. Nos. 197 and 325, A bill for an act to provide Board of Railroad Commissioners, &c.

Mr. Bush moved to take it up.

The motion prevailed.

The bill was taken up and considered, together with the report of the committee recommending a substitute.

Mr. Bush moved that the House adopt the report of the committee.

Mr. Wilson moved to amend by adopting the minority report.

Mr. Tice moved that when this House adjourn, it be at 12:10.

The motion did not prevail.

At 12 o'clock the House adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

By leave, Mr. Glover submitted the following report from the Committee on Printing:

Your Committee on Printing, to whom was referred House resolution relative to furnishing stationery to members of the press, reporting the proceedings of this House, for publication in the daily papers, beg leave to report that they have had the same under consideration, and recommend as a substitute, the adoption of the following resolution:

Resolved, That the Secretary of State be, and is hereby instructed to furnish J. B. Bansman, reporter of the proceedings of this House for the *Iowa Daily State Register*; Will Porter, House reporter for the *Iowa Daily State Leader*; L. F. Andrews, House reporter for the *Chicago Daily Journal* and *Chicago Daily Tribune*, and T. R. Bowen, House reporter for the *Dubuque Daily Times*, each a weekly allowance of two dollars worth of stationery for each week of the session.

J. F. GLOVER.

Mr. Glover moved that the resolution making an allowance to reporters be taken up.

The motion prevailed.

Mr. Glover moved that the substitute be adopted.

The motion prevailed.

The question being on the adoption of the resolution, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Bolter, Calvin, Case, Chapman,

Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Gibbons, Giltner, Glendenning, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McHugh, McNeill, Madden of Polk, Madden of Taylor, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Scott, Simmons, Stuart, Stuckey, Thayer, Tice, Underwood, Wilson, and Young—59.

The nays were:

Messrs. Auld, Baker, Brush, Bush, Campbell, Craver, Dixon, Elliott, Evans, Gilliland, Given, Glover, Hall, Hunt, Jordan, Lathrop, McCune, McElderry, Manuing, Maris, Morse of Adams, Morse of Wright, Norris, Rees, Said, Shaw, Shepardson, Smith, Stone, Ure, White, and Mr. Speaker—32.

Absent or not voting:

Messrs. Brooks, Brown, Homer, Irwin of Lee, Johnson of Benton, Madson, Mills, and Williams—8.

So the amendment to the amendment was adopted.

Leave of absence was granted Mr. Johnson of Benton.

SPECIAL ORDER.

The question then recurring on the motion of Mr. Wilson to adopt the minority report, the yeas and nays were as follows;

The yeas were:

Messrs. Bush, Case, Chapman, Clark of Johnson, Cleveland, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hobbs, Horstman, Irwin of Warren, Johnston of Dubuque, Jordan, Lane, Lynch, McHugh, McNeill, Madden of Polk, Manning, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shepardson, Simmons, Stone, Stuart, Thayer, Ure, White, Wilson, Young, and Mr. Speaker—53.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brush, Calvin, Campbell, Christy, Clark of Marion, Colvin, Craver, Elliott, Gilliland, Giltner, Gray, Harned, Hoag, Horton, Hotchkiss, Hunt, Jaqua, Johnson of Winneshiek, Kauffman, Lathrop, McCartney, McCune, McElderry, Madden of Taylor, Moffit, Scott, Shaw, Smith, Stuckey, Tice, and Underwood—36.

Absent or not voting:

Messrs. Bolter, Brooks, Brown, Homer, Irwin of Lee, Johnson of Benton, Madson, Maris, Mills, and Williams—10.

So the minority report was adopted.

REPORT OF COMMITTEE.

Mr. Cleveland, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER:—Your Committee on Federal Relations, to whom was

referred resolution and substitute, in reference to the late Secretary of War, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the original resolution offered by Mr. Dewese of Jasper, do pass.

B. A. CLEVELAND, *Chairman.*

Ordered 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:

S. F. No. 254, A bill for an act to facilitate business with railroads, express, and telegraph companies.

R. B. BAIRD,
Second Assistant Secretary.

ENROLLED BILLS.

Mr McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled.

H. F. No. 13, A bill for an act to amend section 3814, of chapter 3, title 23 of the Code, relating to the fees of witnesses.

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same.

H. F. No. 156, A bill for an act creating the Fourteenth Judicial District, and providing for the election of District and Circuit Judges and a District Attorney therein, and changing the boundaries of the Fourth Judicial District.

H. F. No. 196, A bill for an act relating to life insurance, and to prevent injustice to the assured.

MCNEILL, *Chairman.*

Mr. Clark, of Johnson, moved to consider the bill by sections.

The motion prevailed.

Mr. Bolter offered a substitute for the bill.

Mr. Gibbons moved that the railroad question be referred to a special committee, consisting of Messrs. Thayer, Clark of Johnson, Stone, and Bush.

The motion did not prevail.

The question recurring on the adoption of the substitute offered by Mr. Bolter, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Benton, Birchard, Bolter, Brush, Bush, Calvin, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque,

Crawford of Scott, Danforth, Deweese, Gibbons, Giltner, Given, Glendinning, Graves, Gray, Harned, Horatman, Horton, Hotchkiss, Hunt, Johnston of Dubuque, Johnson of Winneshiek, McHugh, McNeill, Maria, Mentzel, Moffit, Morse of Adams, Mueller, Palmer, Proudfoot, Rees, Scott, Simmons, Smith, Stuckey, Tice, and Young—44.

The nays were:

Messrs. Allen, Auld, Baker, Brown, Campbell, Case, Clark of Johnson, Craver, Dixon, Elliott, Evans, Fuller, Gilliland, Glover, Hall, Hemmenway, Hoag, Hobbs, Homer, Irwin of Warren, Jaqua, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry, Madden of Polk, Madden of Taylor, Manning, Morse of Wright, Norris, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Shepardson, Stone, Stuart, Thayer, Underwood, Ure, White, Wilson, and Mr. Speaker—47.

Absent or not voting:

Messrs. Brooks, Irwin of Lee, Johnson of Benton, McCartney, Madison, Mills, Shaw, and Williams—8.

So the motion to adopt the substitute did not prevail.

Mr. Stuart moved to amend and strike out all after the word "be" in the third line of section 1, to the word "thereafter" in the fourth line, and insert in lieu thereof the following: "Chosen by the qualified electors at the general election in 1876, and each even numbered year thereafter."

The amendment was adopted.

Mr. Given moved to amend by adding "any vacancy shall be filled by appointment by the Governor."

The motion prevailed.

Mr. Colvin moved to add to section 8, the following: "And they shall weigh or cause to be weighed all kinds of grain shipped in bulk, and shall deliver the same at its destination with no greater loss than one hundred pounds per car load."

The amendment did not prevail.

Mr. Clark of Marion moved to strike out section 11 of the bill.

The motion did not prevail.

Mr. Given moved to amend section 12 by inserting after the word "suit" "and all reasonable attorney's fees fixed by the Court."

The motion prevailed.

REPORT OF COMMITTEE.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise, or some other work of a similar character, on county and township officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

S. F. No. 30, A bill for an act to authorize cities organized under special charters, to provide for the construction of sewers.

Also, the following:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, to-wit:

S. F. No. 244, A bill for an act to authorize Woodbury county, Iowa, to have made new and corrected indexes to its records.

MCNEILL, *Chairman.*

Mr. Hobbs moved to strike out section thirteen of the bill.

The motion prevailed.

Mr. Bush moved to strike out sections 15, 16, 17, 18, 19, 20, 21, 22, and 23 of the bill, and insert in lieu thereof section 15 of the bill reported by the majority of the Railroad Committee.

RESOLUTION.

Leave was granted Mr. Wilson to offer the following resolution:

Resolved, That when this House adjourn it adjourn to meet at 7:30 P. M., this evening, and every evening until otherwise ordered.

Mr. Gibbons offered the following substitute:

Resolved, That after to-day the sessions of this House shall be from 9 A. M. till 12 M., and from 2 P. M. till 6 P. M.

Mr. Reed of Jackson moved to lay the resolution on the table.

The motion prevailed.

Mr. Shaw moved the previous question, which the House refused to second.

Mr. Gibbons moved to strike out all after section 14 of the bill.

The motion did not prevail.

The question recurring, on the motion of Mr. Bush to strike out and insert, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Bush, Campbell, Colvin, Craver, Dixon, Elliott, Evans, Gilliland, Given, Glover, Hall, Hunt, Irwin of Warren, Jordan, Lane, Lathrop, McElderry, Madson, Manning, Maris, Morse of Adams, Morse of Wright, Rees, Said, Shaw, Shepardson, Smith, Stone, Stuart, Ure, White, and Mr. Speaker—34.

The nays were:

Messrs. Allen, Benton, Birchard, Bolter, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Gibbons, Giltner, Glendenning, Graves, Gray, Harned, Hem-

enway, Hoag, Hobbs, Homer, Horstman, Hortop, Hotchkiss, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Mentzel, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Scott, Simmons, Stuckey, Thayer, Tice, Underwood, Wilson, and Young—58.

Absent or not voting:

Messrs. Brooks, Irwin of Lee, Jaqua, Johnson of Benton, Madden of Taylor, Mills, and Williams—7.

So the amendment did not prevail.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers.

H. F. No. 13, A bill for an act to amend section 3814 of chapter 3, title 23 of the Code, relating to the fees of witnesses.

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same.

H. F. No. 156, A bill for an act creating the Fourteenth Judicial District, and providing for the election of District and Circuit Judges and a District Attorney therein, and changing the boundaries of the Fourth Judicial District.

H. F. No. 196, A bill for an act relating to life insurance, and to prevent injustice to the assured.

Also the following:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 238, A bill for an act to amend section 2049 of the Code of 1873.

S. F. No. 216, A bill for an act to legalize ordinances No. 142 and No. 147, passed by the City Council of the city of Cedar Rapids, in relation to the establishment of water works in said city, and the conveyance of land on which to erect the same.

S. F. No. 233, A bill for an act to amend section 1144, in chapter 4, of section 9 of the Code, relating to fire insurance companies.

S. F. No. 44, A bill for an act to amend section 3809 of the Code.

S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory to cities and towns.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

McNEILL, *Chairman.*

Mr. Gibbons moved to strike out sections 15, 16, 17, and 18 of the bill.

The motion did not prevail.

SENATE MESSAGES.

Mr. Hemenway moved to take up Senate messages.

The motion prevailed.

S. F. No. 254, A bill for an act to facilitate business with railroad and telegraph companies terminating in this State, was taken up, read first and second time, when Mr. Stone moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Duquque, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Wilson, Young, and Mr. Speaker—90.

The nays were none.

Absent or not voting:

Messrs. Brooks, Bush, Danforth, Irwin of Warren, Johnson of Benton, McCune, Mauning, Mills, and Williams—9.

So the bill passed and the title was agreed to.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending school in adjoining districts, was taken up and considered, and the question being on concurring in the amendment made by the Senate, striking out "one mile," and inserting "one and one half miles," the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brown, Brush, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McHugh, Madden of Polk, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson,

Rees, Robinson, Said, Scott, Shaw, Shepardson, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, White, Young, and Mr. Speaker—80.

The nays were:

Messrs. Baker, Calvin, Crawford of Scott, Hobbs, McElderry, Madden of Taylor, Smith, Tice, and Wilson—9.

Absent or not voting:

Messrs. Brooks, Bush, Crawford of Dubuque, Irwin of Lee, Johnson of Benton, McCune, McNeill, Mills, Simmons, and Williams—10.

So the House concurred in the Senate amendment.

REPORT OF CONFERENCE COMMITTEE ON H. F. NO. 101.

To the General Assembly of the State of Iowa:

Your committee of conference, appointed on the part of the Senate and House to confer and report on the disagreement of the two houses on H. F. No. 101, A bill for an act to promote fish culture, beg leave to report that they have met, and after due deliberation do unanimously recommend that the sum of eight thousand, seven hundred and fifty dollars (\$8,750) be appropriated by this Assembly, instead of ten thousand, as asked for in the original bill.

J. H. MURPHY,
F. T. CAMPBELL,
D. N. COOLEY,

On part of the Senate.

L. R. BOLTER,
J. W. DEWEESE,
J. J. SMITH,
D. W. STUART,

On part of the House.

The question being on the adoption of the report, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brush, Bush, Campbell, Case, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winnesiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McNeill, Madden of Polk, Madden of Taylor, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Robinson, Said, Scott, Shaw, Smith, Stone, Stuart, Thayer, Wilson, Young, and Mr. Speaker—68.

The nays were:

Messrs. Baker, Brown, Calvin, Chapman, Clark of Marion, Elliott, Gibbons, Harned, Hotchkiss, Lynch, McHugh, Madson, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Shepardson, Simmons, Stuckey, Tice, Underwood, Ure, and White—23

Absent or not voting:

Messrs. Brooks, Irwin of Lee, Johnson of Benton, McCune, McElderry, Manning, Mills, and Williams—8.

So the House concurred in the report of the conference committee.

A communication from the Secretary of State, in reference to the statements of the various railroad companies, was read and referred to the Committee on Railroads.

Leave was granted Mr. Horstman to present two petitions from citizens of Clinton county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

At 5:45, P. M., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 8, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. T. S. Berry.

On motion of Mr. Giltner, 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 bills, in which the concurrence of the House is asked:

S. F. No. 194, A bill for an act to repeal section 3829 of the Code, and to enact a substitute therefor.

S. F. No. 175, A bill for an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms.

S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with, and purchase from the Burlington and Missouri River Railway Company, the southeast quarter of section 13, the northeast quarter of the northeast quarter and the southeast quarter of the northeast quarter of section 23, township 70, range 16 in Appanoose county, Iowa

S. F. No. 253, A bill for an act to provide for the individual liability of the stockholders of banks and incorporators under the general incorporation law of the State, for banking purposes.

I am also directed to inform your honorable body that the Senate has passed the following bills, without amendment:

H. F. No. 284, A bill for an act to perfect title in certain lands to Matilda Carter.

H. F. No. 364, A bill for an act to legalize the levy of certain road taxes in the county of Howard, and extending the same upon the tax books of said county.

J. A. T. HULL, *Secretary.*

On motion of Mr. Glover H. F. No 2, (?) A bill for an act to amend an act entitled an act to amend section 289, and section 290 of the Code, with report of committee recommending an amendment was taken up, considered and the report of the committee was adopted.

Mr. Glover moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brooks, Brown, Brush, Campbell, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—76.

The nays were:

Messrs. Bush, Elliott, Gibbons, Jaqua, McCartney, Thayer, and Tice—7.

Absent or not voting:

Messrs. Calvin, Case, Chapman, Hall, Hemenway, Hunt, Kauffman, Manning, Maris, Moffit, Mueller, Reed of Howard, Rees, Smith, Stuckey, and White—16.

So the bill passed and the title was agreed to.

Mr. Deweese introduced H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code.

Read first and second time, when Mr. Deweese moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gilliland, Given, Graves, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—80.

The nays were:

Messrs. Clark of Marion, Crawford of Dubuque, Glover, Gray, and Tice—5.

Absent or not voting:

Messrs. Birchard, Bolter, Brown, Danforth, Elliott, Gibbons, Giltner, Glendenning, Hall, Hemenway, McNeill, Reed of Howard, Rees, and Ure—14.

So the bill passed and the title was agreed to.

REPORT OF SPECIAL COMMITTEE.

Mr McElderry, from special committee on substitute for H. F. No. 233 and S. F. No. 19, submitted the following report:

MR. SPEAKER:—Your committee on substitute for H. F. 233 and S. F. No. 19, to whom was referred substitute therefor, a bill for an act to repeal section 3789 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report back to the House a substitute, with the recommendation that it do pass.

McELDERRY, *Chairman.*

Ordered passed on file.

Mr. McElderry moved that the report submitted by himself on H. F. No. 233 and S. F. No. 19, A bill for an act to repeal section 3789 of the Code, in relation to sheriff's fees, be taken up.

The motion prevailed.

The report of the committee recommending a substitute was adopted.

Mr. Lynch moved to amend by inserting the word, "not more," in section 1 of 23d and 28th lines.

The motion prevailed.

Mr. Morse, of Adams, moved to strike out "\$200," and insert "\$100."

The motion did not prevail.

Mr. Hobbs moved to amend by providing that this act shall not take effect until January 1, 1877.

The motion prevailed.

Mr. Clark of Marion moved to strike out the publication clause.

The motion prevailed.

Mr. McElderry moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Brooks, Brown, Brush, Bush, Case, Chapman, Christy, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Graves, Gray, Harned, Hoag, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madson, Maris, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, Underwood, Williams, Young, and Mr. Speaker—73.

The nays were:

Messrs. Benton, Birchard, Bolter, Campbell, Elliott, Hobbs, Hotchkiss, Johnson of Winneshiek, Madden of Taylor, Morse of Adams, Rae, Stuckey, Ure, White, and Wilson—15.

Absent or not voting:

Messrs. Calvin, Clark of Johnson, Cleveland, Deweese, Dixon, Gilliland, Glover, Hall, Hemenway, Madden of Polk, and Manning—11.
So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled.

H. F. No. 31, A bill for an act to amend section 518 of the Code of 1873, title 4, chapter 10, of cities and incorporated towns.

H. F. No. 121, A bill for an act appropriating \$550.50 in payment of claims of E. Blakeslee.

H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts and disbursements at each general election.

H. F. No. 416, A bill for an act for the payment of the claim of James Harvey.

McNEILL, *Chairman.*

On motion of Mr. Gibbons, H. F. No. 213, A bill for an act in relation to cities organized and existing under special charters, and conferring additional powers upon such cities, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Mr. Gibbons moved to amend and strike out "75 cents" in section 15, and insert in lieu thereof "40 cents."

The motion prevailed.

Mr. Gibbons moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were :

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Evans, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Jackson, Robinson, Said, Scott, Shaw, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—80.

The nays were none

Absent or not voting :

Messrs. Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Fuller,

Hemenway, Horstman, Hunt, Jaqua, Manning, Rae, Reed of Howard, Rees, Shepardson, Stone, and Deweese—19.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 88, A bill for an act to extend aid to the State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on University, with instructions to report the same back to the House with items for which appropriation is asked.

W. DANFORTH, *Chairman.*

Ordered passed on file.

Mr. Moffit, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER:—Your Committee on Police Regulations, to whom was referred S. F. No. 32, A bill for an act restraining vagrancy and common beggary, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the following words be stricken out: "and to whom labor, at reasonable prices has been offered and refused, or who has not made reasonable effort to procure employment," and with this amendment it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Police Regulations, to whom was referred H. F. No. 405, A bill for an act to suppress intemperance by providing a police regulation respecting the sale of intoxicating liquors pursuant to a vote of the people, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without any recommendation.

MOFFIT, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

Leave was granted Mr. Kauffman to introduce H. F. No. 479, A bill for an act making an appropriation for the insane hospital at Independence.

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

On motion of Mr. Clark of Johnson, S. F. No. 32, A bill for an act to restrain vagrancy and common beggary, with report of committee recommending that the bill do pass with amendments, was taken up, considered, and the report of the committee was adopted.

Mr. Clark of Marion, moved to strike out the word "male."

The motion prevailed.

Mr. Benton moved to reconsider the vote by which the word "male" was stricken out.

Leave of absence was granted Mr. Hemenway on account of sickness.

Mr. McCartney moved that the House do now adjourn.

The motion prevailed.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

On motion of Mr. Graves, H. F. No. 405, was made a special order for Thursday, March 9th.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled:

S. F. No. 254, A bill for an act to facilitate business with railroads, express, and telegraph companies.

McNEILL, *Chairman.*

Mr. Given introduced H. F. No. 480, A bill for an act to amend chapter 1, of title 23 of the Code, in relation to the compensation of State and District officers, was read a first and second time, and referred to the Committee on Compensation of Public Officers.

Mr. Hall introduced H. F. No. 481, A bill for an act to amend section 3061 of the Code, extending the time of fixing bond for stay of executions, was read a first and second time, and referred to the Judiciary Committee.

The question recurring on the motion of Mr. Benton, to reconsider the vote by which the word male was stricken from S. F. No. 32, the motion to reconsider prevailed.

The question now recurring on the motion to strike the word "male" from the bill, the motion did not prevail.

Mr. Clark, of Johnson, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Calvin, Campbell,

Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Evans, Fuller, Gibbons, Given, Glendenning, Glover, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hotchkiss, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stone, Stuart, Stuckey, Thayer, Underwood, Williams, Young and Mr. Speaker—67.

The nays were:

Messrs. Bolter, Brown, Brush, Clark of Marion, Danforth, Deweese, Dixon, Elliott, Gilliland, Gray, Horstman, Irwin of Warren, Lane, Madson, Mueller, Reed of Howard, Simmons, Tice, Ure, and Wilson—20.

Absent or not voting:

Messrs. Brooks, Bush, Crawford of Scott, Giltner, Graves, Hemenway, Hunt, Johnson of Winneshiek, Proudfoot, Rae, Smith, and White—12.

So the bill passed and the title was agreed to.

RESOLUTION.

Mr. Dixon offered the following resolution:

Resolved, That the Speaker appoint a Sifting Committee of seven to examine all bills before the House and divide them into classes, to be determined by their importance, said committee to report to this House from time to time, up to the time of adjournment.

The resolution was adopted.

Leave was granted Mr. Bolter to call up H. F. No. 351, A bill for an act to legalize the sale of a certain eighty acre tract of school land, sold to John A. Perkins, the bill was taken up and considered, with the report of the committee.

Mr. Bolter moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Suckey, Thayer, Tice, White, Young, and Mr. Speaker—86.

The nays were none.

Absent or not voting:

Messrs. Brooks, Bush, Glover, Hemenway, Hunt, Johnston of Dubuque, McHugh, Reed of Howard, Smith, Underwood, Urs, Williams, and Wilson—13.

So the bill passed and the title was agreed to.

Mr. Shaw moved to take up H. F. No. 471.

The motion was lost.

The question then recurring on the motion to strike section 15 from substitute for H. F. Nos. 197 and 325.

SPECIAL ORDER.

The hour having arrived for special order, substitute for S. F. Nos. 67 and 85, Mr. Hall moved to take up the bill.

The motion did not prevail.

Mr. Manning moved that the railroad tax bill be considered after the tariff bill is disposed of.

The motion prevailed.

Mr. Given moved to amend section 15 of substitute for Nos. 197 and 325, by striking out in lines 3 and 4, the words, "of chapter 68, of the public laws of the Fifteenth General Assembly," and inserting the words, "established by the board."

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Campbell, Craver, Elliott, Evans, Gilliland, Given, Glover, Hall, Hoag, Irwin of Warren, Jordan, McElderry, Madden of Polk, Madson, Manning, Maris, Mills, Morse of Wright, Norris, Rae, Reed of Howard, Rees, Said, Shaw, Shepardson, Stone, Underwood, and Ure—30.

The nays were:

Messrs. Allen, Benton, Birchard, Bolter, Brown, Brush, Calvin, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Giltner, Glendenning, Graves, Gray, Harned, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCune, McHugh, Madden of Taylor, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Reed of Jackson, Robinson, Scott, Simmons, Stuart, Stuckey, Thayer, Tice, White, Williams, Wilson, Young, and Mr. Speaker—57.

Absent or not voting:

Messrs. Brooks, Bush, Chapman, Dixon, Gibbons, Hemenway, Hotchkiss, Hunt, McCartney, McNeill, Morse of Adams, and Smith—12.

The amendment did not prevail.

REPORTS OF COMMITTEES.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was refer-

red H. F. No. 146, A bill for an act to secure the owners and operators of threshing machines in the collection of their wages, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 139, A bill for an act to amend sections 3507 and 3508 of the Code, title 21, chapter 1, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 420, A bill for an act relating to the law of inheritance, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out in lines nine and ten the words "acquired during the existence of the marriage relation," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 428, A bill for an act to protect the purchaser of mortgage chattle property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 278, A bill for an act to provide for the confinement of persons acquitted of the charge of murder or manslaughter by reason of insanity, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 132, A bill for an act to punish carelessness in the use of fire arms, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that as thus amended the bill do pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 432, A bill for an act for the punishment of tramps, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 208, A bill for an act to amend chapter 6, title 13 of the Code, in relation to the conveyance of real property, beg leave to re-

port that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 446, A bill for an act to amend section 2999, title 18, chapter 1 of the Code, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 392, A bill for an act to abolish the circuit courts, and establish county courts, and to define the powers and jurisdiction of the same, beg leave to report the same back to be referred to a special committee in pursuance of the order of the House.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 436, A bill for an act to punish persons breaking or attempting to break county jails, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out in line five the word "section" and the figure "2," and insert "section 3959," and that as thus amended the bill do pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 410, A bill for an act to amend section 963 of the Code in relation to appeals for damage in road cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 460, A bill for an act to legalize an election held in Mitchell county, Iowa, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 452, A bill for an act to amend section 3074, chapter 2, title 18 of the Code, concerning exemptions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 262, A bill for an act to amend section 4560 of the Code, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 236, A bill for an act to amend section 2494, chapter 5, title 6 of the Code, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 362, A bill for an act to amend section 3792 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Compensation of Public Officers.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 228, A bill for an act to amend the fifth paragraph of section 3814 of the Code, relating to compensation of expert as witnesses, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

JNO. Y. STONE, *Chairman.*

Reports ordered passed on file.

Mr. Scott, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred S. F. No. 42, A bill for an act regulating the expenditures and accounts of the Quartermaster General of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred H. F. No. 226, A bill for an act to build sidewalk on north and east side of State Arsenal, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows; Strike out of the first line of section 1 the words "twenty-seven," and insert the word "one." Strike out of the seventh line of section 1 the word "stone," and insert the word "plank." Strike out of the tenth line the words "under the direction of," and insert the word "by." Add to the eleventh line: "under the direction of the Executive Council." Strike out section 2. And also amended, recommend that it do pass.

R. G. SCOTT, *Chairman.*

Ordered passed on file.

John Calvin, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 437, A bill for an act to amend sections 1801 and 1802 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 411, A bill for an act to erect a new sub district from parts of Wapsinonoc and Pike townships, Muscatine county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred S. F. No. 169, A bill for an act to require the Clerks of the several District and Circuit Courts to make annual reports to the Auditor of State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also the following:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 435, A bill for an act to repeal section 1861, of chapter 12, title 12 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

CALVIN, *Chairman pro tem.*

Ordered passed on file.

Mr. Colvin, from the Committee on H. F. Nos. 176 and 354, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. Nos. 176 and 354, bills for an act authorizing owners of cemeteries to survey and plat the same, and to empower the township trustees to condemn land for cemeteries and for other purposes, beg leave to report that they have had the same under consideration, and have substituted a bill therefor, and have instructed me to report the same back to the House, with the recommendation that the substitute do pass.

L. COLVIN, *Chairman.*

Ordered passed on file.

Mr. Rae, from the Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 301, A bill for an act amending section 286 of the Code of 1873, relating to the elections for the relocation of county seats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that it be amended by striking out all of section 1, occurring after the word contest in the ninth line, and all of sections 2, and 3, and as thus amended the bill do pass.

Also the following:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 476, A bill for an act to amend section 784, chapter 10, title 5 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute for the same back to the House with the recommendation that it do pass.

RAE, *Chairman.*

Ordered passed on file.

Mr. Robinson, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 458, A bill for an act to repeal section 851, chapter 1, title 6 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 450, A bill for an act to provide for taking the census of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 440, A bill for an act to change the boundaries of Polk and Dallas counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, the following:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred two petitions asking for the passage of a law to restrain the boards of supervisors in their use of bridge funds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also the following:

MR. SPEAKER: Your Committee on County and Township Organizations, to whom was referred H. F. No. 466, A bill for an act to amend section 1955 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Mr. Irwin, from the Committee on Penitentiaries, submitted the following report:

MR. SPEAKER:—Your Committee on Penitentiaries, to whom was referred H. F. No. 471, A bill for an act to authorize the transfer of convicts from the penitentiary at Ft. Madison to the penitentiary at Anamosa, and to provide a deputy warden for the Anamosa penitentiary, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the first and third sections, and so much of the title as relates to the removal of prisoners from Ft. Madison to Anamosa, and as thus amended that it do pass.

IRWIN (of Lee), *Chairman*.

Ordered passed on file.

Mr. Danforth, from the Committee on Appropriations, made the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 23, A bill for an act to provide for the continuation of the work on the Additional Penitentiary, and to make an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, with the recommendation that the substitute do pass.

W. DANFORTH, *Chairman.*

Ordered passed on file.

Mr. Graves, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred S. F. No. 243, A bill for an act to provide for transfer of moneys raised by special levies, to the general county fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred substitute for S. F. No. 144, A bill for an act authorizing State Treasurers to transfer certain moneys retained from swamp land indemnity fund, to the general revenue fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred S. F. No. 223, A bill for an act to amend section 3049 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred S. F. No. 170, A bill for an act to provide for collection of delinquent personal taxes in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases for an amount less than the taxes, interest and costs due thereon, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 425, A bill for an act to repeal section 807 of the Code, and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to re-

port the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 449, A bill for an act concerning delinquent taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 469, A bill for an act to amend section 431 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 218, A bill for an act to amend section 482 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 150, A bill for an act to provide for changing names of incorporated towns and villages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following reports:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 28, A bill for an act to amend section 3798 of the Code of Iowa, in relation to compensation of County Auditors, beg leave to report that they have had the same under consideration, and prepared a substitute therefor, and have instructed me to report the same back to the House, with the recommendation that the substitute do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. Nos. 42, and 190, Bills for an act to amend section 409 of the Code, relating to compensation of county treasurers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that they do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 409, A bill for an act to amend section 3793 of the Code, relative to compensation of county treasurers, beg leave to report that they have had the same under consideration,

and made certain amendments thereto, and have instructed me to report the same back to the House with the recommendation that as amended it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 464, A bill for an act to amend section 4201 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 303, A bill for an act to amend section 3798, relative to compensation of county auditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed on account of having made a report on same subject on another bill.

LOUIS CASE, *Chairman.*

Ordered passed on file.

Mr. Stone moved to strike out sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, of chapter 68 of the public acts of the Fifteenth General Assembly, and offered a substitute to the pending bill as follows.

Mr. Bolter moved to postpone further consideration of the substitute.

Leave was granted Mr. Crawford of Dubuque, to present two petitions from citizens of Farley, in relation to the railroad tariff law.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa;* That sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of chapter 68 of the Public Acts of the Fifteenth General Assembly be and the same are hereby repealed, and the following sections enacted in lieu thereof:

SEC. 2. It shall be unlawful for any railway corporation to charge, demand or receive from any person, company or corporation, an unreasonable price for the transportation of property, or for the handling or storing of any freight, or for the use of its cars, or for any privilege or service afforded by it in the transaction of its business as a railway corporation.

SEC. 3. Every railroad corporation doing business in this State, shall prepare and keep posted in each of its freight and passenger offices, a true copy of the schedules of rates of freight and passenger tariffs which it has adopted. It shall be the duty of each railroad corporation operating a railroad in this State during the month of January, 1875, and each and every year thereafter, to make and return to the Governor a statement of its gross receipts on its entire road within this State for the year preceding and ending with the 31st day of December. Said statement shall be sworn to by the president and superintendent of the road in this state, and shall contain a detailed statement of the entire receipts for transporting freight and passengers, and all other sources of income of the road. A failure to comply with the provisions of this section shall subject the corporation so failing, to a penalty of one hundred dollars per day, for each and every day after such report is due until it is made; to be recovered in an action in the name of the

State of Iowa, for the benefit of the school fund. If the executive council shall, on examination, be satisfied of the correctness of said returns, it shall be their duty to classify the different railroads in this State as hereinbefore provided, and the Governor, when there shall be any change in classification, shall issue a certificate to any corporation or corporations affected by such change, certifying to them the class to which they are respectively assigned.

SEC. 4. Where any prosecution or action for the violation of any of the provisions of this act in relation to the transportation of passengers or freight, shall be commenced, it shall be the duty of the Governor, when notified thereof and requested by the person or persons commencing the prosecution or action, supported by a recommendation of at least twenty tax-payers of the county where the violation occurred, to employ suitable counsel, if he deem it necessary, to conduct or assist in conducting the same; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury for compensation for such counsel and to pay any incidental expenses necessary to carry on said prosecution or action. Such compensation and incidental expenses shall be audited and allowed by the Auditor of State on the certificate of the Executive Council that services were actually performed and such incidental expenses necessary, and that the sums in such certificates were reasonable for the service rendered. And when thus certified and allowed it shall be paid by the Treasurer of State out of said appropriation, less whatever amount may be allowed by the court or courts and included in the judgment as attorney's fees.

SEC. 5. All connecting railroads in this State, operated or controlled by the same person or company, under lease or otherwise, shall, for the purposes of this act, in computing distances and determining rates and classes of roads, be regarded as one road.

SEC. 6. No railroad company shall charge any person, company, or corporation, for the transportation of any property, a greater sum than it shall at the same time charge and collect from any other person, company, or corporation, for a like service, from same place and upon like conditions, and all concessions of rates, drawbacks, and contracts for special rates, founded upon the demands of commerce and transportation, shall be open to all persons, companies, and corporations alike.

SEC. 7. Any officer, agent, or employee of any railroad company, person, or corporation, operating a line of railroad within this State, who shall violate, or be a party to the violation of any of the provisions of this act, or instrumental therein, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished for every such offense, by fines not less than twenty dollars, nor more than one hundred dollars, or by imprisonment not less than five, nor more than thirty days; or any such person, corporation, or railroad company, as aforesaid, who shall authorize, direct, cause, permit, or allow any violation of the provisions of this act, by any officer, agent, or employee, such railroad company, person, or corporation shall forfeit and pay to the person injured ten times the amount, compensation, or charge illegally taken or demanded, or one time the amount of damage caused, as the case may be, to be recovered, with a reasonable attorney's fee, by such person,

in a civil action in any court or before a justice of the peace, as the case may be, of this State; and if an appeal be taken from the judgment, or any part thereof, it shall be the duty of the appellate court to include in the judgment an additional reasonable attorney's fee for services in the appellate court or courts; and for every such violation, such railroad company, person, or corporation shall forfeit and pay to the State of Iowa, for the use of the school fund, the sum of five hundred dollars, to be recovered in any civil action in the name of the State; and it is hereby made the duty of the Attorney General of the State and of the several District Attorneys within their respective districts, to sue for and recover all sums forfeited as aforesaid.

SEC. 8. The terms "railroad corporation" and "railroad company," contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals now owning, or which may hereafter own or operate any railroad, in whole or in part, in this State; and the provisions of this act shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railways in this State (express companies and street railways excepted) the same as to railroad corporations hereinbefore mentioned.

SEC. 9. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa State Register*, and *State Leader*, newspapers published at Des Moines, Iowa.

Mr. Gibbons moved that when this House adjourn it be at 5:45 P. M.

Mr. Dixon moved that this House do now adjourn.

The motion prevailed.

At 5:25 P. M. the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 9, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. T. S. Berry.

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

PETITIONS.

Leave was granted Mr. Reed of Howard to present two petitions relating to the liquor law.

Referred to the Committee on Police Regulations.

Leave was granted Mr. Hoag to introduce H. F. No. 482, A bill for an act to relieve Page county from the payment of certain taxes claimed by the State of Iowa.

Read first and second time, and referred to a special committee.

Leave was granted Mr. Rees to call up H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of the construction of railroads since the 1st day of January, A. D., 1868, and to cancel unpaid taxes.

The bill was taken up and considered, with the report of the committee recommending amendments.

On motion of Mr. Rees, the report of the committee was adopted.

Mr. Hobbs offered the following amendment:

Provided, That the provisions of this act shall not apply to any railroad, or taxes voted in aid of any railroad, where the time for the collection of such tax, or for the construction of such railroad shall be by law extended.

Mr. Fuller, by leave moved that the special order H. F. Nos. 142, 210, and 459, be made a special order after the 5 per cent. railroad tax bill was disposed of.

The motion prevailed.

The question being on the adoption of the amendment of Mr. Hobbs, the House refused to adopt the amendment.

Mr. Hobbs then offered a substitute for the bill.

The House refused to adopt the substitute.

Mr. Rees moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Harned, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Hunt, Johnson of Benton, Johnston of Dubuque, Lathrop, Lynch, McCartney, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardon, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, White, Williams, Young, and Mr. Speaker—73.

The nays were:

Messrs. Clark of Johnson, Deweese, Gibbons, Glover, Graves, Gray, Hobbs, Horton, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Winnesiek, McCune, Manning, Morse of Adams, Morse of Wright, and Thayer—17.

Absent or not voting:

Messrs. Allen, Brooks, Hall, Jordan, Kauffman, Lane, McNeill, Ure, and Wilson—9.

So the bill passed and the title was agreed to.

The Speaker appointed Messrs Dixon, Clark of Johnson, Crawford of Scott, Wilson, Thayer, Reed of Howard, and Stone, as the sifting committee.

The Speaker announced as committee on H. F. No. 482, Messrs. Baker, Case, and Rees.

On motion of Mr. Horton, S. F. No. 40, A bill for an act to authorize the Governor to appoint Aids-de-Camp, with report of committee recommending that it do pass was taken up, considered and the report of the committee was adopted.

Mr. Horton moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Ra, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—88.

The nays were:

Messrs. Baker, Brown, Bush, Clark of Marion, Crawford of Dubuque, Danforth, and Gibbons—7.

Absent or not voting:

Messrs. Brooks, Hall, Hoag, and Simmons—4.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Bolter, from the Committee on State University, submitted the following report:

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 88, A bill for an act to extend aid to the State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore acted upon.

Also the following:

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 220, A bill for an act appropriating money for the aid and maintenance of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out of lines four and five the words, "fifty-five thousand," and insert "forty-seven thousand five hundred," and as thus amended the bill do pass.

L. R. BOLTER, *Chairman, pro tem.*

Ordered passed on file.

On motion of Mr. Deweese, H. F. No. 303, A bill for an act amendatory of and in addition to section 814 of the Code, title 6, chapter 1 "of the assessment of taxes," with report of committee recommending that it do pass, with amendments, was taken up, considered, and the report of the committee was adopted.

Mr. Evans moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were :

Messrs. Allen, Bush, Crawford of Dubuque, Evans, Irwin of Lee, Johnson of Winneshiek, and Reed of Howard—7.

The nays were :

Messrs. Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—84.

Absent or not voting :

Messrs. Brooks, Fuller, Giltner, Hobbs, Kauffman, Manning, Morse of Adams, and Shaw—8.

So the motion to lay on the table did not prevail.

Mr. Benton offered the following as an amendment:

Provided, A certificate of ownership sworn to by a United States Sub-Treasurer, or Treasurer of the United States, giving date, amount and number of bonds, shall be sufficient evidence of ownership.

The House refused to adopt the amendment.

Mr. Wilson offered the following as an amendment:

Provided, That the provisions of this act shall not apply to bonds on deposits to secure the circulation of National Banks.

The House refused to adopt the amendment.

Mr. Smith offered the following as an amendment:

Provided, That if any person claiming to have owned such bonds on the first day of January, but are unable to present such bonds by reason of having since sold them, shall furnish the assessor with a certificate of the sale of said bonds, duly sworn to, he shall not be required to produce them, in order to be entitled to exemption.

Mr. Stuckey moved the previous question, which was seconded.

The question being shall the main question be now put, the House ordered the main question put.

The question recurring, on the motion of Mr. Smith to amend, the House refused to adopt the amendment.

The bill was then ordered engrossed for a third reading.

Leave was granted Mr. Stone to present a memorial and resolution from the Superintendent of the Soldiers' Orphan Home at Glenwood.

Mr. Stone moved to refer the memorial to a special committee of three.

The motion prevailed.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 364, A bill for an act to legalize the levy of certain road taxes in Howard county, and the extending of the same upon the Tax books of said county.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12, of the Code, in relation to children attending schools in adjoining districts.

H. F. No. 284, A bill for an act to perfect title in certain lands to Matilda Carter.

S. F. No. 40, A bill for an act authorizing the Governor to appoint aids-de-camp.

MCNEILL, *Chairman.*

REPORT OF COMMITTEE ON ENGROSSED BILLS.

MR. SPEAKER:—Your Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 153, A bill for an act to repeal subdivision two of section 796, chapter 1, title 6 of the Code, and chapter 28 of the public acts of the Fifteenth General Assembly, and to enact a substitute therefor.

JORDAN.

REPORTS OF COMMITTEES.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 430, A bill for an act to tax dogs, beg leave to report that they have had the same under consideration, and have adopted a substitute, and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. G. MADDEN, *Chairman.*

Ordered passed on file.

Mr. Lane, from Special Committee, submitted the following report:

MR. SPEAKER:—Your Special Committee to whom was referred H. F. No. 447, A bill for an act to amend section 203 of the Code of 1873, in regard to criminal reports, beg leave to report that they have had

the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

L. D. LANE, *Chairman*.

Ordered passed on file.

Mr. Calvin, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred S. F. No. 15, A bill for an act to amend title 12, chapter 8 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out in the first line of section 1698 the words "one tenth," and insert "one-fourth."

CALVIN, *Chairman, pro tem*.

Ordered passed on file.

Mr. Norris, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. Nos. 223 and 125, A bill for an act to amend sections 1537 and 1538 of the Code, relating to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

T. C. NORRIS, *Chairman*.

Ordered passed on file.

Mr. Bush, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred S. F. No. 2, A resolution to amend section 11, of article 2 of the Constitution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out from the eleventh line the words "by such magistrate." Add to the twelfth line after the words "grand jury," these words: "as shall be provided by law." Strike out the word "legislature" in the fourteenth line, and insert "General Assembly."

BUSH, *Chairman*,

Ordered passed on file.

Mr. Gibbons moved to postpone the consideration of the report of the Committee on Constitutional Amendment until after the Representative and Senatorial District bill was considered.

The motion prevailed.

On motion of Mr. Birchard, S. F. No. 20, A bill for an act to enlarge the powers of the Trustees of the Soldiers' Orphans Homes, and provide for other indigent children of the State, and make provision for industrial pursuits therein, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Clark of Marion, moved to strike out all after the enacting clause to word enacted in the 9th section.

At 12 M. the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.
The question recurring on the motion of Mr. Clark of Marion.

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 S. F. Nos. 34, 53½, and 95, A bill for an act relating to the lands heretofore granted to the McGregor & Missouri River Railway Company, resuming said lands, and regranteeing the same upon new conditions, to said company, and providing for forfeiture thereof, and in case of such forfeiture, for the disposition to be made of such lands.

Substitute for S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners.

S. F. No. 211, A bill for an act to provide for fraudulent disposition of personal property.

S. F. No. 256, A bill for an act to repeal section 23, chapter 2, title 1, of the Code, relating to terms of office of the officers of the General Assembly, and to enact a substitute therefor.

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 41, chapter 3, title 1, of the Code, and to enact a substitute therefor.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment:

Substitute for H. F. Nos. 34 and 427, A bill for an act to amend section 135 of the Code, relating to appeals to the Supreme Court.

Also, that the Senate has concurred in House amendments to S. F. No. 32, A bill for an act to restrain vagrancy and common beggary.

Also, that the Senate has adopted report of conference committee on H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, etc.

J. A. T. HULL, *Secretary*.

Mr. Brown moved the previous question, which was seconded.

The question being, shall the main question be now put, the House ordered the main question to be now put.

The question being on the motion of Mr. Clark of Marion, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Brush, Campbell, Chapman, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Dan-

forth, Deweese, Elliott, Fuller, Giltner, Glendenning, Graves, Gray, Hall, Harned, Hotchkiss, Irwin of Warren, Johnson of Winneshiek, Jordan, Kauffman, Lynch, McNeill, Madson, Maris, Mentzel, Moffit, Proudfoot, Rae, Said, Shaw, Shepardson, Simmons, Stuckey, Ure, White, Williams, and Wilson—44.

The nays were:

Messrs. Birchard, Bush, Case, Christy, Clark of Johnson, Craver, Crawford of Scott, Dixon, Evans, Gibbons, Gilliland, Given, Glover, Hemenway, Hoag, Hobbs, Homer, Horton, Hunt, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Manning, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Scott, Smith, Stone, Stuart, Thayer, Tice, Underwood, Young, and Mr. Speaker—50.

Absent or not voting:

Messrs. Bolter, Brooks, Calvin, Horstman, and Irwin of Lee—5.

So the motion to amend did not prevail.

The bill was then engrossed for a third reading.

Leave was granted Mr. Dixon to introduce H. F. No. 483, A bill for an act to amend section 5, of chapter 50 of the laws of the Fifteenth General Assembly.

Read a first and second time, and referred to the Committee on Fish and Game.

Mr. Given introduced H. F. No. 484, A bill for an act to legalize certain ordinances of the city of Des Moines.

Read a first and second time, and referred to the Committee on Cities and Towns.

Mr. Gibbons introduced H. F. No. 485, A bill for an act to amend chapter 12, title 20 of the Code, concerning actions against boats and rafts.

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

Mr. Craver introduced H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

Read a first and second time, when Mr. Craver moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Hotchkiss, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—78.

The nays were none.

Absent or not voting:

Messrs. Birchard, Bolter, Brooks, Crawford of Dubuque, Dixon, Giltner, Hall, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Lynch, McCartney, Manning, Mentzel, Reed of Howard, Rees, Shepardson, Smith, Stuart, and White—21.

So the bill passed and the title was agreed to.

Leave was granted Mr. Graves to introduce H. F. No. 487, A bill for an act to amend section 914 of the Code, relating to revenue.

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

Leave was granted Mr. Wilson to call up H. F. No. 443, A bill for an act for the relief of Joseph Metz.

The bill was considered, together with the report of the committee.

Mr. Wilson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Bush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Marie, Mentzel, Mills, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—93.

The nays were none.

Absent or not voting:

Messrs. Brooks, Case, Lane, Moffit, Morse of Adams, and Smith—6.

So the bill passed and the title was agreed to.

Leave was granted Mr. Clark of Johnson to call up S. F. No. 247, A bill for an act to amend chapter 5, title 10, of the Code, in relation to railways.

The bill was taken up and considered, together with the report of the Committee.

Mr. Reed of Howard moved to amend by striking out the word "thereof" and inserting "the 25th of March."

The motion prevailed.

Mr. Clark of Johnson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Bolter, Brush, Bush, Calvin, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray,

Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, Lynch, McCarty, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—89.

The nays were none.

Absent or not voting:

Messrs. Birchard, Brooks, Brown, Campbell, Chapman, Crawford of Scott, Danforth, Jaqua, Johnson of Winneshiek, and Smith—10.

So the bill passed and the title was agreed to.

Mr. Crawford of Scott, moved that the regular order be dispensed with.

The motion did not prevail.

On motion of Mr. Stone substitute for H. F. No. 240, was made a special order for 10:30 o'clock, March 10th.

BILLS ON THIRD READING.

H. F. No. 236, A bill for an act to amend sections 404, 405, 406, 843, 853, 857, 865, 866, and 890 of the Code, was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Bolter, Brush, Bush, Christy, Clark of Marion, Cleveland, Colvin, Deweese, Dixon, Elliott, Fuller, Gilliland, Giltner, Given, Glover, Graves, Hall, Harned, Hoag, Hobbs, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, McCarty, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Palmer, Rae, Rees, Said, Stone, Stuart, Underwood, White, Williams, Wilson, and Mr. Speaker—54.

The nays were:

Messrs. Allen, Auld, Birchard, Brown, Calvin, Campbell, Case, Chapman, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Evans, Gibbons, Glendenning, Gray, Hemenway, Homer, Horstman, Horton, Hunt, Johnson of Winneshiek, Jordan, Kauffman, Lynch, Morse of Wright, Mueller, Norris, Proudfoot, Reed of Jackson, Robinson, Scott, Simmons, Stuckey, Thayer, Tice, Ure, and Young—38.

Absent or not voting:

Messrs. Benton, Brooks, Clark of Johnson, Reed of Howard, Shaw, Shepardson, and Smith—7.

So the bill passed and the title was agreed to.

Mr. Wilson moved that when this House adjourn it be to meet at 7:50 P. M.

The motion prevailed.

Substitute for H. F. No. 35, A bill for an act to restore the death penalty, was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows :

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Graves, Hall, Harned, Hoag, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McElderry, McHugh, Madden of Taylor, Madson, Maris, Mentzel, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Scott, Shepardson, Simmons, Stuckey, Thayer, Underwood, Ure, White, Williams, and Young—55.

The nays were:

Messrs. Birchard, Bolter, Brush, Bush, Calvin, Christy, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Glover, Gray, Hemenway, Hobbs, Homer, Horstman, Horton, Irwin of Lee, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Said, Shaw, Stone, Stuart, Tice, Wilson, and Mr. Speaker—42.

Absent or not voting:

Messrs. Brooks, and Smith—2.

So the bill passed and the title was agreed to.

H. F. No. 153, A bill for an act to repeal subdivision 2, of chapter 1, title 6, of the Code, and chapter 28 of the public acts of the Fifteenth General Assembly, were passed on file.

Mr. Graves moved that H. F. No. 405, A bill for an act to suppress intemperance by providing a Police regulation respecting the sale of intoxicating liquors, pursuant to a vote of the people, be now taken up.

The motion prevailed.

Mr. Wilson moved to strike out the enacting clause of the bill.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Brush Bush, Calvin, Campbell, Case, Chapman, Colvin, Craver, Danforth, Deweese, Fuller, Giltner, Given, Glendenning, Glover, Hoag, Homer, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Kauffman, Lane, Lathrop, McCartney, McElderry, McNeill, Madden of Polk, Manning, Maris, Mills, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stuckey, Tice, Underwood, Ure, Williams, and Wilson—51.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brown, Christy, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Gibbons, Gilliland, Graves, Gray, Harned, Hobbs, Horstman, Hotchkiss, Hunt, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Lynch, McCune, McHugh, Madden of Taylor, Madson, Mentzel, Morse of Wright, Mueller, Reed of Jackson, Rees, Stone, Stuart, Thayer, White, Young, and Mr. Speaker—43.

Absent or not voting:

Messrs. Brooks, Evans, Hall, Hemenway, and Smith—5.

So the motion to strike out prevailed.

Leave was granted Mr. McCartney to call up S. F. No. 179, A bill for an act to repeal sections 1881, 1882, and 1883, chapter 6, title 7 of the Code, and for other purposes.

Mr. McCartney moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Bush, Calvin, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Harned, Hobbs, Homer, Horstman, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McCleddy, McHugh, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—80.

The nays were:

Mr. Jordan—1.

Absent or not voting:

Messrs. Bolter, Brooks, Campbell, Case, Elliott, Evans, Glendenning, Hemenway, Hoag, Horton, Hotchkiss, Hunt, Jaqua, Lathrop, Madden of Taylor, Manning, Norris, and Smith—18.

So the bill passed and the title was agreed to.

Mr. Clark of Johnson, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred substitute for S. F. Nos. 67 and 86; A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 187, A bill for an act to regulate and enforce reciprocity between express companies, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation by a majority of the committee present, that the printed substitute herewith reported be adopted and passed.

Also the following:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 375, A bill for an act to regulate the speed of railroad cars in additions, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

R. CLARK, *Chairman*.

Ordered passed on file.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred a petition from certain citizens of Emmet county, asking that a portion of the surplus remaining from the appropriation made in 1874, for the relief of the grasshopper sufferers, be applied in payment of certain lands purchased from the Des Moines Valley Railroad Company, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

W. DANFORTH, *Chairman*.

Ordered passed on file.

Mr McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill, and find the same correctly enrolled.

S. F. No. 32, A bill for an act to restrain vagrancy and common beggary.

McNEILL, *Chairman*.

On motion of Mr. Clark of Johnson, the House resumed the consideration of the substitute for H. F. Nos. 197 and 325.

The question recurring on the adoption of the substitute offered by Mr. Stone, Mr. Dewese moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Birchard, Bolter, Brush, Bush, Campbell, Clark of Marion, Cleveland, Colvin, Dewese, Dixon, Elliott, Giltner, Glendinning, Graves, Gray, Harned, Hoag, Homer, Horton, Hotchkiss, Johnson of Benton, Jordan, Lathrop, McCartney, McNeill, Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Palmer, Proudfoot, Scott, Shaw, Simmons, Stuckey, Tice, Ure, Williams, and Wilson—42.

The nays were:

Messrs. Allen, Baker, Benton, Brown, Calvin, Case, Chapman, Christy, Clark of Johnson, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Evans, Fuller, Gibbons, Gilliland, Given, Glover, Hall, Hobbs, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCune, McHugh, Madden of Polk, Maris, Morse of Wright, Mueller, Norris, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shepardson, Stone, Stuart, Thayer, Underwood White, Young, and Mr. Speaker—51.

Absent or not voting:

Messrs. Brooks, Hemenway, Jaqua, McElderry, Madden of Taylor, and Smith—6.

So the motion to lay on the table did not prevail.

Leave of absence was granted Mr. Smith, of Madison, until Monday.

Leave was granted Mr. Evans to present a petition from citizens of Story county, in relation to the railroad tariff law.

Referred to the Committee on Railroads.

Mr. Wilson moved that the House do now adjourn.

The motion did not prevail.

Leave of absence was granted Mr. Stone during the evening session.

Mr. Dixon moved to reconsider the vote by which the House agreed to hold night sessions.

Mr. Clark, of Marion, moved that the House do now adjourn.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Birchard, Brush, Calvin, Clark of Marion, Colvin, Gibbons, Giltner, Glendennig, Madson, Mills, Robinson, and Stuckey—13.

The nays were:

Messrs. Allen, Baker, Benton, Bolter, Bush, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Given, Glover, Graves, Gray, Hall, Harned, Hoag, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McCalderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Said, Scott, Shaw, Simmons, Stone, Stuart, Thayer, Tice, Ure, White, Williams, Wilson, Young, and Mr. Speaker—74.

Absent or not voting.

Messrs. Brooks, Brown, Gilliland, Hemenway, Hobbs, Homer, Hotchkiss, Lathrop, Rae, Shepardson, Smith, and Underwood—12.

So the motion to adjourn did not prevail.

The question recurring, on motion to reconsider, the question prevailed.

The question recurring, on the motion that when this House adjourn it be until 7:30, the motion was lost.

At 5:30 P. M. the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, March 10. 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. Granger W. Smith.

On motion of Mr. Hotchkiss, 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 bills, in which the concurrence of the House is asked:

Substitute for S. F. No. 70, A bill for an act to repeal section 1774 of the Code, and enact a substitute therefor prescribing the duties of County Superintendent, and fixing the salary of such officer.

Substitute for S. F. Nos. 76, 103, and 110, A bill for an act to repeal section 3327, chapter 4, title 20, of the Code, relating to satisfaction of mortgages, and to enact a substitute therefor.

S. F. No. 188, A bill for an act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of the State of Iowa.

Substitute for S. F. Nos. 214 and 227, A bill for an act to amend sections 2117, 2119, 2124, and 2128, title 14, chapter 7, of the Code.

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12, of the Code.

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle, and its ordinances and the acts of its officers thereunder.

S. F. No. 252, A bill for an act fixing compensation of Constables in summoning of Juries.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1, of the Code, and enact a substitute therefor.

Substitute for H. F. No. 253, A bill for an act appropriating money to pay the expenses of the commission appointed by Gov. C. C. Carpenter to investigate the affairs of the Iowa Reform School.

H. F. No. 270, A bill for an act to legalize the official acts of R. P. Berry, a Constable of Platte township, Taylor county, Iowa.

H. F. No. 377, A bill for an act to repeal section 1271 of the Code of 1873, and enact a substitute therefor.

H. F. No. 442, A bill for an act to legalize the town plat of the town of Tracy, now Van Meter, Dallas county, Iowa.

I am further directed to inform your honorable body that the Senate has passed a substitute for H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

Also that the Senate has passed H. F. No. 112, A bill for an act to amend subdivision 24, of section 303, chapter 2, title 4 of the Code, &c., with the following amendment to the title: Strike out "amend" and insert "repeal," and add to title the words, "and enact a substitute in lieu thereof." In which amendment the concurrence of the House is asked.

J. A. T. HULL, *Secretary.*

Mr. Wilson moved that the House reconsider the vote by which H. F. No. 236 passed the House, and that the Senate be requested to return the same to the House.

The motion prevailed.

Leave was granted Mr. Lane to call up S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest, and costs due thereon.

The bill was taken up and considered, together with the report of the committee.

Mr. Lane moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brush, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Deweese, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, Madson, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Williams, Young, and Mr. Speaker—67.

The nays were none.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Brooks, Brown, Christy, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Elliott, Gilliland, Hall, Hobbs, Horton, Hunt, Irwin of Lee, McCartney, McCune, McElderry, Madden of Polk, Madden of Taylor, Manning, Mentzel, Mueller, Shepardon, Smith, Ure, White, Wilson, McHugh, and McNeill—32.

So the bill passed and the title was agreed to

On motion of Mr. Rae H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, with report of committee recommending that it do pass was taken up, considered and the report of the committee was adopted.

Mr. Rae moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brush, Bush, Calvin,

Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, and Mr. Speaker—77.

The nays were none.

Absent or not voting:

Messrs. Baker, Brooks, Brown, Christy, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Given, Hotchkiss, Irwin of Lee, McElderry, McHugh, McNeill, Madden of Taylor, Manning, Rees, Shaw, Shepardson, Smith, Wilson, and Young—22.

So the bill passed and the title was agreed to.

On motion of Mr. Hall, H. F. No. 130, A bill for an act to legalize the incorporation of the town of Ackley, Hardin county, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Clark moved to amend the publication clause so that it would read "without expense to the State."

The motion prevailed.

Mr. Hall moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horstman, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—87.

The nays were none.

Absent or not voting:

Messrs. Brooks, Crawford of Dubuque, Danforth, Dixon, Elliott, Hemenway, Horton, Irwin of Lee, McHugh, Madden of Taylor, Smith, and Wilson—12.

So the bill passed and the title was agreed to.

SENATE MESSAGES.

Mr. Clark of Marion, moved that Senate messages be taken up.

The motion prevailed.

S. F. No. 211, A bill for an act to provide for punishment for fraudulent disposition of personal property

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

S. F. No. 256, A bill for an act to repeal section 13, chapter 2, title 1 of the Code, relating to terms of office of officers of the General Assembly, and to enact a substitute therefor.

Read first and second time, and passed on file.

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 40 of the Code, and to enact a substitute therefor.

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

S. F. No. 147, A bill for an act in relation to hedges.

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

Substitute for S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code.

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

Substitute for S. F. No. 106, A bill for an act to amend sections 1207, 1212, and 1216, of chapter 2, title 10 of the Code.

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

S. F. No. 245, A bill for an act to change the name of the village plat of the town of Yankee Settlement Center, in Clayton county, Iowa.

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

S. F. No. 163, A bill for an act to amend section 2900, chapter 11 of the Code, in relation to offers to compromise.

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

S. F. No. 223, A bill for an act to amend section 2049, of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats.

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

Substitute for S. F. No. 2, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

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

Substitute for S. F. No. 153, A bill for an act to provide highways on the Reform School Farm.

Read first and second time, and referred to the Committee on Reform School

S. F. No. 194, A bill for an act to repeal section 3829 of the Code, and to enact a substitute therefor.

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

S. F. No. 248, A bill for an act authorizing the Auditor to purchase certain lands from the B. & M. R. R. Company.

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

S. F. No. 253, A bill for an act to provide for the individual liability of the stockholders of banks and incorporations, under the general incorporation law of the State, for banking purposes.

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

S. F. No. 175, A bill for an act to authorize incorporated cities, incorporated towns and townships, to establish free public libraries.

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

Substitute for S. F. Nos. 76, 105, and 100, A bill for an act to repeal section 3327, of chapter 4, title 20 of the Code, relating to satisfaction of mortgages.

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

Substitute for S. F. Nos. 214, and 227, and sections 2117, 2119, 2124, and 2128, of title 14, chapter 7 of the Code.

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

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle, and its ordinances, and the acts of its officers thereunder.

S. F. No. 252, A bill for an act fixing compensation of constables in summoning juries.

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

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code.

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

S. F. No. 188, A bill for an act to appropriate money for the portrait of the Hon. Anson Briggs.

Read first and second time, and referred to a special committee, consisting of Messrs. Clark of Johnson, Reed of Jackson, and Gibbons.

Substitute for S. F. Nos. 34, 53½, and 95, A bill for an act relating to the lands heretofore granted to the McGregor & Missouri River Railroad Company, resuming said lands.

Read first and second time, when Mr. Bush moved to take up the bill.

Mr. Graves moved to refer to the Committee on Railroads.

Mr. Reed, of Howard, moved to amend, by referring to the Committee on Judiciary.

The motion to amend prevailed, and the motion as amended was adopted.

Senate substitute for H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

The question being on concurrence with the Senate amendment, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion,

Cleveland, Colvin, Craver, Crawford of Dubuque, Deweese, Elliott, Evans, Fuller, Giltner, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lathrop, Lynch, McElderry, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Simmons, Stone, Stuart, Thayer, Underwood, Williams, Wilson, and Mr. Speaker—86.

The nays were:

Messrs. Allen, Auld, Christy, Gibbons, Horstman, Johnson of Wineshiek, Kauffman, McCartney, McHugh, Madson, Mentzel, Proudfoot, Rees, Separdson, Stuckey, Tice, White, and Young—18.

Absent or not voting:

Messrs. Brooks, Crawford of Scott, Danforth, Dixon, Gilliland, Given, Gray, Hunt, Irwin of Lee, Jordan, McCune, Rae, Shaw, Smith, and Ure—15.

So the House concurred in the Senate amendment.

H. F. No. 112, A bill for an act to repeal subdivision 24 of section 303, chapter 2, title 4, of the Code, to allow boards of supervisors to make additional appropriation for county bridges, and to enact a substitute therefor, was taken up, and the question being on concurring in the Senate amendment to the title, the House concurred in the same by a *viva voce* vote.

Mr. Morse of Adams moved to call up S. F. 149.

The motion did not prevail.

Mr. Giltner moved that appropriation bill, special order set for 10 o'clock to-day, be postponed until pending bills on tariff and railroad tax bill be disposed of.

The motion prevailed.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of Fish Commissioners, and appropriate money to carry out the provisions of this act.

Substitute for H. F. Nos. 34 and 427, A bill for an act to amend section 135 of the Code, relating to appeals to the Supreme Court.

S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes.

MCNEILL, *Chairman.*

ENGROSSED BILLS.

Mr. Jordan, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 305, A bill for an act amendatory of, and in addition to section 814 of the Code, title 6, chapter 1, of the assessment of taxes.

JORDAN, *Chairman.*

On motion of Mr. Stone, the House resumed consideration of the railroad tariff bill, question recurring on the substitute offered by Mr. Stone.

MESSAGE FROM THE GOVERNOR.

A message from the Governor by his private secretary, Wm. H. Fleming, was received and passed on file.

At 12:10 o'clock the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

The House resumed the consideration of the substitute offered by Mr. Stone.

Leave of absence was granted Mr. Craver until Monday.

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:

H. F. No. 236, A bill for an act to amend sections 404, 405, and 406, chapter 9, title 4; sections 843 and 853, chapter 1, sections 857, 865, 866 and 890, chapter 2, title 6, Code, relating to the collection of taxes, as requested by the House.

Also, that the Senate refuses to concur in House amendments to S. F. No. 247, A bill for an act to amend chapter 5, title 10, of the Code, in relation to railways.

Also, that the Senate has passed the following bills in which the concurrence of the House is asked:

S. F. No. 250, A bill for an act to regulate the keeping of saloons,

taverns, drinking houses, gaming houses, and other places where persons resort for the purpose of drinking and gaming.

S. F. No. 237, A bill for an act to prohibit the sale of intoxicating liquors not heretofore prohibited by law, near the corporate limits of municipal corporations.

Also that the Senate has passed without amendment, H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a Justice of the Peace in Harrison county, Iowa.

R. B. BAIRD,
Second Assistant Secretary.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 377, A bill for an act to repeal section 1271 of the Code of 1873, and enact a substitute therefor.

H. F. No. 253, A bill for an act appropriating money to pay the commissioners appointed by the Governor to investigate the affairs of the Reform School.

H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1, of the Code, and to enact a substitute therefor.

H. F. No. 270, A bill for an act to legalize the acts of R. P. Berry, as constable of Platte township, Taylor county, Iowa.

H. F. No. 442, A bill for an act to legalize the recorded plat of the town of Tracy, now Van Meter, Dallas county, Iowa.

McNEILL, *Chairman.*

On the question of adopting the substitute offered by Mr. Stone, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Bush, Campbell, Dixon, Elliott, Evans, Gilliland, Given, Glover, Hall, Hunt, Irwin of Warren, Jordan, Lathrop, McElderry, Madden of Taylor, Madson, Manning, Mills, Morse of Adams, Morse of Wright, Norris, Rees, Shepardson, Stone, Stuart, Ure, White, and Mr. Speaker—29.

The nays were:

Messrs. Benton, Birchard, Bolter, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Gibbons, Giltner, Glendenning, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Maris, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Simmons, Stuckey, Thayer, Tice, Underwood, Williams, Wilson, and Young—62.

Absent or not voting:

Messrs. Allen, Auld, Brooks, Craver, Irwin of Lee, Kauffman, Shaw, and Smith—8.

So the substitute was not adopted.

Leave of absence was granted Mr. Hemenway, on account of sickness.

Mr. Dixon offered the following as a substitute for the bill:

A bill for an act to amend chapter 68 of the laws of the Fifteenth General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3, 4, 5, 6, and 8, of chapter 68 of the laws of the Fifteenth General Assembly be and the same are hereby repealed.

SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the *Daily Iowa State Leader* and *Daily Iowa State Register*.

On the adoption of the substitute, the yeas and nays were demanded, and were as follows.

The yeas were:

Messrs. Baker, Bush, Dixon, Elliott, Gilliland, Glover, Hall, Hoag, Hunt, Irwin of Warren, Jordan, Lathrop, McElderry, Madden of Taylor, Madson, Manning, Mills, Morse of Adams, Morse of Wright, Norris, Rees, Shepardson, Stone, Stuart, Ure, and Mr. Speaker—26.

The nays were:

Messrs. Allen, Auld, Benton, Birchard, Bolter, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Graves, Gray, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Maris, Mentzel, Moffit, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Simmons, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, and Young—67.

Absent or not voting:

Messrs. Brooks, Craver, Irwin of Lee, Jaqua, Shaw, and Smith—6.

So the substitute offered by Mr. Dixon was lost.

Mr. Evans moved to strike out fifteen per cent., in the twenty-second line of the sixteenth section, and insert twenty per cent.

The motion prevailed.

Mr. Gibbons offered the following as an amendment:

The said Board of Railway Commissioners are hereby authorized and required, within sixty days after the taking effect of this act, to adopt and prescribe a schedule of maximum rates of charges for the transportation of property on the different railroads in this State, which said schedule of rates shall not be more than twenty per cent higher or lower than the schedule in force immediately previous to the passage of this act. They shall cause such schedule, so adopted, to be published once in a newspaper published in Des Moines, and once in newspapers published in five cities or towns along the line of each railroad; *Provided*, That in case five newspapers are not published in

the towns and cities along the line of any railroad, such publication shall be made in all the newspapers published in said cities or towns along such railroad. And at the expiration of ten full days after such publication no railroad corporation shall charge, demand or receive any greater compensation for the transportation of property on its railroad than the rates so adopted and prescribed.

The House refused to adopt the amendment.

Mr Hobbs moved to amend the eighth line of the sixteenth section and insert "operative" after the word "pay;" also the word "on" after the word "oppressively."

The motion prevailed.

Mr. Evans moved to amend as follows:

Provided further, That no railroad shall be required to transport any freight for a less sum than that allowed for the transportation of one hundred pounds.

The House refused to adopt the amendment.

Mr. Clark of Johnson moved to amend section 17 by striking out the words "as established by chapter 68 of the public laws of the acts of the Fifteenth General Assembly" in the second and third lines and twelfth line and nineteenth and twentieth lines.

The motion prevailed.

Mr. Clark of Johnson moved to strike out in the second line of section 18, "or companies."

The motion prevailed.

Mr. Clark of Johnson moved to amend by adding to section 18 the following:

Or the said Board may, within the limits prescribed by this act, change and fix the rates for transportation of freights of such company or corporation upon its whole line within this State, or from or to any station thereon, and may cause the same to take effect only upon said company or corporation adopting such rates as said Board may prescribe, to be charged by said company or corporation on its road beyond this State, if any, from and to the station or stations within this State, to be effected by the change of rates proposed.

The House refused to adopt the amendment.

Mr. Giltner moved to amend ninth line of section 19, by striking out "\$6,000" and inserting "\$5,000."

Mr. Clark of Marion, moved to amend the amendment by striking out all of section 19, and the first four lines of section 20.

Mr. Stuckey moved that when this House adjourn it be at 6:30 o'clock.

The motion did not prevail.

Mr. Gibbons moved that when this House adjourn it be at 7:30 o'clock.

The motion did not prevail.

Mr. Gibbons moved that when this House adjourn it be at 6 o'clock.

The motion prevailed.

Mr. Clark of Marion, moved that when this House adjourn it be at 7:30 o'clock this evening.

The motion did not prevail.

The question recurring on the motion of Mr. Clark of Marion, to strike out section 19, and the first four lines of section 20, the motion prevailed.

Mr. Crawford of Scott, moved to amend and strike out the words "for each package or shipment for which a waybill is given," and insert "whenever any bill of lading is given for one single package" and add to the end of the section the following, "and any shipment where the different articles are of the same class or character of freight, the same shall be regarded as a package or shipment."

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled.

H. F. No. 9, A bill for an act to establish uniformity in relation to sight bills of exchange.

H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a justice of the peace in Harrison county.

H. F. No. 112, A bill for an act to repeal subdivision 24, section 303, chapter 2, title 4 of the Code, and enact a substitute therefor.

S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases.

McNEILL, *Chairman.*

Mr. Shaw moved to amend, and strike out all the words pertaining to class, down to "25 cents."

The motion prevailed.

Mr. Hobbs moved that when this House adjourn, it be at 4:15 P. M.

The motion prevailed.

Mr. Deweese moved to strike "section 22" of the bill.

The motion did not prevail.

Mr. Given moved to strike out all the words after the words, "property" in the 2nd line, down to the word "and" in the 4th line.

The motion prevailed.

Mr. Given moved to strike out the remainder of the section after the word "of" in the 6th line.

The motion prevailed.

Mr. Reed of Jackson, moved to reconsider the vote by which the House agreed to section 11 of the bill.

The motion did not prevail.

Leave was granted Mr. Stuart, to amend section 11 of the bill as follows:

"*Provided*, branch roads actually owned and operated by the same company, or having ownership in the same, shall be considered and regarded as one road in comparing rates, and for classification."

Also, strike out in 3rd line, "whether or otherwise." And in the 4th line the words, "and ownership." Also insert in 3rd line after the words "as owners and lessees."

On motion of Mr. Reed of Jackson, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 11, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. J. A. Nash.

On motion of Mr. Dixon, 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 bills, in which the concurrence of the House is asked:

S. F. No. 14, A bill for an act to legalize the official acts of D. H. Payne, a Notary Public.

Substitute for S. F. No. 190, A bill for an act to enable counties to dispose of property in certain cases.

S. F. No. 217, A bill for an act supplying copies of White's Geological Report.

S. F. No. 240, A bill for an act to legalize and declare of same force and effect as originals certain records in District Court of Des Moines county, Iowa.

S. F. No. 142, A bill for an act repealing chapter 8, of title 14 of the Code, and providing for mechanics' liens.

J. A. T. HULL, *Secretary*.

On motion of Mr. Dixon, S. F. No. 243, A bill for an act to provide for the transfer of money raised by special levy, to county fund for general purposes, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Dixon moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brooks, Brush, Campbell, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCune, McElderry, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Stuart, Thayer, Tice, Underwood, Williams, Young, and Mr. Speaker—69.

The nays were:

Mr. White—1.

Absent or not voting:

Messrs. Benton, Bolter, Brown, Bush, Calvin, Case, Clark of Marion, Craver, Danforth, Gilliland, Given, Hall, Hemenway, Irwin of Lee, Johnston of Dubuque, Lynch, McCartney, McHugh, McNeill, Madden of Taylor, Morse of Wright, Reed of Howard, Scott, Simmons, Smith, Stone, Stuckey, Ure, and Wilson—29.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns report herewith H. F. No. 488, A bill for an act providing for the election of city assessors in cities organized and existing under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same to the House with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

On motion of Mr. Graves, H. F. No. 488, the bill just reported, was taken up, considered, and the report of the committee adopted.

Mr. Graves moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Dewese, Dixon, Elliott, Evans, Fuller, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCune, McElderry, McHugh, Madson, Mentzel, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Young, and Mr. Speaker—68.

The nays were none

Absent or not voting:

Messrs. Bolter, Bush, Calvin, Case, Craver, Danforth, Gibbons, Gilliland, Giltner, Given, Glendenning, Hall, Irwin of Lee, Jaqua, Johnston of Dubuque, Lathrop, Lynch, McCartney, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mills, Moffit, Reed of Howard, Simmons, Smith, Stone, Ure, and Wilson—31.

So the bill passed and the title was agreed to.

Leave was granted Mr. Rees to introduce H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code.

Read first and second time, and referred to a special committee of three.

REPORT OF COMMITTEE.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 460, A bill for an act to legalize an election held in Mitchell county, October 12, A. D., 1875, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. Y. STONE, *Chairman.*

On motion of Mr. Brush, the bill was taken up, considered, and the report of the committee was adopted.

Mr. Brush moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Brown, Brush, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Thayer, Tice, Underwood, Uræ, White, Williams, Young, and Mr. Speaker—82.

The nays were none.

Absent or not voting:

Messrs. Auld, Bolter, Bush, Calvin, Case, Craver, Danforth, Deweese, Evans, Glendenning, Irwin of Lee, Madden of Taylor, Reed of Howard, Rees, Smith, Stuckey, and Wilson—17.

So the bill passed and the title was agreed to.

SPECIAL COMMITTEES.

The Speaker announced Messrs. Fuller, Elliott, and Hunt, as special committee on investigation of Orphans' Home, at Glenwood.

Special committee on H. F. No. 489: Messrs. Rees, Calvin, and Johnson of Winneshiek.

The Speaker also appointed as a special committee on the communication of the Governor, Messrs. Shaw, Rae, and Bolter.

On motion of Mr. Reed of Jackson, the House resumed consideration of substitute for H. F. Nos. 197 and 325—the Thayer bill.

Mr. Dixon moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Brooks, Brown, Brush, Bush, Campbell, Chapman, Clark of Marion, Crawford of Dubuque, Deweese, Dixon, Elliott, Gilliland, Glover, Graves, Gray, Horton, Hotchkiss, Hunt, Johnson of Benton, Jordan, Lathrop, Lynch, McCartney, McElderry, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Rae, Scott, Shaw, Simmons, Smith, Stone, Stuckey, Tice, White, and Williams—44.

The nays were:

Messrs. Allen, Benton, Calvin, Case, Christy, Clark of Johnson, Cleveland, Colvin, Crawford of Scott, Danforth, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, McCune, McHugh, Madden of Polk, Maris, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shepardson, Stuart, Thayer, Underwood, Ure, Wilson, Young, and Mr. Speaker—52.

Absent or not voting:

Messrs. Bolter, Craver, and Irwin of Lee—3.

So the motion to lay on the table did not prevail.

Mr. Stuart moved that the bill be referred to a special committee of five with instructions to report Monday morning:

The motion prevailed.

The Speaker appointed as such Special Committee Messrs. Clark of Johnson, Stone, Thayer, Dixon, and Given.

REPORT OF COMMITTEE.

Mr. Calvin, from the Committee on School, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, in Crawford county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CALVIN, *Chairman, pro tem.*

Mr. Rae moved that the bill just reported be taken up.

The motion prevailed.

Mr. Rae moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Danforth, Deweese, Elliott, Evans, Fuller,

Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Said, Scott, Shepardson, Simmons, Smith, Stone, Thayer, Tice, Ure, White, Williams, Wilson, Young, and Mr. Speaker—82.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brown, Bush, Craver, Crawford of Dubuque, Crawford of Scott, Dixon, Gilliland, Given, Irwin of Lee, Mills, Rees Robinson, Shaw, Stuart, Stuckey, and Underwood—17.

So the bill passed and the title was agreed to.

RESOLUTION.

Mr. Clark of Marion, offered the following resolution:

Resolved, That all local bills shall be considered at evening sessions which may be appointed for that purpose.

The resolution was not adopted.

Mr. Lynch moved to take up Senate messages.

Mr. Manning moved to amend by striking out Senate messages and inserting five per cent. railroad tax bill.

The amendment did not prevail.

The motion to take up Senate messages prevailed.

SENATE MESSAGES.

S. F. No. 142, A bill for an act repealing chapter 8 of the Code, and providing for mechanic's liens.

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

S. F. No. 14, A bill for an act to legalize the official acts of D. H. Payne, a notary public.

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

S. F. No. 217, A bill for an act supplying copies of White's Geological Report.

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

S. F. No. 250, A bill for an act to regulate the keeping of taverns, saloons, etc.

Read first and second time, and referred to Committee on Suppression of Intemperance.

Substitute for S. F. No. 190, A bill for an act to enable counties to dispose of property in certain cases.

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

S. F. No. 237, A bill for an act to prohibit the sale of intoxicating liquors not heretofore prohibited by law, near the corporate limits of

municipal corporations, prohibiting the same, was read a first and second time, and referred to the Committee on Suppression of Intemperance.

S. F. No. 240, A bill for an act to legalize and declare of same force and effect as originals, certain records in the District Court of Des Moines County, Iowa, was read a first and second time, when Mr. Lynch moved that the rules be suspended the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—79.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brush, Bush, Campbell, Craver, Crawford of Scott, Danforth, Evans, Glendenning, Hall, Homer, Horstman, Irwin of Lee, Lathrop, McCartney, Mueller, Reed of Howard, Shaw, Stuart, and Wilson—20.

So the bill passed and the title was agreed to.

The Speaker presented a communication from the Secretary of State, which was read and referred to the Committee on Railroads.

Mr. Manning moved that the special order, substitute for H. F. Nos. 67, 76, and 198, the five per cent. railroad tax bill be taken up.

The motion prevailed.

RESOLUTION.

Mr. Clark of Marion, offered the following resolution, which was adopted:

Resolved, That the Seaker of the House be requested to enforce the rule in relation to the time each member may speak, and may only permit any member to occupy more time by unanimous consent of the House.

Substitute for S. F. Nos. 67, 76, and 193, was then taken up.

Mr. Tice moved to lay the bill on the table.

On this question the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Benton, Birchard, Clark of Marion, Colvin, Crawford of Dubuque, Crawford of Scott, Elliott, Fuller, Gibbons, Giltner, Gray,

Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Jordan, Madson, Moffit, Proudfoot, Rees, Scott, Stuckey, Tice, Ure, White, and Wilson—27.

The nays were:

Messrs. Allen, Auld, Baker, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Danforth, Deweese, Dixon, Gilliland, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Horstman, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Underwood, Williams, Young, and Mr. Speaker—64.

Absent or not voting:

Messrs. Bolter, Craver, Evans, Hoag, Irwin of Lee, Lathrop, Maris, and Reed of Jackson—8.

So the motion to lay on the table did not prevail.

Mr. Rees moved to consider the bill by sections.

The motion did not prevail.

Mr. Rees moved to strike out the 1st section of the bill.

At 12 o'clock, the Speaker adjourned the House.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

House called to order by the Speaker.

REPORT OF COMMITTEE.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred S. F. No. 223, A bill for an act to amend section 2049, of chapter 1 of the Code, in relation to the weight of a bushel of oats, be leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. G. MADDEN, *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, in which the concurrence of House is asked:

Substitute for S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, Iowa.

Substitute for S. F. No. 140, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

Substitute for S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University.

Substitute for S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Ft. Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for increased salaries of certain officers of said penitentiary.

S. F. No. 241, A bill for an act making an appropriation for the penitentiary at Anamosa.

Substitute for S. F. No. 146, A bill for an act making appropriations for the Iowa Reform School.

Substitute for S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

Substitute for S. F. No. 242, A bill for an act to make appropriation for the Iowa Soldiers' Orphans' Home and Home for indigent children at Davenport, Iowa.

Substitute for S. F. No. 108, A bill for an act to provide for commencing the erection of the west lateral wing and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs.

Substitute for S. F. No. 234, A bill for an act making further appropriations for the College for the Blind at Vinton, Iowa.

J. A. T. HULL, *Secretary*.

On motion of Mr. Madden, S. F. No. 223, A bill for an act to amend section 2049 of chapter 1, of the Code, in relation to the weight of a bushel of oats, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Madden moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Calvin, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Danforth, Evans, Fuller, Gilliland, Giltner, Glover, Gray, Hall, Harned, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McCleddy, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Simmons, Stuckey, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—68.

The nays were none.

Absent or not voting:

Messrs. Birchard, Bolter, Brooks, Brush, Bush, Campbell, Clark of Johnson, Craver, Crawford of Dubuque, Deweese, Dixon, Elliott, Gibbons, Given, Glendenning, Graves, Hemenway, Hoag, Hunt, Irwin of

Lee, Jordan, Lathrop, Mueller, Reed of Howard, Shaw, Shepardson, Smith, Stone, Stuart, Thayer, and White—31.

So the bill passed and the title was agreed to.

Leave was granted Mr. Tice to present a petition from citizens of Mahaska county in relation to the prohibitory liquor law.

Referred to the Committee on Suppression of Intemperance.

Leave was granted Mr. Palmer to present a petition from citizens of West Point, Butler county, Iowa, together with H. F. No. 490, A bill for an act to change the name of the village of West Point, in Butler county, Iowa, to the name of Bristow.

Read first and second time.

Mr. Palmer moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Scott, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Rees, Robinson, Said, Scott, Simmons, Stuckey, Tice, Underwood, Ure, Williams, Young, and Mr. Speaker—75.

The nays were:

Mr. Wilson—1.

Absent or not voting:

Messrs. Bolter, Bush, Campbell, Clark of Johnson, Craver, Crawford of Dubuque, Danforth, Dixon, Given, Hotchkiss, Irwin of Lee, Jordan, Kauffman, McCune, Reed of Howard, Reed of Jackson, Shaw, Shepardson, Smith, Stone, Stuart, Thayer, and White—23.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Graves, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your committee on Ways and Means, to whom was referred S. F. No. 173, A bill for an act to amend section 3049 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

The bill was taken up and considered, with the report of the committee.

Mr. Glover moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

Mr. Manning offered the following amendment by way of rider:

"The limitation of 6 mills herein provided, shall not apply to judgments heretofore rendered as judgments upon contracts made by such corporations."

The rider was read a first and second time.

The rider was read a third time and adopted.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Brooks, Brown, Brush, Calvin, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Elliott, Evans, Graves, Hall, Horton, Hunt, Lynch, McCartney, McCune, McHugh, Morse of Adams, Palmer, Rees, Shaw, Shepardson, Underwood, White, Williams and Mr. Speaker—29.

The nays were:

Messrs. Allen, Chapman, Christy, Deweese, Fuller, Gibbons, Gilliland, Giltner, Glendenning, Glover, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Kauffman, Lane, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Moffit, Morse of Wright, Norris, Proudfoot, Rae, Robinson, Said, Scott, Stuckey, Tice, Ure, Wilson, and Young—41.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Bush, Campbell, Case, Clark of Johnson, Craver, Crawford of Scott, Danforth, Dixon, Given, Hemenway, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Jordan, McElderry, Manning, Maris, Mueller, Reed of Howard, Reed of Jackson, Simmons, Smith, Stone, Stuart, Thayer, and Lathrop—29.

So the bill was lost.

REPORT OF SPECIAL COMMITTEE.

Mr. Rees, from Special Committee on H. F. No. 489, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

REES, *Chairman.*

On motion of Mr. Rees, H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code, with report of committee recommending that it do pass, was taken up and considered.

Mr. Rees moved that the rule be suspended, the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Brush, Calvin, Campbell, Case, Chapman, Christy, Cleveland, Colvin, Deweese, Fuller,

Gilliland, Graves, Gray, Hemenway, Hoag, Homer, Horton, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Manning, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Tice, Underwood, Ure, Williams, and Mr. Speaker—58.

The nays were:

Messrs. Brown, Clark of Marion, Gibbons, Hobbs, Horstman, Kauffman, Madson, Mentzel, Stuckey, and White—10.

Absent or not voting:

Messrs. Auld, Bolter, Bush, Clark of Johnson, Craver, Crawford of Dubuque, Crawford of Scout, Danforth, Dixon, Elliott, Evans, Giltner, Given, Glendenning, Glover, Hall, Harned, Hotchkiss, Irwin of Lee, Jaqua, Madden of Polk, Maris, Moffit, Mueller, Reed of Howard, Smith, Stone, Stuart, Thayer, Wilson, and Young—31.

So the bill passed and the title was agreed to.

COMMITTEE REPORT.

MR. SPEAKER:—Your committee to whom was referred S. F. No. 220, beg leave to report the same back to the House with the recommendation that it do pass.

M. EVANS, *Chairman.*

On motion of Mr. Evans S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code of 1873, with report of committee recommending that it do pass was taken up, considered and the report of the committee adopted.

Mr. Evans moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brooks, Brown, Brush, Calvin, Campbell, Chapinan, Christy, Clark of Johnson, Cleveland, Colvin, Crawford of Dubuque, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Given, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Young, and Mr. Speaker—77.

The nays were:

Messrs. Clark of Marion, and Williams—2.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Bush, Case, Craver, Crawford of

Scott, Danforth, Elliott, Giltner, Glendenning, Hotchkiss, Hunt, Irwin of Lee, Moffit, Mueller, Shaw, Smith, Stuart, and Wilson—20.

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:

Substitute for S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers for common schools.

R. B. BAIRD,
Second Assistant Secretary.

On motion of Mr. Johnston of Dubuque, H. F. No. 134, A bill for an act in relation to cattle ways, with report of committee recommending that it do pass, with amendment, was taken up, considered, with the report of the committee.

Mr. Palmer moved to amend the report of the committee by striking out "1½ feet in ten," and inserting "¾ inch to the foot."

The motion did not prevail.

Mr. Benton moved to strike out "1½ feet" and insert "one foot."

The motion prevailed.

The report of the committee as amended was ordered filed.

Mr. Scott moved to amend the bill as follows:

Provided, That no person shall construct any cattle way so as to obstruct the freedom of the public in watering at any running stream.

The amendment was adopted.

Mr. Johnston of Dubuque, moved that the rule be suspended and the bill be considered, engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, De-weese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winnes-hiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Mad-son, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—90.

The nays were:

Messrs. Chapman, and Lynch—2.

Absent or not voting:

Messrs. Bolter, Bush, Case, Craver, Irwin of Lee, Stuart, and Wilson—7.

So the bill passed and the title was agreed to.

On motion of Mr. Williams, S. F. No. 142, A bill for an act repealing chapter 8, of title 14 of the Code, and providing for mechanics' liens, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

The bill was ordered engrossed for a third reading.

Mr. Dixon moved that the bill be taken from the files, the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—81.

The nays were none.

Absent or not voting:

Messrs. Bolter, Bush, Campbell, Craver, Gilliland, Hall, Hotchkiss, Hunt, Irwin of Lee, Johnson of Winneshiek, Lathrop, Madden of Polk, Manning, Reed of Howard, Shaw, Shepardson, Stuart, and Wilson—18.

So the bill passed and the title was agreed to.

RESOLUTION.

Mr. Smith offered the following resolution:

Resolved, That when this House adjourn, it adjourn to meet at 7:30 o'clock, this p. m.

Mr. Reed of Jackson offered the following as a substitute:

Resolved, That this House will hold evening sessions on Monday, Tuesday, and Wednesday next, commencing at 7:30 o'clock, each day.

Mr. Smith moved to amend the substitute by striking out Monday, and inserting this evening.

The amendment did not prevail.

The substitute offered by Mr. Reed of Jackson was adopted.

Mr. Manning moved that the substitute for S. F. Nos. 67 and 96 be taken up.

The motion prevailed.

The question recurring on the motion of Mr. Rees to strike out the first section, the motion did not prevail.

REPORTS OF COMMITTEES.

Mr. Madden, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred S. F. No. 106, A bill for an act in relation to drains, beg leave to report that they have had the same under consideration, and struck out section 3 of the bill, and have instructed me to report the same back to the House with the recommendation that it do pass as amended.

WM. G. MADDEN, *Chairman*.

Ordered passed on file.

Mr. Norris, from the Committee on Suppression of Intemperance, submitted the following reports:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 250, A bill for an act to regulate the keeping of saloons, taverns, drinking houses, gaming houses, and other places where persons resort for the purpose of drinking and gaming, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 237, A bill for an act to prohibit the sale of intoxicating liquors not heretofore prohibited by law, near the corporate limits of municipal corporations prohibiting the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Suppression of Intemperance, to whom was referred H. F. No. 173, A bill for an act to enforce the observance of the liquor laws, and repeal chapter 47 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

THOS. C. NORRIS, *Chairman*.

Ordered passed on file.

Mr. Dixon, from the Committee on Fish and Game, submitted the following reports:

MR. SPEAKER:—Your Committee on Fish and Game, to whom was referred H. F. No. 451, A bill for an act to prevent the wanton destruction of birds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that a substitute accompanying this bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Fish and Game, to whom was referred H. F. No. 483, A bill for an act to amend section 5, chapter 50 of the laws of the Fifteenth General Assembly, beg leave to report

that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

J. W. DIXON, *Chairman.*

Ordered passed on file.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Enrolled Bills respectfully report that they have examined:

S. F. No. 243, An act to provide for the transfer of money raised by special levy to county fund for general purposes.

S. F. No. 240, An act to legalize and declare of same force and effect as originals, certain records in District Court of Des Moines county, Iowa,

And find the same correctly enrolled.

MCNEILL, *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 amendment:

H. F. No. 460, A bill for an act to legalize the election held in Mitchell county, Iowa, on the 12th day of October, A. D., 1875.

H. F. No. 488, A bill for an act providing for the election of city assessors in cities organized and existing under special charters.

H. F. No. 166, A bill for an act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

Substitute for H. F. No. 130, A bill for an act to legalize the incorporation and corporate acts of the town of Ackley.

H. F. No. 490, A bill for an act to change the name of the village of West Point, in Butler county, Iowa, to the name of Bristow.

R. B. BAIRD,

Second Assistant Secretary.

Mr. Clark of Marion, moved to lay the bill on the table, H. F. Nos. 67 and 96.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Clark of Marion, Colvin, Crawford of Dubuque, Dewese, Elliott, Fuller, Gibbons, Giltner, Gray, Homer, Hotchkiss, Irwin of Warren, McCartney, Madson, Proudfoot, Reed of Howard, Rees, Stuckey, Tice, and Wilson—21.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Danforth, Dixon, Gilliland, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Horstman, Horton, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Latbrop, Lynch, McCune, McElderry, McHugh, McNeill,

Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Underwood, White, Williams, Young, and Mr. Speaker—67

Absent or not voting:

Messrs. Bolter, Bush, Craver, Crawford of Scott, Evans, Hoag, Hunt, Irwin of Lee, Reed of Jackson, Stuart, and Ure—11.

So the motion to lay on the table did not prevail.

Mr. Williams moved to consider the bill by sections.

The motion did not prevail.

Mr. Rees moved to amend section 2 after the second line, to add after the word township the following: Who have not heretofore voted any five per cent. tax in aid of any railroad.

The House refused to adopt the amendment.

Mr. Clark of Marion, moved to amend section 2 in the second line, by inserting after the word "resident" the word "freeholder."

The motion prevailed.

Mr. Colvin moved to amend section 2 in the second line by striking out "one third," and inserting "two thirds" in lieu thereof.

Mr. Maris moved to amend the amendment by striking out two thirds, and inserting the words "a majority."

The amendment to the amendment prevailed.

The question recurring on the adoption of the amendment as amended, it was adopted.

Mr. Manning moved to amend section 2 by striking out the Senate amendment to the printed bill, and insert after the word "perform," in the 13th line, the following:

"And to what point said road shall be fully completed, and any other conditions which shall be performed before such tax shall become due, collectible, and payable, and in no case shall such tax become due, collectible, and payable until the road is fully completed to such point as mentioned in the notice."

The motion prevailed.

Mr. Danforth moved to amend section 9 by adding the following:

Provided, That the provisions of this act shall not apply to any county having a population of more than twenty thousand inhabitants.

Mr. Rees moved to amend the amendment by striking out "20,000" and inserting "12,000."

The amendment to the amendment did not prevail.

The question recurring on the amendment offered by Mr. Danforth, the motion did not prevail.

Mr. Dixon moved to amend as follows: Add after the word "notice," the following, in 19th line of section 2:

"Together with an exact copy of the notice under which such election was held, which said county auditor shall at once cause to be recorded in the office of the recorder of deeds of the county."

The amendment was adopted.

Mr. Rees moved to amend section 5, and insert after the word person, in the tenth line, the following:

"Their certificate or certificates of the stock of said company, and such stock shall be a first lien on said railroad."

The House refused to adopt the amendment.

Mr. Dixon moved to amend, and insert after the word "male," in the nineteenth line, the words, "and recorded."

The motion prevailed.

Mr. Auld moved to amend by striking out the seventh and eighth lines of section 4 up to and including the word "through" in the eighth line.

The motion prevailed.

Mr. Rees moved to amend section 7 by inserting the following after the word "been," in the second line:

'The county shall be liable, in all cases, for any misapplication of any taxes collected under this act, and all taxes levied in aid of railroads under this act have remained on the tax books two years, and have not been claimed or become due under this act.

The motion to amend did not prevail.

Mr. Colvin moved to amend section 2, in the twenty-sixth line, and strike out the words "same penalties," and insert "six per cent."

Mr. Dixon moved to amend the amendment and strike out 6 per cent. and insert "10 per cent."

The amendment to the amendment did not prevail.

On the question of adopting the amendment the yeas and nays were demanded and were as follows:

The yeas were:

Messrs. Brush, Colvin, Crawford of Dubuque, Dixon, Fuller, Gibbons, Giltner, Irwin of Warren, Moffit, Proudfoot, Reed of Howard, Reed of Jackson, Stuckey, and Thayer—14.

The nays were:

Messrs. Allen, Auld, Baker, Brooks, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Cleveland, Deweese, Elliott, Evans, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hobbs, Homer, Horstman, Horton, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Robinson, Said, Scott, Shepardson, Smith, Stone, Tice, Underwood, Williams, and Mr. Speaker—56.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Bush, Chapman, Clark of Marion, Craver, Crawford of Scott, Danforth, Gilliland, Hemenway, Hoag, Hotchkiss, Hunt, Irwin of Lee, Jordan, Lathrop, McCartney, McElderry, Madson, Rae, Rees, Shaw, Simmons, Stuart, Ure, White, Wilson, and Young—29.

So the amendment was lost.

Mr. Rees moved to amend section 3 by adding the following:

Provided, That no homestead shall be sold for railroad tax under this act.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Benton, Birchard, Brush, Calvin, Case, Christy, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Fuller, Gibbons, Giltner, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Johnston of Dubuque, Lathrop,

McCartney, McCune, McElderry, Madden of Taylor, Madson, Mentzel, Moffit, Mueller, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Smith, Stone, Stuckey, Thayer, Ure, and Young—44.

The nays were:

Messrs. Auld, Baker, Brown, Campbell, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Danforth, Evans, Gilliland, Given, Glendenning, Glover, Graves, Hall, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lynch, McHugh, McNeill, Madden of Polk, Manning, Maris, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Robinson, Said, Scott Shepardson, Underwood, White, Williams, and Mr. Speaker—41.

Absent or not voting:

Messrs. Allen, Bolter, Brooks, Bush, Craver, Deweese, Hunt, Irwin of Lee, Jordan, Shaw, Simmons, Tice, Wilson, and Stuart—13.

So the motion to amend was adopted.

Mr. Glendenning moved that when this House adjourn, it be at 5:45 P. M.

The motion prevailed.

Mr. Giltner moved the previous question, which the House refused to second.

Mr. Auld moved to strike out the words "two-thirds," in the 14th line of section 2, and insert the word "majority."

The motion prevailed.

Mr. Giltner moved to strike out section 11 of the bill.

The motion did not prevail.

Mr. Smith moved to reconsider the vote by which the words "two-thirds" were stricken out.

The motion did not prevail.

Mr. Maris moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Auld, Baker, Brooks, Brown, Brush, Calvin, Campbell, Chapman, Clark of Johnson, Cleveland, Danforth, Evans, Gilliland, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Horstman, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Mentzel, Mills, Morse of Wright, Morse of Adams, Mueller, Norris, Rae, Robinson, Said, Simmons, Stone, Underwood, Williams, and Mr. Speaker—45.

The nays were:

Messrs. Benton, Birchard, Case, Clark of Marion, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Fuller, Gibbons, Giltner, Gray, Hoag, Hobbs, Homer, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, McCartney, Madson, Manning, Moffit, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Scott, Shepardson, Smith Stuckey, Thayer, Ure, White, and Young—38.

Absent or not voting:

Messrs. Allen, Bolter, Bush, Christy, Craver, Deweese, Hunt, Irwin of Lee, Jordan, Kauffman, McElderry, Maris, Shaw, Stuart, Tice, and Wilson—16.

So the bill was lost.

Mr. Clark of Johnson moved that when this House adjourn it be at 6 o'clock.

The motion prevailed.

Mr. Manning moved to reconsider the vote by which the House refused to pass the bill.

The motion prevailed.

Mr. Manning moved to reconsider the vote by which the bill was ordered engrossed for a third reading.

The motion prevailed.

Mr. Manning moved to reconsider the vote by which "two-thirds" was stricken out of the fourteenth line of the first section.

The motion prevailed.

The question recurring on the motion to strike out "two-thirds" and insert "majority," the motion did not prevail.

The bill was then ordered engrossed for a third reading.

RESOLUTION.

Mr. Danforth offered the following resolution:

Resolved, That the Sifting Committee be and is hereby instructed to arrange in order all the bills and resolutions, except appropriation bills, now on file or which shall hereafter be adopted, and arrange them into three classes, and after said committee shall have reported, the House shall consider said bills and resolutions in the following order, viz:

1st. First class.

2d. Second class.

3d. Third class.

And said bills and resolutions shall be taken up in the order in which they shall be reported by said committee, commencing with the first class, and this rule shall not be changed or modified except by unanimous consent.

Provided, That all bills upon which standing committees have, or shall hereafter report in favor of their passage shall be reported by said Sifting Committee in either the first or second class.

At 6 P. M. the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 13, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. A. L. Frisbie.

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

Leave of absence was granted Mr. Dewese.

Mr. Reed of Howard, moved to call up S. F. No. 34, A bill for an act relating to the lands heretofore granted the McGregor and Missouri River Railroad Company.

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 bills, in which the concurrence of the House is asked:

Substitute for S. F. No. 125, A bill for an act to amend section 1539, chapter 6, title 11 of the Code, relating to sales of intoxicating liquors to minors and others.

S. F. No. 132, A bill for an act to amend section 4018 of the Code.

S. F. No. 266, A bill for an act to repeal section 3299 of the Code and to enact a substitute therefor, and to amend section 3300 thereof, relating to actions of partition fences.

S. F. No. 267. A bill for an act to amend section 781, chapter 10, title 5 of the Code.

I am also directed to inform your honorable body that the Senate has passed the following bill with amendment:

Substitute for H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, conferring additional powers, and amending the charters of such cities.

Amend section 21 by inserting after the word "law" in the first line the words "as to powers of cities organized under the general incorporation act."

Substitute for S. F. No. 230, and H. F. No. 337, A bill for an act providing for the publication of propositions to amend the Constitution, and for other purposes connected therewith.

Amend by striking out all of section 2 down to and including the word "State," and insert as noted in the bill. In all of which amendments the concurrence of the House is asked.

J. A. T. HULL, *Secretary.*

RESOLUTIONS.

Leave was granted Mr. Clark of Marion, to offer the following resolution:

Resolved, That no member shall be allowed to speak more than five minutes without unanimous consent.

The resolution was adopted.

Leave was granted Mr. Hotchkiss to offer the following resolution:

Resolved, That after this day this House will meet at 8 o'clock A. M.

Mr. Brooks moved to amend by striking out 8 o'clock and inserting 8:30.

Mr. Danforth moved to amend by striking out 8.30 and inserting 9 o'clock A. M.

The amendment to the amendment was adopted.

The resolution as amended was then adopted.

Mr. Rees filed a motion to reconsider the vote by which substitute for S. F. Nos. 67, and 96, were ordered engrossed for a third reading.

Mr. Manning moved to take up the motion to reconsider.

The motion to take up prevailed.

The motion to reconsider did not prevail.

REPORT OF COMMITTEE.

Mr. Stone, from the Committee on Judiciary, made the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 34, A bill for an act relating to the lands heretofore granted to the McGregor and Missouri River Railroad Company resuming said lands and regranteeing the same upon new conditions to said company and providing for forfeiture thereof and in case of such forfeiture for the disposition to be made of said lands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Insert in the sixth line of section 5, the figures "1877," the words "or fail to file the bond required by this act within the time prescribed;" strike out in section 5, the words "for the amount named," and insert the words "as provided;" strike out of the last five lines of section 5, the words "after January 1, 1877," and the words "for the building of the road;" strike out of line eleven of section 7, the word "and," after the word "pre-emption," and insert the word "or;" and that as thus amended the bill do pass.

JNO. Y. STONE, *Chairman.*

S. F. No. 34 was then taken up, together with the report of the committee recommending amendments.

The first amendment recommended by the committee was concurred in.

The second amendment recommended by the committee was concurred in.

The third amendment recommended by the committee was concurred in.

The fourth amendment recommended by the committee was concurred in.

Mr. Graves moved to amend section 5 as follows:

"Said grant shall then inure to the benefit of the Iowa, Dakota & Black Hills Railroad Company, who shall have the right to file its bonds and accept said grant for thirty days thereafter, subject to the limitations and restrictions hereinbefore or hereinafter provided."

The amendment was adopted.

Mr. Glover moved to amend the second paragraph of section 2 as follows:

"*Provided, further,* that if Federal legislation be had, by which the McGregor & Missouri River Railway Company is permitted to make its junction north of O'Brien county, then, in that event, said McGregor & Missouri River Railroad shall be constructed from Spencer by a joint connection with the Sioux City & St. Paul Railroad, within half a mile of Sibley, in Osceola county."

The amendment did not prevail.

Mr. Glover moved to amend by striking out of section 13 the word "forty," and insert the words "forty-two."

The motion prevailed.

Mr. Glover moved to strike out the word "such," in the last paragraph of the second section.

The motion prevailed.

Mr. Reed, of Howard, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stone, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—88.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brush, Danforth, Deweese, Evans, Madden of Polk, Maris, Mills, Simmons, Smith, and Tice—11.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Mr. Case from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 480, A bill for an act to amend chapter 1 of title 23, of the Code, in relation to the compensation of State and district officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "three thousand" in section first, and inserting in lieu thereof the words "twenty-five hundred," and that when so amended it do pass; also, that it be printed.

LOUIS CASE, *Chairman*.

Ordered passed on file.

Mr. Wilson, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred the claim of William Monahan for relief for injuries sustained while

employed by the State to labor on the new capitol, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that he be allowed the sum of one hundred dollars as satisfaction in full for such injuries, and to report back the accompanying bill with the recommendation that it do pass.

WILSON, *Chairman.*

Ordered passed on file.

Mr. Gilliland, from the Committee on Public Lands, submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington & Missouri Railroad Company, the se $\frac{1}{4}$ of section 13, the ne $\frac{1}{4}$ of the ne $\frac{1}{4}$, and the sw $\frac{1}{4}$ of the ne $\frac{1}{4}$ of section 23, township 70, range 16, in Appanoose county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

S. B. GILLILAND, *Chairman.*

Ordered passed on file.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 367, A bill for an act in relation to liens and the recovery of money in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that, as thus amended, the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 148, A bill for an act to authorize the Treasurer of State to transfer the moneys arising from the sale of Agricultural College lands and scrip to the general revenue fund, and to authorize the Executive Council to issue bonds for the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the statement that, in the opinion of the committee, the same is unconstitutional. The present indebtedness of the State, as shown by the accompanying statement, is \$234,498.01. The effect of the bill would be to increase the indebtedness to a point beyond the constitutional limit, \$250,000.

AUDITOR'S STATEMENT.

Indebtedness to Permanent School Fund.

Act of Jan. 12, 1849	Bond issued May 1, 1849.....	\$ 16,442.05
Act of Jan. 13, 1849—B	nd issued Sept. 15, 1849.....	6,000.00
Act of Feb. 5, 1851—B	nd issued March 25, 1857.....	2,353.70
Act of July 15, 1856	Bond issued July 15, 1856.....	40,000.00
Act of Dec. 12.....		57,500.00
		<hr/>
Act of April 5, 1864—B	nd issued Nov. 12, 1864.....	\$122,295.75
Act of March 30, 1866—B	nd issued March 2, 1868.....	112,202.26
		<hr/>
Total amount borrowed of School Fund.....		\$234,498.01

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 48, A bill for an to amend section 2742, of chapter 9, title 17 of the Code, regulating the taking of testimony in equity actions, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 396, A bill for an act relative to assignments for the benefit of creditors, beg leave to report that they have the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 388, A bill for an act to transfer swamp land indemnity fund to the general revenue fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Ways and Means.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 399, A bill for an act to amend an act relative to frauds, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 102, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 302, A bill for an act to amend section 239 of the Code relating to the qualifications of petit jurors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 239, A bill for an act to repeal section 4562, chapter 37, title 25 of the Code, relating to subpoenaing witnesses in criminal cases, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred H. F. No. 177, A bill for an act to amend chapter 2, title 16 of the Code of 1873, and to entitle parties interested to a jury upon probate of a

will, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass, another bill on the same subject having been heretofore reported.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 281, A bill for an act to provide for the selection of jurors in certain cases, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Strike out in line fourteen the words "and law abiding," prefix the usual enacting clause to the first section, and add the title "A bill for an act to provide for the selection of jurors in certain cases," and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 386, A bill for an act to amend section 2386, title 16, chapter 3 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 365, A bill for an act to repeal section 1922 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 390, A bill for an act to amend sections 2618 and 2619 of the Code, in relation to notice by publication, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 241, A bill for an act to repeal section 894, title 6, chapter 2 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, another bill on the same subject having been heretofore reported.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 485, A bill for an act to amend chapter 12, title 20 of the Code, concerning actions against boats and rafts, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 268, A bill for an act repealing chapter 8, title 19 of the

Code of 1873, and providing for mechanics' liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 180, A bill for an act to amend section 2132, of chapter 8, title 14 of the Code, relating to mechanics' liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do lie on the table.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 341, A bill for an act to repeal section 2186 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the accompanying substitute, and that as thus amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 283, A bill for an act to regulate the practice in the supreme court, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 309, A bill for an act to amend section 3829 of the Code, in relation to the allowance of attorney's fees by the Court in criminal cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 461, A bill for an act to grant persons holding lands by pre-emption and homesteads, the benefit of the statute of limitations, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 287, A bill for an act to provide for filing with the clerk of the district court a notice of levy of executions and attachments in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 370, A bill for an act to amend section 827, of chapter 1, of title 6 of the Code, in regard to listing taxable property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 211, A bill for an act to provide for punishment for fraudulent disposition of personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 40 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred substitute for S. F. Nos. 76, 105, and 110, A bill for an act to repeal section 3327, of chapter 4, title 20, Code of 1873, relating to satisfaction of mortgages, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred substitute for S. F. Nos. 214 and 227, A bill for an act to amend sections 2117, 2119, 2124, and 2128, of title 14, chapter 7, of the Code, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 163, A bill for an act to amend section 2900, chapter 11, of the Code, in relation to offers to compromise, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 50, A bill for an act providing a proper seal for the office of Adjutant-General of the State, and that he be authorized to administer oaths, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Agriculture.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was re-

ferred S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners, beg leave to report that they have had the same under consideration, have ordered it printed, and have instructed me to report the same back to the House with the recommendation that it do pass.

JNO. Y. STONE, *Chairman.*

Reports ordered passed on file.

Mr. Case, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "one hundred" after the word "clerk" in the 14th line, and inserting the words "eighty-three and one-third," and that when so amended it do pass.

LOUIS CASE, *Chairman.*

Ordered passed on file.

Mr. Clark of Johnson, from the Special Committee on substitute for H. F. Nos. 197 and 325, submitted the following report:

MR. SPEAKER:—Your Special Committee on substitute for H. F. Nos. 197 and 325, beg leave to submit the following report:

Amend as follows:

In section 1, strike out, "and in case of a vacancy, to be filled by the Governor," and insert, "and in case of a vacancy, the same shall be filled by the Governor until a successor is elected and qualified."

Section 3, strike out, "and his clerk," in first line; the second line, strike out "their respective" and insert "his."

Section 4, in second, third, and fourth lines strike out, "and shall have power," etc., to and including "paid" in fourth line.

Section 10, to be stricken out.

Section 11, to be stricken out.

Section 15, in lines three and four strike out, "in sections 3 and 5, of chapter 68 of the public laws of the Fifteenth General Assembly;" in line thirteen strike out "provisions to Assembly" inclusive, and insert "tariff rates."

Section 15, in line six, after "performed" insert, "on all or any part of such company's road."

Section 16, in lines seven and eight strike out "provisions" to "do," inclusive, in eighth line, and insert "tariff rates;" in eighth line, after "oppressively," insert "or;" in sixteenth line, strike out "maximum" and insert "existing;" in seventeenth line, strike out "as established," etc., to and including "Assembly," and insert, "on all or any part of such company's road."

Section 17, first line, strike out "said" and insert "the;" in eighteenth line, strike out "said sections 3 and 5," and insert "the tariff rates;" in same line strike out "present" and insert "existing."

Section 18, in sixth line strike out "and" and insert "or." In seventh line, strike out "or so discriminating," etc., to and including "State," in eighth line.

Section 19, strike out section 19, as now amended, and insert: "For each package or shipment for which a way-bill is given each railroad company shall be entitled to charge twenty-five (25) cents, where the rates would not otherwise amount to that sum."

Section 20, to add in lieu of "than is authorized by law," the following: "Than is now authorized by law, or may hereafter be authorized under the provisions of this act."

CLARK (of Johnson), *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, in which the concurrence of the House is asked:

Substitute for S. F. No. 74, A bill for an act to provide for the establishment of superior courts in cities of a certain grade.

S. F. No. 263, A bill for an act to amend section 4, chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly.

Also, that the Senate has passed, without amendment:

H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa.

R. B. BAIRD,
Second Assistant Secretary.

The several amendments reported by the committee were then concurred in respectively.

Mr. Hobbs moved to amend section 1, by adding the following: *Provided*, That no person who is the owner of any railroad stock or who is in any way pecuniarily interested in any railroad or railroad construction company shall be eligible to the office of railway commissioner.

The amendment was adopted.

Mr. Cleveland moved that the bill be printed with amendments and made a special order for to-morrow afternoon at 2:15.

The motion prevailed.

RESOLUTION.

Leave was granted Mr. Danforth to offer the following resolution:

Resolved, That a committee of three be appointed of which Mr. Shaw shall be chairman, whose duty it shall be to take into consideration the propriety of appointing some suitable and competent person to supervise the building and repairs of all public buildings whose construction and repairs shall hereafter be provided for by law, such committee to report by bill or otherwise as soon as possible.

The resolution was adopted.

Mr. Johnston of Dubuque, moved to take up H. F. No. 395, A bill for an act to authorize relocation of railroads.

The motion prevailed.

Mr. Chapman presented three petitions from citizens of Delaware

county, remonstrating against allowing railroad companies changing the line of their roads.

Mr. Horton moved that when this House adjourn, it be at 12:10 o'clock.

The motion prevailed.

Mr. Graves moved to amend section 6, by adding the following:

"And provided further, that the provisions of this act shall apply only to such railroads as were constructed prior to the year one thousand eight hundred and sixty-six."

The amendment was adopted.

Mr. Graves moved to amend, by inserting after the word "taxation" in line—section 3, the following:

"Or by the issuing of bonds."

The amendment prevailed.

Mr. Chapman moved to amend section 7, by adding the following:

SECTION 7. That when any railroad company shall take up their track and relocate the same under the provisions of this act, shall fill up the cuts and level down the banks, or cause the same to be done, within two years from the time of taking up of such track.

The amendment prevailed.

Mr. Giltner moved to amend section 4 by striking out "shall" and inserting "may also."

Mr. Hobbs moved that when this House adjourn it be at 12:15 o'clock.

The motion prevailed.

Mr. Crawford of Dubuque, moved that the House do now adjourn.

The motion did not prevail.

The question recurring on the amendment offered by Mr. Giltner, the motion did not prevail.

Mr. Given moved to amend by striking out "shall also" in the eighth line of section 4, and inserting "may if the public interests demand it."

The motion prevailed.

Mr. Chapman moved to refer the bill to a special committee of five.

The motion did not prevail.

Mr. Graves moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brown, Bush, Clark of Johnson, Crawford of Dubuque, Danforth, Dixon, Gilliland, Given, Glendenning, Glover, Graves, Harned, Hemenway, Hobbs, Homer, Horstman, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, Madden of Polk, Madden of Taylor, Mentzel, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Underwood, Ure, White, Williams, Young, and Mr. Speaker—53.

The nays were:

Messrs. Benton, Birchard, Calvin, Campbell, Chapman, Cleveland, Colvin, Craver, Deweese, Gibbons, Giltner, Gray, Hoag, Horton, Hotchkiss, Johnson of Benton, Johnson of Winneshiek, McCune, McNeill,

Madson, Maris, Mills, Moffit, Morse of Adams, Proudfoot, Rees, Scott, Stuart, Stuckey, Tice, and Wilson—31.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Case, Christy, Clark of Marion, Crawford of Scott, Elliott, Evans, Fuller, Hall, Hunt, Jordan, Manning, and Robinson—15.

So the bill passed and the title was agreed to.

Mr. Hobbs was granted leave to call up H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor.

At 12:15 o'clock the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

The Seaker announced as special committee on the resolution in relation to public buildings, Messrs Shaw, Danforth and Lynch.

H. F. No. 266 was then taken up and considered, with the report of the committee recommending an amendment.

The report of the committee was concurred in.

Mr. Hobbs moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brooks, Calvin, Campbell, Case, Chapman, Christy, Cleveland, Craver, Danforth, Deweese, Fuller, Gibbons, Given, Glover, Graves, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Lane, Lathrop, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—62.

The nays were:

Messrs. Clark of Marion, Colvin, Giltner, Gray, Hoag, Hotchkiss, Lynch, Stuart, and Stuckey—9.

Absent or not voting:

Messrs. Benton, Bolter, Brown, Brush, Bush, Clark of Johnson, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Evans, Gilliland, Glendenning, Harned, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, McCelderry, Madson, Maris, Norris, Rae, Reed of Jackson, Shepardson, Stone, and Ure—28.

So the bill passed and the title was agreed to.

Mr. Hemenway moved to take up H. F. No. 37.

Mr. Fuller moved to amend by striking out H. F. No. 37, and inserting substitute for H. F. Nos. 142 and 210, A bill for an act apportioning the State into Representative districts.

The amendment prevailed.

The House adopted the report of the committee.

Mr. Hobbs moved that H. F. No. 210 be adopted in lieu of the substitute.

BILLS ON THIRD READING.

§. F. No. 20, A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphans' Homes, and provide for other indigent children of the State, and make provisions for industrial pursuits therein, was read a third time.

The question being, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCune, McHugh, Madden of Polk, Manning, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Smith, Stone, Thayer, Tice, Underwood, White, Young, and Mr. Speaker—71.

The nays were:

Messrs. Clark of Marion, Crawford of Dubuque, Danforth, Deweese, Giltner, Harned, Hotchkiss, Irwin of Warren, Jordan, Kauffman, Lynch, McNeill, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Proudfoot, Simmons, Stuart, Stuckey, Ure, and Wilson—23.

Absent or not voting:

Messrs. Allen, Bolter, McCleddy, Shaw, and Williams—5.

So the bill passed and the title was agreed to.

H. F. No. 305, A bill for an act amendatory of and in addition to section 814 of the Code, title 6, chapter 1, of the assessment of taxes, was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Brooks, Brush, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Elliott, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, Lynch, McCartney, McCune, McCleddy, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Rees,

Robinson, Said, Scott, Shaw, Simmons, Stone, Stuart, Stuckey, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—69.

The nays were:

Messrs. Allen, Benton, Birchard, Brown, Bush, Calvin, Case, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Hunt, Irwin of Lee, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McHugh, Madden of Taylor, Manning, Moffit, Morse of Wright, Reed of Jackson, Shepardson, Smith, Thayer, and Ure—27.

Absent or not voting :

Messrs. Bolter, Fuller, and Reed of Howard—3.

So the bill passed and the title was agreed to.

Substitute for S. F. Nos. 67 and 96, A bill for an act to authorize townships, cities and incorporated towns to aid in the construction of railroads, was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Danforth, Evans, Gilliland, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Homer, Horstman, Hunt, Irwin of Lee, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Underwood, Ure, Williams, Young, and Mr. Speaker—65.

The nays were:

Messrs. Birchard, Bush, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Fuller, Gibbons, Giltner, Gray, Hoag, Hobbs, Hotchkiss, Irwin of Warren, Johnson of Benton, Kauffman, McCartney, Madson, Proudfoot, Reed of Jackson, Rees, Stuckey, Thayer, Tice, White, and Wilson—29.

Absent or not voting:

Messrs. Bolter, Clark of Marion, Horton, Moffit, and Reed of Howard—5.

So the bill passed and the title was agreed to.

Mr. Gibbons asked leave to spread the following explanation upon the journal of his vote on substitute for S. F. No. 67, and '96, which was granted by the House.

1st. The right of taxation is an attribute of sovereignty and can only be authorized legislative act for the purposes of carrying on the machinery of government, and not for the purpose of fostering any private enterprise for pecuniary profit.

2d. Because all such legislation is unconstitutional and void.

3d. Because it is calling into requisition the strong arm of the government to rob the citizen of his property against his will.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 223, A bill for an act to amend section 2049, of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats.

H. F. No. 290, A bill for an act to legalize the incorporation of the town of Oskaloosa, as a city of the second class, to legalize the annexation thereto of certain territory.

H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

H. F. No. 130, A bill for an act to legalize the incorporation of the town of Ackley.

H. F. No. 460, A bill for an act to legalize an election held in Mitchell county, October 12, 1875.

H. F. No. 166, A bill for an act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 490, A bill for an act to change the name of the village of West Point, Butler county, to Bristow.

H. F. No. 488, A bill for an act providing for the election of city assessor in cities organized and existing under special charters.

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code.

McNEILL, *Chairman.*

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER:—Your Special Committee, to whom was referred the Governor's message in relation to pardon of Davis Weirich, beg leave to report that they have had the same under consideration, and report the same back to the House with the recommendation that the Governor be advised not to pardon said Davis Weirich.

WM. T. SHAW,
GEO. RAE,
Committee.

Ordered passed on file.

Mr. Graves, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 22, A bill for an act to amend section 500, of chapter 10, title 4 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 484, A bill for an act to legalize certain ordinances of the city of Des Moines, beg leave to report that they have had the

same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 363, A bill for an act to stay proceedings in cases where an incorporated city appeals from the judgement of any court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—The Committee on Cities and Towns, to whom was referred S. F. No. 245, A bill for an act to change the name of the village plat of the town of Yankee Settlement Center, in Clayton county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle and its ordinances, and the acts of its officers thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 340, A bill for an act to amend section 533 of the Code, and to require cities of the second class to pay marshals, deputy marshals, and police officers, salaries instead of fees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be also made to apply to cities of the first class, and that as so amended the bill do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred H. F. No. 191, A bill for an act to amend subdivision 4, section 796, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, the following:

MR. SPEAKER:—Your Committee on Cities and Towns, to whom was referred S. F. No. 175, A bill for an act to authorize incorporated towns and townships to establish and maintain free public libraries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Reports ordered passed on file.

Mr. Morse of Adams, from the Committee on Reform School, submitted the following reports:

MR. SPEAKER:—Your Committee on Reform School, to whom was referred S. F. No. 108, A bill for an act to provide for repairing highways on the Reform School farm at Salem, Iowa, beg leave to report

that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Reform School, to whom was referred H. F. No. 235, A bill for an act to prevent pauperism, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the word "child" in the fifth line of the first section; by striking out the word "child" and inserting "minor" in the ninth line; that the last clause of the second section, beginning at the tenth line, be the third section of the bill; that the second line of the third section be amended by inserting after the word "of" the words "section two of" and that so amended it do pass.

MORSE (of Adams), *Chairman*.

Reports ordered on file.

Mr. Gibbons, from the Special Committee on H. F. No. 392, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 392, A bill for act to abolish circuit courts, and establish county courts, and to define the powers and jurisdiction of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute and recommend that the substitute do pass.

JOHN GIBBONS, *Chairman*.

Ordered passed on file.

Mr. Smith was granted leave to record his vote as aye on H. F. No. 35, a bill for an act to restore the death penalty.

Mr. Gibbons moved that H. F. No. 392, A bill for an act to abolish circuit courts and establishing county courts.

The motion prevailed, and the bill was taken up.

The substitute reported by the committee was adopted.

Mr. Reed, of Howard, moved to refer the bill to a special committee of three.

The motion did not prevail.

Mr. Williams moved to amend by striking out the words "solemnize marriages."

The motion did not prevail.

Mr. Gibbons moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Campbell, Christy, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Fuller, Gibbons, Gilliland, Given, Glendenning, Graves, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McNeill, Madden of Polk, Madden of Taylor, Madison, Manning, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris,

Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Stuart, Stuckey, Thayer, Underwood, White, Williams, Young, and Mr. Speaker—64.

The nays were:

Messrs. Bush, Calvin, Case, Chapman, Clark of Johnson, Craver, Deweese, Evans, Giltner, Glover, Hall, Hemenway, Johnson of Benton, Johnson of Winneshiek, Jordan, McElderry, McHugh, Maris, Morse of Wright, Rae, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Tice, Ure, and Wilson—32.

Absent or not voting:

Messrs. Bolter, Brooks, and Danforth—3.

So the bill passed and the title was agreed to.

Leave was granted Mr. Rae to introduce H. F. 492, a bill for an act to legalize the herd law in Crawford county.

Read first and second time, and referred to the Sifting Committee.

Leave of absence was granted Messrs. Crawford of Dubuque, Bush, Brooks, and Jordan.

Mr. Kauffman moved that H. F. No. 21 be made a special order after the pending special orders are disposed of.

At 5:40 P. M. the Speaker adjourned the House.

EVENING SESSION.

7:30 O'CLOCK.

House called to order by the Speaker.

Mr. Hotchkiss moved that S. F. No. 263, A bill for an act to amend section 4 of chapter 35, of the private, local and temporary acts of the Fifteenth General Assembly be taken up.

The motion prevailed.

Mr. Hotchkiss moved that the rules be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Calvin, Case, Chapman, Christy, Cleveland, Colvin, Craver, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lathrop, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Sim-

mons, Stone, Stuart, Stuckey, Thayer, White, Williams, Young, and Mr. Speaker—76.

The nays were:

Messrs. Campbell, and Underwood—2.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Clark of Johnson, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Dixon, Hall, Irwin of Lee, Jaqua, Jordan, Lane, Lynch, McElderry, Reed of Howard, Shaw, Smith, Tice, Ure, and Wilson—21.

So the bill passed and the title was agreed to.

On motion of Mr. Irwin of Warren, S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle, and its ordinances and the acts of its officers thereunder, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Irwin moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, McCarty, McCune, McHugh, McNeill, Madden, of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—82.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Crawford of Dubuque, Dixon, Irwin of Lee, Jaqua, Jordan, Kauffman, Lynch, McElderry, Manning, Mueller, Scott, Shaw, Thayer, and Ure—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 inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Substitute for S. F. Nos. 138 and 174, A bill for an act to amend chapters 48 and 54 of the private, local and temporary acts of the Fifteenth General Assembly, entitled an act relating to the taxes voted in aid of the construction of railroads.

Substitute for S. F. No. 255, A bill for an act apportioning the State of Iowa into Senatorial Districts.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to substitute for S. F. Nos. 34, 53½ and 95, A bill for an act relating to the lands heretofore granted to the McGregor & Missouri Railroad Company resuming said lands, and regranteeing the same upon new conditions to said company; and providing for forfeiture thereof, and in case of such forfeiture, for the disposition to be made of said lands.

J. A. T. HULL, *Secretary*.

The House resumed consideration of the substitute for H. F. Nos. 142, 210 and 459.

Mr. Reed of Howard, moved to strike out all after the enacting clause of H. F. No. 210, and insert H. F. 459.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Brush, Campbell, Case, Chapman, Colvin, Craver, Deweese, Evans, Gilliland, Given, Glover, Hall, Hoag, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Kauffman, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shepardson, Simmons, Smith, Stone, Tice, Underwood, White, Williams, and Wilson—54.

The nays were:

Messrs. Birchard, Christy, Clark of Marion, Cleveland, Crawford of Scott, Danforth, Dixon, Elliott, Gibbons, Giltner, Glendenning, Graves, Gray, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, Moffit, Mueller, Reed of Jackson, Stuart, Stuckey, Thayer, Ure, Young, and Mr. Speaker—34.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Calvin, Clark of Johnson, Crawford of Dubuque, Fuller, Irwin of Lee, Jordan, McCune, and Shaw—11.

So the substitute was adopted.

Mr. Morse, of Wright, moved to amend section 78, by inserting in the first line of said section the word "Wright," before the word "Winnebago"; and amend section 79, by striking out of the first line the words, "and Wright," and insert the word "and," before the word "Franklin," in the same line.

The motion prevailed.

Mr. Gibbons moved to amend the first section by striking out "14,440," and inserting "13,500."

The motion did not prevail.

Mr. Rees moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Marion, Colvin, Craver, Dan-

forth, Deweese, Dixon, Elliott, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Hall, Hemenway, Hoag, Homer, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuart, Stuckey, Tice, Underwood, Ure, White, Williams, and Wilson—75.

The nays were:

Messrs. Christy, Cleveland, Crawford of Scott, Gibbons, Graves, Gray, Harned, Hobbs, Horstman, Hotchkiss, Lynch, Moffit, Mueller, Smith, Thayer, Young, and Mr. Speaker—17.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Clark of Johnson, Crawford of Dubuque, Irwin of Lee, and Shaw—7.

So the bill passed and the title was agreed to.

REPORT OF SPECIAL COMMITTEE.

Special Committee on S. F. No. 188, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred S. F. No. 183; A bill for an act to appropriate money to procure a portrait of Hon. Ansel Briggs, first Governor of the State of Iowa, to be placed in the new capitol building, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the publication clause; and inserting the accompanying amendment as section 2 of the bill, and as so amended that the bill do pass.

R. CLARK,
WM. H. REED,
JNO. GIBBONS.

On motion of Mr. Reed of Jackson, S. F. No. 188, just reported, with report of committee recommending that it do pass with amendments, was taken up, considered, and the report of the committee was adopted.

Mr. Reed of Jackson, moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Horstman, Horton, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McHugh, McNeill, Madden of Polk, Madden of Taylor,

Madson, Manning, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuart, Stuckey, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—31.

The nays were:

Mr. Smith—1.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Crawford of Dubuque, Danforth, Hobbs, Homer, Irwin of Lee, Jordan, McCune, McElderry, Maris, Rees, Shaw, Thayer, Tice, and Ure.—17.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Glover, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was re-referred H. F. No. 366, A bill for an act in reference to the reports of public officers and institutions and to provide for printing and distributing public documents, amendatory of chapter 9, title 2 of the Code, relating to the general regulations of the executive department, also of title 13, chapter 1, in relation to the militia and also of title 12, chapter 3, relating to the Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows: Amend section 2, by striking therefrom the words "State Librarian" and inserting instead the words "Secretary of State;" in section 9, strike out the words "one hundred and thirty-one" and insert in lieu thereof the words "eighteen hundred and ninety-eight;" add section 10:

SECTION 10. Public documents including reports of the supreme court, will be sent to the Congressional Library, the governments of the Dominion of Canada, and New Foundland, and any other foreign government which shall be found willing to reciprocate.

Change section 10, to section 11.

J. F. GLOVER, *Chairman*.

Committee recommend that as amended the bill do pass.

Ordered passed on file.

On motion of Mr. Mills S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code, with report of committee recommending that it do pass was taken up, considered and the report of the committee was adopted.

Mr. Reed of Jackson, moved to strike out "forty-eight inches," and insert "fifty-four."

The motion did not prevail.

Mr. Mills moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Birchard, Brown, Brush, Calvin, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Crawford of Scott, Danforth, Dixon, Evans, Gibbons, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Horton, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Maris, Mills, Moffit, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, Smith, Stone, Underwood, Ure, Williams, and Young—59.

The nays were:

Messrs. Auld, Baker, Campbell, Christy, Clark of Marion, Craver, Deweese, Elliott, Fuller, Giltner, Homer, Horstman, Hotchkiss, Kauffman, Lynch, McCune, Madson, Mentzel, Morse of Adams, Reed of Jackson, Rees, Simmons, Stuart, Stuckey, Thayer, Tice, White, Wilson, and Mr. Speaker—29.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Crawford of Dubuque, Gilliland, Hall, Irwin of Lee, Jordan, Manning, Shaw, and Shepardson—11.

So the bill passed and the title was agreed to.

On motion of Mr. Proudfoot, H. F. No. 37, A bill for an act to prohibit the sale of intoxicating liquors in certain cases, with report of committee recommending that it do pass with amendments, was taken up, considered, and the report of the committee was adopted.

Mr. Hemenway offered a substitute for the bill.

Mr. Tice moved to strike out townships and township trustees, and insert counties and county boards of supervisors.

Mr. White moved to refer the bill to a Special Committee of three.

The motion did not prevail.

Mr. Birchard moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Chapman, Christy, Clark of Marion, Cleveland, Crawford of Scott, Dixon, Elliott, Evans, Gibbons, Gilliland, Graves, Gray, Harned, Hobbs, Horstman, Hunt, Johnson of Benton, Johnston of Dubuque, Lathrop, Lynch, McCune, McHugh, Madson, Mentzel, Mueller, Reed of Jackson, Stuart Thayer, White, Young, and Mr. Speaker—34.

The nays were:

Messrs. Allen, Auld, Brush, Calvin, Campbell, Case, Clark of Johnson, Colvin, Craver, Danforth, Deweese, Fuller, Giltner, Given, Glendenning, Glover, Hall, Hemenway, Hoag, Homer, Horton, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, Lane, McNeill, Madden of Polk, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott Simmons, Smith, Stuckey, Tice, Underwood, Ure, Williams, and Wilson—51.

Absent or not voting:

Messrs. Bolter, Brooks, Brown, Bush, Crawford of Dubuque, Hotchkiss, Irwin of Lee, McCartney, McElderry, Madden of Taylor, Manning, Shaw, Shepardson, and Stone—14.

The motion to lay on the table did not prevail.

The question recurring on the motion of Mr. Tice, the motion prevailed.

The question recurring on the adoption of the substitute, Mr. White moved to amend by inserting after the word "liquors" "opium and tobacco."

The motion did not prevail.

Mr. Hobbs moved to strike out all after the enacting clause, and insert H. F. No. 404.

The motion did not prevail.

Mr. Dixon moved that the House do now adjourn.

The motion did not prevail.

Mr. Colvin moved that when this House adjourn it be at 12 o'clock.

The motion prevailed.

Mr. Lynch moved to reconsider the vote by which the House agreed to adjourn at 12 o'clock.

Mr. Stuart moved to lay the motion to reconsider on the table.

The motion prevailed.

The question recurring on the adoption of the substitute offered by Mr. Hemenway. The substitute was adopted.

The bill was then ordered engrossed for a third reading.

On motion of Mr. Smith, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 14, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by the Hon. Underwood.

Mr. Baker moved that the reading of the journal be dispensed with.

The motion prevailed.

REPORT OF SPECIAL COMMITTEE.

Report of Special Committee on H. F. No. 482:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa, beg leave to report that they have had the same under consideration, and adopted a substitute therefor, and have instructed me to report the substitute back to the House with the recommendation that it do pass.

D. M. BAKER, *Chairman.*

On motion of Mr. Baker, the bill just reported, H. F. No. 482, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Rees moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brown, Calvin, Campbell, Case, Chapman, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Fuller, Gibbons, Given, Glendenning, Glover, Gray, Harned, Hemenway, Hoag, Homer, Horstman, Hotchkiss, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—69.

The nays were none.

Absent or not voting:

Messrs. Allen, Bolter, Brooks, Brush, Bush, Christy, Clark of Johnson, Dixon, Elliott, Evans, Gilliland, Giltner, Graves, Hal', Hobbs, Horton, Hunt, Irwin of Lee, Jaqua, Jordan, Kauffman, Lynch, Madden of Polk, Madden of Taylor, Manning, Mueller Shepardson, Simmons, Smith, and Ure—80.

So the bill passed and the title was agreed to.

REPORT OF SPECIAL COMMITTEE.

Mr. Stone, from the Special Committee, submitted the following report:

MR. SPEAKER:—Your Special Committee, to whom was referred H. F. No. 240, A bill for an act to provide for the organization and management of an asylum for idiot and feeble-minded children at Glenwood, in Mills county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the accompanying substitute do pass.

JNO. Y. STONE, *Chairman.*

On motion of Mr. Stone, the bill, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Stone moved to strike out the words "by the Governor," and insert "elected by the General Assembly."

The motion prevailed.

Mr. Stone moved to strike out the word "he," and insert "the Superintendent."

The motion prevailed.

Mr. Stone moved to strike out the word "treasurer," and insert "teacher."

The motion prevailed.

Mr. Stone moved to insert after the word "January," in the 12th section, "for the next two years."

The motion prevailed.

Mr. Deweese moved to strike out all after the word "counting," in the third line of section 7, to the word "and," in the fourth line, and insert the words, "the actual time such child is an inmate and supported by such institution."

The motion prevailed.

Mr. Stone moved that the rule be suspended, the bill considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brown, Brush, Calvin, Campbell, Case, Christy, Clark of Johnson, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gilliland, Given, Glendenning, Glover, Graves, Hemenway, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Rees, Robinson, Said, Shaw, Stone, Thayer, Tice, Underwood, Young, and Mr. Speaker—63.

The nays were:

Messrs. Benton, Chapman, Clark of Marion, Cleveland, Colvin, Danforth, Gibbons, Giltner, Gray, Harned, Horstman, Hotchkiss, Irwin of Warren, Johnson of Winneshiek, Maris, Proudfoot, Reed of Jackson, Scott, Shepardson, Simmons, Stuart, Stuckey, White, and Williams,—24.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Elliott, Hall, Kauffman, Lynch, Madden of Taylor, Mills, Smith, Ure, and Wilson—12.

So the bill passed and the title was agreed to.

SENATE MESSAGES.

Mr. Gibbons moved to take up Senate Messages.

The motion prevailed.

RESOLUTION.

Mr. Given offered the following resolution:

Resolved, by the House of Representatives, the Senate concurring, That the joint resolution by which this General Assembly agreed to adjourn on the 16th day of March, 1876, be and the same is hereby rescinded.

Resolved, That the President of the Senate and Speaker of the House are hereby instructed to declare their respective Houses adjourn without day at 12 noon, March 23d, 1876.

Mr. Hotchkiss moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Birchard, Brown, Calvin, Campbell, Chapman, Clark of Marion, Crawford of Scott, Deweese, Elliott, Fuller, Glendenning, Gray, Hoag, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lathrop, Lynch, McCartney, McCune, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Proudfoot, Scott, Shaw, Simmons, Smith, Stuart, Stuckey, Tice, and White—43.

The nays were:

Messrs. Allen, Auld, Benton, Brush, Case, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Dixon, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Johnson of Winneshiek, Jordan, Kauffman, Lane, McElderry, McHugh, Madden of Polk, Maris, Morse of Adams, Norris, Palmer, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shepardson, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—50.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Evans, Rae, and Stone—6.

So the motion to lay on the table did not prevail.

Mr. Crawford, of Scott, moved to amend by striking out the "23d of March," and inserting the "1st day of May."

The motion did not prevail.

The question recurring on the adoption of the resolution, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Brush, Case, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Dixon, Evans, Giltner, Given, Glover, Graves, Hall, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lynch, McCartney, McElderry, McHugh, Madden of Polk, Maris, Morse of Adams, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Stone, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—53.

The nays were:

Messrs. Baker, Birchard, Brooks, Brown, Calvin, Campbell, Chapman, Clark of Marion, Crawford of Scott, Deweese, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Gray, Harned, Hoag, Horstman, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Lane, Lathrop, McCune, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Proudfoot, Scott, Simmons, Smith, Stuart, Stuckey, Tice, and White—44.

Absent or not voting:

Messrs. Bolter, and Bush—2.

So the resolution was adopted.

Mr. Clark of Johnson moved that a committee of three be appointed to wait upon the Senate with the resolution.

The motion prevailed.

The Speaker appointed Messrs. Given, Clark of Johnson, and Dixon, as such committee.

Mr. Dixon introduced H. F. No. 493, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

Read first and second time, when Mr. Dixon moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed. The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Brush, Campbell, Case, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winnesbick, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardonson, Smith, Stone, Stuart, Thayer, Tice, Underwood, Williams, Wilson, Young, and Mr. Speaker—83.

The nays were none.

Absent or not voting:

Messrs. Bolter, Bush, Calvin, Chapman, Clark of Johnson, Gilliland, Gray, Horton, Hotchkiss, Madden of Taylor, Moffit, Mueller, Simmons, Stuckey, Ure, and White—16.

So the bill passed and the title was agreed to.

Mr. Clark of Marion moved that all committees excepting the Committee on Appropriations shall hereafter report to the Sifting Committee.

The motion did not prevail.

RESOLUTION.

Mr. Birchard offered the following resolution:

Resolved, That if the Senate adopt the House resolution to extend the time for adjourning, that the Sifting Committee be discharged.

The resolution was adopted.

On motion of Mr. Mills, S. F. No. 22, A bill for an act to amend section 560 of chapter 10, title 4 of the Code, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Mills moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brown, Brush, Campbell, Case,

Chapman, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madson, Manning, Maris, Mills, Moffit, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Young, and Mr. Speaker—78.

The nays were:

Messrs. Danforth, Fuller, Proudfoot, and Wilson—4.

Absent or not voting:

Messrs. Auld, Bolter, Brooks, Bush, Calvin, Christy, Cleveland, Gililand, Hall, Horton, Hotchkiss, McElderry, Madden of Taylor, Mentzel, Morse of Adams, Simmons, and White—17.

So the bill passed and the title was agreed to.

Mr. Howard moved that S. F. No. 50 be now taken up.

The motion did not prevail.

Senate messages were taken up.

Substitute for S. F. Nos. 138 and 174, A bill for an act to amend chapters 48 and 54 of the private, local and temporary acts of the Fifteenth General Assembly, was read a first and second time and referred to the sifting committee.

Substitute for S. F. No. 255, A bill for an act to apportion the State into Senatorial Districts.

Was read a first and second times and referred to the committee on Representative and Senatorial Districts.

Substitute for S. F. No. 125, A bill for an act to amend section 1539, chapter 6, title 11 of the Code.

Was read a first and second times and referred to the sifting committee.

S. F. No. 132, A bill for an act to amend section 4018 of the Code.

Was read a first and second times and referred to the sifting committee.

S. F. No. 266, A bill for an act to repeal section 3299, and to enact a substitute therefor.

Was read a first and second times and referred to the sifting committee.

S. F. 257, A bill for an act to amend section 781, chapter 10, title 5 of the Code, was taken up, read a first and second time, and referred to the sifting committee.

S. F. No. 171, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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

Substitute for S. F. No. 168, A bill for an act to provide for commencing the erection of the west lateral wing and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs.

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

S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

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

S. F. No. 241, A bill for an act making appropriations for the penitentiary at Anamosa, was taken up.

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

S. F. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, Iowa, was taken up.

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

S. F. No. 234, A bill for an act making further appropriations for the College for the Blind at Vinton, Iowa, was taken up.

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

S. F. No. 242, A bill for an act to make appropriation for the Iowa Soldiers' Orphans' Home and Home for indigent children at Davenport, Iowa was taken up.

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

S. F. No. 146, A bill for an act making appropriation for the Iowa Reform School, was taken up.

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

Substitute for S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mount Pleasant, was taken up.

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

Substitute for S. F. No. 117, A bill for an act making appropriation for the Iowa Hospital for the Insane at Independence, Iowa, was taken up, read first and second time, and referred to the Committee on Appropriation.

Substitute for S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the Iowa State University, was taken up, read first and second time, and referred to the Committee on Appropriations.

S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railways, was taken up, and Mr. Gibbons moved that the House refuse to recede from its amendment.

The motion prevailed.

Substitute for H. F. No. 337, and S. F. No. 230, A bill for an act providing for the publication of proposition to amend the Constitution, was taken up, and the question being on concurring in the Senate amendment to section 2 of the bill, the yeas and nays were as follows:

The yeas were :

Messrs. Allen, Auld, Baker, Birchard, Brush, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Jaqua, Johnson

of Benton, Johnson of Winneshiek, Jordan, Lane, Lynch, McCartney, McCune, McCalderry, McHugh, McNeill, Madden of Polk, Madson, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shep-ardson, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—67.

The nays were:

Mr. Smith—1.

Absent or not voting:

Messrs. Benton, Bolter, Brooks, Brown, Bush, Calvin, Christy, Colvin, Elliott, Gilliland, Given, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Kauffman, Lathrop, Madden of Taylor, Manning, Maris, Moffit, Mueller, Reed of Howard, Rees, Simmons, Stone, Stuart, Underwood, and White—31.

So the House concurred in Senate amendments.

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes, was taken up, and the question being on concurring in the Senate amendment to section 3, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brush, Campbell, Case, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Said, Scott, Shep-ardson, Simmons, Smith, Stuart, Stuckey, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—74.

The nays were:

Mr. Proudfoot—1.

Absent or not voting:

Messrs. Benton, Bolter, Brooks, Brown, Bush, Calvin, Chapman, Christy, Crawford of Scott, Dixon, Elliott, Hunt, Johnson of Winneshiek, Lynch, McCalderry, McHugh, Manning, Rees, Robinson, Shaw, Stone, Thayer, Underwood, and White—24

So the House concurred in Senate amendments.

H. F. 213, A bill for an act relating to cities organized and existing under special charters, and defining the powers which they may exercise in addition to those already conferred by law, was taken up.

The question being on concurring in the Senate amendment, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brush, Campbell, Case, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Jordan,

Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madson, Mentzel, Mills, Moffit, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stuart, Stuckey, Tice, Williams, Wilson, Young, and Mr. Speaker—73.

The nays were none.

Absent or not voting:

Messrs. Benton, Bolter, Brooks, Brown, Bush, Calvin, Chapman, Christy, Gilliland, Hall, Horstman, Johnston of Dubuque, Johnson of Winneshiek, McHugh, Madden of Taylor, Manning, Maris, Morse of Wright, Reed of Howard, Rees, Smith, Stone, Thayer, Underwood, Urs, and White—26.

So the House concurred in the Senate amendments.

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:

S. F. No. 187, A bill for an act to amend section 896, title 7, chapter 2 of the Code of 1873.

Concurrent resolution in reference to certain lands granted to the Sioux City & St. Paul Railroad.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code.

H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code.

Substitute for H. F. No. 395, A bill for an act to authorize the relocation of railroads.

Also the Senate has passed H. F. No. 103, A bill for an act to amend sections 240 and 241 of chapter 10, title 3 of the code, in relation to jurors, with the following amendment: "Strike out all of section 2."

R. B. BAIRD,

Second Assistant Secretary.

Mr. Giltner moved that a committee of three be appointed, and that the Senate be requested to appoint a like committee to confer on the disagreeing vote of the two Houses on S. F. No. 247.

The motion prevailed.

The Speaker appointed as such committee, Messrs. Giltner, Reed of Howard, and Horton.

Mr. Dixon moved that when this House adjourn, it be at 6 o'clock P. M.

Mr. Smith moved to amend by striking out "6" and inserting "6:30."

Mr. Gibbons moved to amend the amendment by striking out "6:30" and inserting "12:30."

The amendment to the amendment prevailed.

The motion as amended prevailed.

The Senate joint resolution in relation to joint convention for the

purpose of electing trustees for the various State institutions, was taken up and adopted.

RESOLUTION.

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

Resolved, That the thanks of this House are hereby tendered to the honorable Senate for the very good advice tendered to this House, and also to the Senate committee for the very courteous manner in which it was delivered.

Leave was granted Mr. Danforth to call up H. F. No. 271, A bill for an act making appropriation for the Iowa Reform School.

Mr. Deweese moved to take up the capitol appropriation bill.

Mr. Glover moved to lay the motion on the table.

The motion to lay on the table did not prevail.

Mr. Crawford of Dubuque, moved that the House do now adjourn.

At 12:30 o'clock, the Speaker adjourned the House.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

House called to order by the Speaker.

Mr. Thayer moved that the House resume consideration of substitute for H. F. Nos. 197 and 395. A bill for an act for the appointment and election of a railway commissioner, defining his duties, etc.

The motion prevailed.

The bill was taken up and considered.

Mr. Shaw moved to strike out the words "or any part, in the seventeenth line of section 13."

The motion did not prevail.

Mr. Smith moved to strike out the word "in," in the fifth line of section 15 and insert the words "in or" after the word lines.

The motion prevailed.

Mr. Giltner moved to strike out the words "or passengers," in the seventeenth line of section 13.

The motion prevailed.

Mr. Hotchkiss moved to strike out "three thousand," in the first section, and insert "two thousand."

The motion did not prevail.

Mr. Gibbons moved to amend by adding to section 13 the following: *Provided further*, that the change, modification, or alteration shall be uniform so far as it effects each class.

The motion did not prevail.

Mr. Johnson of Winneshiek moved to amend by striking out the word "deems," and insert the word deem," in section 9.

The motion prevailed.

Mr. Maris moved to amend section 10, by adding the following:

SECTION 10. No railway corporation shall charge for the transportation of goods, wares, property or merchandise on its road from any given point or station on its line, to any other point or station on its line, a greater amount than is at the same time charged for the transportation of a like quantity of the same goods, wares, property or merchandise to any point or station more remote from the point of shipment.

The motion did not prevail.

Mr. Cleveland moved to reconsider the vote by which the House refused to strike out the words "or any part."

Mr. Dixon moved to lay the motion to reconsider on the table.

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 bills, in which the concurrence of the House is asked:

S. F. No. 262, A bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa.

S. F. No. 246, A bill for an act concerning delinquent taxes.

O. T. McCARGAR,
First Assistant Secretary.

Mr. Deweese moved to reconsider the vote by which the House refused to adopt the amendment offered by Mr. Maris.

The motion did not prevail.

Mr. Clark of Johnson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Benton, Brown, Calvin, Case, Christy, Clark of Johnson, Colvin, Crawford of Scott, Evans, Giltner, Given, Glover, Heinenway, Hobbs, Horstman, Irwin of Lee, Jaqua, Johnson of Winneshiek, Kauffman, Lane, McCartney, McCune, Madden of Polk, Maris, Mentzel, Morse of Wright, Mueller, Norris, Reed of Howard, Reed of Jackson, Robinson, Said, Thayer, Underwood, Wilson, and Young—36.

The nays were:

Messrs. Allen, Auld, Baker, Birchard, Brooks, Brush, Campbell, Chapman, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Darforth, Deweese, Dixon, Elliott, Fuller, Gibbons, Gilliland, Glendenning, Graves, Gray, Harned, Hoag, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Jordan, Lathrop, Lynch, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Mills, Moffit, Morse of Adams, Palmer, Proudfoot, Rae, Rees,

Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Tice, Ure, White, Williams, and Mr. Speaker—59.

Absent or not voting:

Messrs. Bolter, Bush, Hall, and Homer—4.

So the bill 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 the following bill, in which the concurrence of the House is asked:

S. F. No. 268, A bill for an act to legalize the conveyance of a certain tract of land for cemetery purposes in Dennison township, Crawford county, Iowa.

Also, that the Senate has concurred in all of House amendments to substitute for S. F. Nos. 67 and 96, A bill for an act to enable townships and incorporated towns and cities, to aid in construction of railroads, except the proviso exempting homesteads from sale for railroad taxes.

Also, that the Senate has concurred in House amendments to S. F. No. 188, A bill for an act to appropriate money for portrait of Ansel Briggs, first Governor of the State of Iowa.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 443, A bill for an act to amend chapter 107 of the Private, Local and Temporary Acts of the Fourteenth General Assembly.

Also, with amendment, H. F. No. 128, A bill for an act to amend certain sections of the Code, amend by striking out of the title the word "certain" and insert after sections "1745 and 1751, chapter 9, title 1," and after Code "relative to report of treasurers of school district."

In which amendments the concurrence of the House is asked.

J. A. T. HULL, *Secretary.*

Leave was granted Mr. Gilliland to make the following explanation of his refusal to vote on passage of H. F. Nos. 197 and 395:

MR. SPEAKER:—I am placed in a peculiar situation. Two years ago I voted against this railroad law. I believe that I was the first that did so. I did not vote against it because I did not think that the legislature had not a right to regulate tariffs, but I do believe that it works a great injustice to the west, the great agricultural portion of the State. We gave the lands by which eastern roads were built; and why shall we whom you have invited to northwestern Iowa vote damnation upon our lands.

S. B. GILLILAND.

Mr. Rees moved that he be allowed to introduce a bill.

The motion did not prevail.

Mr. Wilson moved to reconsider the vote by which the House refused to grant Mr. Rees privilege to introduce a bill.

The motion to reconsider prevailed.

Leave was then granted Mr. Rees to introduce H. F. No. 494, A bill for an act for the relief of certain railroad companies, their officers, agents, and employees.

Read first and second time, and referred to the sifting committee.

Mr. Dixon moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion did not prevail.

BILLS ON THIRD READING.

Substitute for H. F. No. 57, A bill for an act to prohibit the sale of intoxicating liquors in certain cases, was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Brooks, Brush, Calvin, Campbell, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Evans, Fuller, Giltner, Given, Glendenning, Glover, Hall, Harned, Hemenway, Hoag, Homer, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lane, McHugh, Madden of Polk, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Said, Scott, Shaw, Shep-ardson, Simmons, Smith, Stuckey, Tice, Underwood, Ure, Williams, and Wilson—54.

The nays were:

Messrs. Baker, Benton, Birchard, Clark of Marion, Cleveland, Crawford of Scott, Dixon, Elliott, Gibbons, Graves, Gray, Hobbs, Horstman, Hunt, Irwin of Lee, Johnston of Dubuque, Madson, Manning, Mentzel, Reed of Jackson, Stuart, Thayer, and White—23.

Absent or not voting:

Messrs. Bolter, Brown, Bush, Case, Chapman, Christy, Clark of Johnson, Gilliland, Horton, Hotchkiss, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Taylor, Mueller, Rees, Stone, Young, and Mr. Speaker—22.

So the bill passed and the title was agreed to.

H. F. No. 236, A bill for an act to amend sections 404, 405 and 406, chapter 9, title 4, sections 843 and 853, chapter 1, sections 857, 865 866, and 890, chapter 2, title 6 of the Code, relating to the collection of taxes, was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Benton, Christy, Cleveland, Crawford of Dubuque, Gilliland, Glover, Harned, Johnston of Dubuque, Lane, Madden of Polk, Madden of Taylor, Rees, and Underwood—13.

The nays were:

Messrs. Allen, Auld, Baker, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Gray, Hobbs, Homer, Horstman, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lynch, McCartney, McElderry, McHugh, McNeill, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Scott, Shaw,

Shepardson, Simmons, Smith, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—86.

Absent or not voting:

Messrs. Bolter, Bush, Clark of Marion, Clark of Johnson, Graves, Hall, Hemenway, Hoag, Horton, Hotchkiss, Hunt, Irwin of Lee, Lathrop, McCune, Norris, Reed of Howard, Said, Stone, Stuart, and White—20.

So the bill was lost.

On motion of Mr. McHugh, H. F. No. 119, A bill for an act relating to insurance companies organized under the provisions of chapter 4, section 1160 of the Code, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. McHugh moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Baker, Birchard, Brooks, Brown, Brush, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Glover, Graves, Gray, Hemenway, Hoag, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Thayer, Tice, Underwood, Ure, White, Young, and Mr. Speaker—73.

The nays were none.

Absent or not voting:

Messrs. Allen, Auld, Benton, Bolter, Bush, Clark of Marion, Crawford of Dubuque, Gilliland, Given, Glendenning, Hall, Harned, Horstman, Horton, Hotchkiss, Jaqua, Lathrop, McElderry, Morse of Adams, Mueller, Scott, Stone, Stuart, Stuckey, Williams, and Wilson—26.

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 resolution in which the concurrence of the House is asked.

Resolution relative to the election of the Warden of the Anamosa Penitentiary and various state officers.

Also that the Senate concurs in House amendments to Senate File No. 20. A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphans' Homes.

Also the senate has passed House File No. 127. A bill for an act to empower cities to levy a special tax for sewerage purposes, with the following amendments: Strike out of line 2, section 1, the words "acting under the general incorporation law," and adding the publication clauses.

R. B. BAIRD,
Second Ass't Secretary.

Mr. Ure moved to take up House File No. 237.

Mr. Danforth moved to amend by taking up the appropriation bills. The motion prevailed.

House File 271. A bill for an act to appropriate money for the support of the Reform School was taken up.

Mr. Smith moved to reconsider the vote by which House File No. 236 was lost.

Mr. Birchard moved to take up the appropriation bills in the order in which they were reported by the committee.

The motion prevailed.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 20, A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphans' Homes, and provide for other indigent children of the State, and make provisions for industrial pursuits therein.

S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code.

S. F. No. 188, A bill for an act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of the State of Iowa.

S. F. No. 263, A bill for an act to amend section 4, chapter 35, of the private, local and temporary acts of the Fifteenth General Assembly.

S. F. No. 22, A bill for an act to amend section 500, of chapter 10, title 4 of the Code.

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle and its ordinances, and the acts of its officers thereunder.

MCNEILL, *Chairman.*

Mr. Given moved to strike out of the fourth line of the first section the words "main building," and strike out "\$40,000" and insert "\$12,000."

Mr. Dixon moved that the consideration of the appropriation bills be deferred until to-morrow at 9 o'clock.

The motion did not prevail.

The question recurring on the motion of Mr. Given, the motion did not prevail.

Mr. Smith moved to strike out "\$40,000" and insert "\$30,000."

The motion did not prevail.

Mr. Maris moved to strike out "\$40,000."

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Brown, Clark of Marion, Cleveland, Colvin, Deweese, Elliott, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Harned, Hoag, Hotchkiss, Irwin of Warren, McElderry, Manning, Maris, Proudfoot, Scott, Smith, Stuart, Stuckey, White, Williams, and Wilson—30.

The nays were:

Messrs. Auld, Birchard, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dixon, Evans, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCine, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Ra., Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shepardson, Simmons, Stone, Thayer, Tice, Underwood, Ure, Young, and Mr. Speaker—60.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Christy, Gilliland, Jaqua, Johnson of Benton, Jordan, and Shaw—9.

So the motion to strike out did not prevail.

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:

S. F. No. 235, A bill for an act to regulate judicial sales and conveyances under University fund, mortgage foreclosures, and judgments, and the sale of property acquired.

Also, without amendment, H. F. No. 15, A bill for an act to amend section 1725, of chapter 9 of the Code.

H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa.

H. F. No. 493, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

J. A. T. HULL, *Secretary.*

REPORTS OF COMMITTEES.

Mr. McNeill, from the Committee on Enrolled bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

S. F. Nos. 34, 53, and 95, A bill for an act relating to the lands heretofore granted to the McGregor & Missouri River Railroad Company, resuming said lands, and regranteeing the same upon new conditions to said company, and providing for forfeiture thereof, and in case of such forfeiture for the disposition to be made of said lands.

S. F. No. 142, A bill for an act repealing chapter 8, of title 14 of the Code, and providing for mechanics liens.

MCNEILL, *Chairman.*

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was

referred H. F. No. 88, A bill for an act to extend aid to the State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 426, A bill for an act to provide for a Horticultural Laboratory for the Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 221, A bill for an act to amend chapter 14 of the Code relating to the State Historical Society, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the accompanying substitute, with the recommendation that the substitute do pass. And also that the title be amended by adding thereto the words "and making additional appropriations therefor."

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 242, A bill for an act for the relief of the "Iowa Home for the Friendless," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "twenty-five thousand dollars" wherever they occur in said bill, and inserting "five thousand dollars" in lieu thereof, and when so amended that it do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 479, A bill for an act making an appropriation for the Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows, viz: That the word "twelve" be stricken from the sixth line of section 1, and the word "six" inserted in lieu thereof. Also, that the words "one hundred and thirty-three" be stricken from the sixth and seventh line of section 1, and the words "ninety-three" inserted in lieu thereof, and that the bill as so amended do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 265, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mount Pleasant, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, and recommend that the substitute do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 271, a bill for an act making further appropriations for the Iowa Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the House with the accompanying substitute, and recommend that the substitute do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. Nos. 238 and 472, Bills for an act making further appropriations for the College for the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, and recommend that the substitute do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 220, A bill for an act appropriating money for the aid and maintenance of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows, viz: That the word "five," following the word "fifty," in section 1, be stricken out; and that the bill as so amended do pass.

Also, the following:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred H. F. No. 215, A bill for an act to provide for the erection of the west lateral wing, and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows, viz:

That the words "sixty-five" in line four, section one, printed bill, be stricken out, and the word "forty" inserted in lieu thereof.

Also, that the words "five hundred" in line one, section eight, be stricken out.

Also, that the words "forty-three hundred" in line three, section eight, be stricken out, and the words "four thousand" be inserted in lieu thereof, and that the bill as so amended do pass.

W. DANFORTH, *Chairman.*

Reports ordered passed on file.

Mr. Given moved that the bill H. F. No. 27 be passed on file.

The motion did not prevail.

Mr. Birchard moved that the House do now adjourn. *

The motion did not prevail.

Mr. Hall moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Evans, Fuller, Gibbons, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffinan, Lane, Lathrop, McCartney, McCune, McHugh, McNeill, Madden of Polk, Mentzel, Mills, Moffit, Morse of Adams, Morse of

Wright, Mueller, Norris, Palmer, Rae, Reed of Jackson, Rees, Robinson, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Wilson, Young, and Mr. Speaker—64.

The nays were:

Messrs. Baker, Benton, Cleveland, Colvin, Deweese, Giltner, Given, Glendenning, Harned, Hoag, Hotchkiss, Irwin of Warren, Lynch, McElderry, Madden of Taylor, Manning, Maris, Proudfoot, Said, White, and Williams—21.

Absent or not voting:

Messrs. Allen, Bolter, Brooks, Bush, Christy, Clark of Marion, Dixon, Elliott, Gilliland, Jaqua, Jordan, Madson, Reed of Howard and Shepardson—14.

So the bill passed and the title was agreed to.

By leave, Mr. Danforth introduced H. F. No. 495, A bill for an act to make an appropriation for the Iowa Reform School.

Read first and second time, when Mr. Danforth, moved that the rule be suspended, the bill considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Brush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Williams, Wilson, Young, and Mr. Speaker—81.

The nays were:

Mr. White—1.

Absent or not voting:

Messrs. Bolter, Brooks, Bush, Christy, Colvin, Gilliland, Horstman, Irwin of Lee, Jaqua, Jordan, Kauffman, McCartney, McElderry, Manning, Mills, Shepardson, and Ure—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 inform your honorable body that the Senate has passed the following bills, without amendment:

H. F. No. 134, A bill for an act in relation to cattle-ways across public highways.

H. F. No. 133, A bill for an act empowering township clerks to administer oaths.

H. F. No. 351, A bill for an act to legalize the sale of an eighty-acre tract of school land sold to John A. Perkins.

H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto any excess of revenue due to said counties, excepting State taxes.

A. T. McCARGAR,
First Assistant Secretary.

Mr. Stone moved that when this House adjourn it be at 7:30.

Mr. Clark of Marion moved to amend by striking out "7:30" and inserting "8 o'clock."

Mr. Gibbons moved to amend the amendment by striking out "8 o'clock" and insert "7 o'clock."

The amendment prevailed.

The House adopted the motion as amended.

Mr. Dixon moved that when this House adjourn it be until 9 o'clock to-morrow morning.

The motion prevailed.

Mr. Given moved that substitute for S. F. No. 234, A bill for an act making further appropriations for the College for the Blind, be taken up.

The motion prevailed.

Mr. Danforth moved to substitute substitute for H. F. Nos. 238 and 472.

The motion prevailed.

Mr. Giltner moved that that portion of the appropriation relating to an iron fence be stricken out.

The motion prevailed.

Mr. Gibbons moved to strike out the appropriation for the contingent fund, \$1,200.

The motion did not prevail.

Mr. Crawford of Dubuque, filed a motion to reconsider the vote by which substitute for H. F. No. 37, passed the House.

Mr. Clark of Marion, moved to strike out \$500, for the wood house.

The motion did not prevail.

Mr. Giltner moved to strike \$1,200 out of the contingent fund and insert \$600.

The motion prevailed.

By leave, Mr. Stone introduced H. F. No. 496, A bill for an act to define the crime of swindling and punish the same.

Read first and second time, when Mr. Stone moved that the rule be suspended, the bill be considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brush, Calvin, Campbell, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Dixon, Evans, Fuller, Giltner, Glendenning, Glover, Graves, Gray, Hall, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop,

Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, and Mr. Speaker—71.

The nays were:

Messrs. Baker, Deweese, Gibbons, Given, Hobbs, and Manning—6.

Absent or not voting:

Messrs. Bolter, Brooks, Brown, Bush, Case, Chapman, Christy, Crawford of Dubuque, Elliott, Gilliland, Harned, Hemenway, Jaqua, Jordan, Madden of Taylor, Moffit, Reed of Howard, Shepardson, Simmons, White, Young, and Morse of Wright—22.

So the bill passed and the title was agreed to.

On motion of Mr. Hemenway, substitute for S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code, relating to the number of members of mutual associations, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Hemenway moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Brush, Calvin, Campbell, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Dixon, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Hall, Hemenway, Hobbs, Homer, Horstman, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—71.

The nays were none.

Absent or not voting:

Messrs. Allen, Benton, Bolter, Brooks, Brown, Bush, Case, Chapman, Christy, Crawford of Dubuque, Deweese, Elliott, Gilliland, Glendenning, Harned, Hoag, Horton, Hunt, Jaqua, Johnson of Benton, Jordan, Lane, Madden of Taylor, Manning, Moffit, Shepardson, Simmons, and White—28.

So the bill passed and the title was agreed to.

RESOLUTIONS.

Mr. Rees offered the following resolution:

Resolved, That the Committee on Enrolled Bills be directed by the Speaker of this House to instruct the proper clerks and committee to have H. F. No. 496, enrolled and signed in duplicate, the better to preserve the original.

The resolution was adopted.

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

Resolved by the House, the Senate concurring, That a committee of two on the part of the Senate, and three on the part of the House be appointed to investigate the matter of the disappearance of the enrolled bill of the monte act.

At 7 o'clock p. m., the Speaker adjourned the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, MARCH 15, 1876. }

House met pursuant to adjournment, Speaker in the chair.

Prayer by Rev. J. Telleen.

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

Mr. Rees introduced H. F. No. 497, A bill for an act to repeal section 1158 of the Code, and enact a substitute therefor.

Read first and second time, when Mr. Rees moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Brown, Calvin, Campbell, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Fuller, Glendenning, Glover, Graves, Gray, Hoag, Hobbs, Homer, Hunt, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McHugh, McNeill, Madden of Taylor, Maris, Moffit, Morse of Adams, Morse of Wright, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stone, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—53.

The nays were none.

Absent or not voting:

Messrs. Auld, Benton, Birchard, Bolter, Brooks, Bush, Brush, Cleveland, Danforth, Dixon, Elliott, Evans, Gibbons, Gilliland, Giltner, Given, Hall, Harned, Hemenway, Horstman, Horton, Hotchkiss, Irwin of Lee, Johnston of Dubuque, Jordan, Lynch, McCune, McElderry, Madden of Polk, Madson, Manning, Mentzel, Mills, Mueller, Norris, Reed of Jackson, Simmons, Smith, Stuart, Stuckey, Tice, White, Case, Chapman, Christy, and Jaqua—46.

So the bill passed and the title was agreed to.

Mr. Stone called up H. F. No. 494, A bill for an act to amend an act entitled an act authorizing the Auditor of State to settle and adjust insane, revenue, law, and other accounts.

Mr. Stone moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Calvin, Christy, Clark of Johnson, Clark of Marion, Craver, Crawford of Dubuque, Deweese, Evans, Fuller, Giltner, Given, Glendenning, Glover, Graves, Gray, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Maris, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—69.

The nays were none.

Absent or not voting.

Messrs. Bolter, Brooks, Brush, Bush, Campbell, Case, Chapman, Cleveland, Colvin, Crawford of Scott, Danforth, Dixon, Elliott, Gibbons, Gilliland, Hall, Harned, Irwin of Lee, Irwin of Warren, Johnston of Dubuque, Jordan, Madden of Polk, Manning, Mentzel, Mills, Mueller, Reed of Jackson, Smith, Stuart, and White—30.

So the bill passed and the title was agreed to.

On motion of Mr. Colvin, substitute for H. F. Nos. 176 and 354, A bill for an act to provide for condemning, surveying and platting cemeteries and authorizing all transfers of lots therein to be filed with and recorded by the township clerk, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Colvin moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Gibbons, Given, Glendenning, Glover, Graves, Harned, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Scott, Shepardson, Simmons, Smith, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—71.

The yeas were:

Mr. Shaw—1.

Absent or not voting:

Messrs. Bolter, Birchard, Brooks, Brush, Bush, Elliott, Evans, Gilliland, Giltner, Gray, Hall, Hemenway, Hoag, Hobbs, Hunt, Jordan, Lynch, McElderry, McHugh, McNeill, Madden of Polk, Manning, Mills, Mueller, Robinson, Stone, and Stuart—27.

So the bill passed and the title was agreed to.

On motion of Mr. Rae, S. F. No. 268, A bill for an act to legalize the sale of a certain tract of land for cemetery purposes in Denison township, Crawford county, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Rae moved that the rule be suspended, the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Calvin, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Gray, Hemenway, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—71.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Campbell, Case, Crawford of Scott, Dixon, Elliott, Giltner, Graves, Hall, Harned, Hoag, Hobbs, Jordan, Lane, Lathrop, McNeill, Madden of Polk, Manning, Mills, Mueller, Simmons, Smith, Stone, Stuart, and White—28.

So the bill passed and the title was agreed to.

On motion of Mr. Clark of Johnson, S. F. No. 74, A bill for an act to provide for the establishing of superior courts in cities of a certain grade, with report of committee recommending that it do pass was taken up, considered and the report of the committee was adopted.

Mr. Clark of Johnson, moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Brown, Calvin, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Gibbons, Given, Glendenning, Glover, Graves, Hemenway, Hobbs, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lynch, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Maris, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Ure, Young, and Mr. Speaker—58.

The nays were:

Messrs. Birchard, Campbell, Chapman, Christy, Fuller, Gray, Hoag, White, Williams, and Wilson—10.

Absent or not voting :

Messrs. Benton, Bolter, Brooks, Brush, Bush, Case, Danforth, Gilliland, Giltner, Hall, Harned, Homer, Horstman, Horton, Hunt, Jaqua, Kauffman, Lathrop, McCartney, McNeill, Manning, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Reed of Howard, Reed of Jackson, Rees, Shepardson, and Stuart—31.

So the bill passed and the title was agreed to.

S. F. No. 217, A bill for an act to provide White's Geological Report, was taken up with the report of the committee.

Mr. Smith moved that the rule be suspended, the bill considered engrossed, and read a third time now.

Mr. Harned moved that the bill be indefinitely postponed.

Mr. Gibbons moved to lay the bill on the table.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Benton, Calvin, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Elliott, Fuller, Gibbons, Giltner, Harned, Hemenway, Hoag, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Warren, Jaqua, Johnson of Benton, Lynch, Madden of Taylor, Maris, Moffit, Morse of Adams, Proudfoot, Reed of Jackson, Robinson, Said, Simmons, Stuart, Stuckey, Tice, White, Williams, and Wilson—41.

The nays were:

Messrs. Allen, Auld, Birchard, Brown, Campbell, Clark of Johnson, Crawford of Dubuque, Dixon, Evans, Given, Glover, Graves, Gray, Hall, Horstman, Horton, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madson, Mentzel, Mills, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Rees, Scott, Shaw, Shepardson, Smith, Stone, Thayer, Underwood, Ure, Young, and Mr. Speaker—48.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Case, Deweese, Gilliland, Glendenning, McNeill, and Manning—10.

So the motion to lay on the table did not prevail.

The question recurring on the motion of Mr. Smith, to suspend the rule, the motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

Messrs. Auld, Case, Clark of Johnson, Crawford of Dubuque, Gilliland, Given, Glover, Graves, Gray, Hall, Hunt, Irwin of Lee, Johnston of Dubuque, Jordan, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madson, Morse of Adams, Morse of Wright, Norris, Palmer, Rees, Shaw, Shepardson, Smith, Stone, Tice, Ure, and Mr. Speaker—33.

The nays were:

Messrs. Baker, Benton, Birchard, Brown, Calvin, Campbell, Chapman, Christy, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Giltner, Harned, Hemenway, Hoag, Homer, Hotchkiss, Irwin of Warren, Jaqua, Johnson

of Benton, Kauffman, Lane, Madden of Taylor, Maris, Mills, Moffit, Mueller, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Simmons, Stuart, Stuckey, Underwood, White, Williams, Wilson, and Young—48.

Absent or not voting:

Messrs. Allen, Bolter, Brooks, Brush, Bush, Dixon, Evans, Glendenning, Hobbs, Horstman, Horton, Johnson of Winneshiek, Lynch, McNeill, Manning, Mentzel, Reed of Howard, and Thayer—18.

So the bill was lost.

Substitute for S. F. Nos. 67 and 96, A bill for an act to authorize townships, cities, and incorporated towns to aid in the construction of railroads, was taken up.

Mr. Rees moved that the House insist on its amendment that "homesteads shall not be sold in consequence of the provisions of this act."

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Chapman, Colvin, Crawford of Dubuque, Deweese, Elliott, Fuller, Gibbons, Giltner, Hobbs, McCartney, Madden of Taylor, Mentzel, Reed of Howard, Rees, Tice, and Wilson—16.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Brown, Calvin, Campbell, Case, Christy, Clark of Marion, Cleveland, Craver, Danforth, Dixon, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Lane, Lynch, McCune, McElderry, McHugh, Madden of Polk, Madison, Maris, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stuart, Stuckey, Thayer, Underwood, Ure, White, Williams, Young, and Mr. Speaker—69.

Absent or not voting:

Messrs. Bolter, Brush, Bush, Clark of Johnson, Crawford of Scott, Evans, Kauffman, Lathrop, McNeill, Manning, Mills, Moffit, Simmons, and Stone—14.

So the motion to insist on the House amendment did not prevail.

The House then receded from its amendment.

On motion of Mr. Craver, substitute for H. F. Nos. 238 and 472, A bill for an act making further appropriation for the College for the Blind, was taken up,

Mr. Smith moved to strike out of section 3, the word "ten," and insert "six."

The motion prevailed.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan,

Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Said, Scott, Shaw, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Wilson, Young, and Mr. Speaker—83.

The nays were:

Messrs. McElderry, and Madden of Taylor—2.

Absent or not voting:

Messrs. Auld, Bolter, Brush, Bush, Crawford of Scott, Gilliland, Glendenning, Gray, Hoag, McNeill, Robinson, Simmons, Ure, and Williams—14.

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.

H. F. No. 496, A bill for an act to define the crime of swindling and to punish the same.

Also, that the Senate has concurred in House resolution relative to the disappearance of the enrolled bill of the monte act, and have appointed as a committee on the part of the Senate, Senators Rumble and Stoneman.

R. B. BAIRD,
Second Assistant Secretary.

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended:

1st, By striking out "\$1,000" in the eighth line of section 1, and inserting "\$500."

2d, In the tenth line, strike out "\$1,600" and insert "400."

3d, In the eleventh line, strike out "\$800" and insert "\$500;" and in the thirteenth line, strike out "\$26,820" and insert "\$24,820;" and that when so amended it do pass.

W. DANFORTH, *Chairman.*

Substitute for S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College, was taken up with the report of the committee recommending amendments.

The first amendment recommended by the committee was concurred in.

The second amendment recommended by the committee was concurred in.

The third amendment recommended by the committee was concurred in.

Mr. Clark of Marion moved to strike out line 5, of section 1, of the bill, and insert the following in lieu thereof:

For Horticultural laboratory consisting of root, tool, green-house, and professor's residence, \$5,000.

The motion did not prevail.

Mr. Evans moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Benton, Birchard, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Craver, Danforth, Deweese, Evans, Fuller, Gilliland, Given, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madson, Maris, Mills, Moffit, Morse of Wright, Mnell, Norris, Palmer, Robinson, Said, Scott, Shaw, Simmons, Smith, Stone, Stuart, Thayer, Tice, Underwood, Ure, Wilson, Young, and Mr. Speaker—63.

The nays were:

Messrs. Baker, Brown, Clark of Marion, Colvin, Gibbons, Giltner, Harned, Hotchkiss, Irwin of Warren, Mentzel, Morse of Adams, Proudfoot, Rees, Shepardson, Stuckey, and White—16.

Absent or not voting:

Messrs. Auld, Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Crawford of Scott, Cleveland, Dixon, Elliott, Glendenning, Jaqua, Lane, McElderry, Madden of Taylor, Manning, Rae, Reed of Howard, Reed of Jackson, and Williams—20.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit.:

S. F. No. 20, A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphans' Homes, and provide for other indigent children of the State, and make provision for industrial pursuits therein.

H. F. No. 22, A bill for an act to amend section 500 of chapter 10, title 4 of the Code.

S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code.

S. F. No. 223, A bill for an act to amend section 2049 of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats.

S. F. No. 188, A bill for an act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of the State of Iowa.

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle, and its ordinances and the acts of its officers thereunder.

S. F. No. 263, A bill for an act to amend section 4, chapter 35 of the Private, Local, and Temporary Acts of the Fifteenth General Assembly.

H. F. No. 296, A bill for an act to legalize the incorporation of the town of Oskaloosa as a city of the second class, to legalize the annexation thereto of certain territory.

H. F. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

H. F. No. 130, A bill for an act to legalize the incorporation of the town of Ackley.

H. F. No. 460, A bill for an act to legalize an election in Mitchell county, October 12, 1875.

H. F. No. 166, A bill for an act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 490, A bill for an act to change the name of the village of West Point, Butler county, to Bristow.

H. F. No. 488, A bill for an act providing for the election of city assessor in cities organized and existing under special charters.

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code.

McNEILL, *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 bill, in which the concurrence of the House is asked:

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their officers, agents and employes.

A. T. McCARGAR,

First Assistant Secretary.

RESOLUTION.

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

Resolved by the General Assembly of the State of Iowa, That the Superintendent of Public Instruction caused to be printed and bound in the usual manner, and distributed after the adjournment of the Sixteenth General Assembly, a sufficient number of copies of the school laws of Iowa, not to exceed twelve thousand, to furnish during the next two years, one copy thereof to each school director and school officer in the State, not already supplied with a copy of the school laws.

Substitute for S. F. No. 242, A bill for an act to make appropriation for the Iowa Soldiers' Orphans Home, and Home for Indigent Children at Davenport, Iowa, was taken up.

Mr. Danforth moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Benton, Birchard, Brooks, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Dixon, Elliott, Fuller, Gilliland, Given, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madson, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Tice, Underwood, Ure, Young, and Mr. Speaker—75.

The nays were:

Messrs. Baker, Deweese, Giltner, Harned, Madden of Taylor, Maris, Mentzel, and Stuckey—8.

Absent or not voting:

Messrs. Bolter, Brush, Bush, Crawford of Dubuque, Evans, Gibbons, Glendenning, Homer, McElderry, Manning, Reed of Howard, Rees, Stuart, White, Williams, and Wilson—16.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for Insane at Independence, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that H. F. No. 479, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, be adopted as a substitute therefor, and that the substitute do pass.

W. DANFORTH, *Chairman.*

On motion of Mr. Danforth, substitute for S. F. No. 117, A bill for an act making appropriation for the Iowa Hospital for the Insane at Independence, Iowa, with report of committee recommending a substitute, and that the substitute do pass was taken up, considered and the report of the committee was adopted.

Mr. Smith moved to strike out of section 1, "ninety-three thousand," and insert "sixty thousand."

The motion did not prevail.

The substitute was adopted.

Mr. Danforth moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Danforth, Evans, Fuller, Gibbons, Giltner, Given, Glover, Graves, Gray, Harned, Hemenway, Hobbs, Homer, Horatman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCartney, McCune, McHugh, McNeill, Madden of Taylor, Madson, Mentzel, Mills, Moffit, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Shaw, Simmons, Stone, Stuart, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—70.

The nays were:

Messrs. Benton, Clark of Marion, Deweese, Elliott, Hoag, Hotchkiss, McElderry, Maris, Morse of Adams, Smith, and Stuckey—11.

Absent or not voting:

Messrs. Bolter, Brooks, Brown, Brush, Bush, Colvin, Crawford of Scott, Dixon, Gilliland, Glendenning, Hall, Lane, Madden of Polk, Manning, Norris, Scott, Shepardson, and Ure—18.

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE.

To the Honorable Senate and House of Representatives of the Sixteenth General Assembly:

The undersigned Committee of Conference to whom was referred H. F. No. 115, beg leave to report that they have had the same under consideration and have failed to agree as to a recommendation on said bill.

T. W. JOHNSON,

W. C. HOBBS,

L. W. STUART,

On part of the House.

H. W. RROTHERT,

JOSHUA MILLER,

On part of the Senate.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two Houses on S. F. No. 247, beg leave to report that they have met, and after a full and frank conference beg leave to report the following:

That the Senate recede from its disagreement to House amendment to said bill.

F. T. CAMPBELL,

H. C. CARR,

JOSHUA MILLER,

On part of the Senate.

H. T. REED,

A. M. GILTNER,

CHAS. C. HORTON,

On part of the House.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 15, A bill for an act to amend section 1725 of chapter 9, title 12 of the Code, relating to the formation of sub-districts.

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes.

H. F. No. 133, A bill for an act empowering township clerk to administer oaths.

H. F. No. 134, A bill for an act, in relation to the construction of cattle ways across the public highways.

H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, conferring additional powers, and amending the charters of such cities.

H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto, any excess on revenue paid into the State treasury.

H. F. No. 337, A bill for an act providing for the publication of propositions to amend the constitution, and for other purposes connected therewith.

H. F. No. 351, A bill for an act to legalize the sale of a certain eighty acre tract of school land in Harrison county, sold to John A. Parkins.

H. F. No. 395, A bill for an act to authorize the relocation of railroads.

H. F. No. 443, A bill for an act to amend chapter 107 of the private, local and temporary acts of the Fourteenth General Assembly.

H. F. No. 478, a bill for an act to amend clause 4, section 1606, chapter 3 of the Code.

H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa.

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code.

H. F. 493, A bill for an act to amend chapter sixty nine (69) of the public acts of the Fifteenth General Assembly, in relation to game.

MCNEILL, *Chairman.*

The Speaker appointed a committee on joint resolution to investigate the loss of the substitute for S. F. Nos. 2, 4, and 13, Messrs. Hunt, Hemenway, and Morse of Wright.

Mr. Giltner moved that H. F. No. 397 be taken up.

The motion did not prevail.

Mr. Rees moved that when this House convene it be at 1:30 p. m.

The motion prevailed.

At 12 m. the Speaker adjourned the House.

AFTERNOON SESSION.

1:30 P. M.

House called to order by the Speaker.

On motion of Mr. Clark of Marion, S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners, was taken up.

Mr. Benton moved that the bill be laid on the table.

The motion did not prevail.

Mr. Madden of Polk, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

Mr. Birchard offered the following amendment: Insert after the word "years," the words "free from weeds."

The riders was read a first and second time and adopted.

The rider was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Birchard, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Gibbons, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Homer, Horton, Hotchkiss, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Kauffman, Lane, Lynch, McCune, McCelderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Rees, Robinson, Said, Scott, Shaw, Shepardson, Stone, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—67.

The nays were:

Messrs. Benton, Calvin, Crawford of Dubuque, Fuller, McCartney, Reed of Howard, Reed of Jackson, Stuart, Stuckey, and White—10.

Absent or not voting:

Messrs. Bolter, Brooks, Brown, Brush, Bush, Campbell, Colvin, Gililand, Harned, Hoag, Hobbs, Horstman, Hunt, Irwin of Lee, Jaqua, Johnson of Winneshiek, Jordan, Lathrop, Mills, Mueller, Simmons, and Smith—22.

So the bill passed and the title was agreed to.

On motion of Mr. Danforth, H. F. No. 431, A bill for an act to legalize the incorporation of the Farmers' Mutual Fire Insurance Company of Mitchell county, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Reed of Howard moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Baker, Birchard, Campbell, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Danforth, Deweese, Dixon, Elliott, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Hobbs, Homer, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Kauffman, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Reed of Howard, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—84.

The nays were none.

Absent or not voting:

Messrs. Auld, Benton, Bolter, Brooks, Brown, Brush, Bush, Calvin, Case, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Evans, Fuller, Gibbons, Gilliland, Gray, Harned, Horstman, Hunt, Jaqua, Johnson of Winneshiek, Jordan, Lane, Lynch, McNeill, Manning, Morse of Wright, Mueller, Rae, Reed of Jackson, Rees, Simmons, Ure, and Madden of Taylor—33.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mt. Pleasant, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be adopted as a substitute for H. F. No. 265, and that when so adopted, the substitute do pass.

W. DANFORTH, *Chairman.*

Substitute for H. F. No. 265, A bill for act making further appropriation for the insane at Mt. Pleasant, was taken up together with the report of the committee recommending S. F. No. 140 as a substitute.

The substitute was adopted.

Mr. Clark of Marion moved to strike out of the twelfth line of the bill "for improvement of grounds \$500."

Mr. Danforth moved to amend the amendment by inserting "\$500 for shrubbery and caring for the same."

The amendment prevailed.

The motion as amended prevailed.

Mr. Kauffman moved to amend the bill by adding to section 1, "for extending walls, \$500."

The motion did not prevail.

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 House substitute for S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for Insane at Independenee.

Also concurred in House amendments to substitute for S. F. No. 139, A bill for an act to provide for the improvement of the Penitentiary at Ft. Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for increased salaries of certain officers of said penitentiaries.

R. B. BAIRD,
Second Assistant Secretary.

Mr. Danforth moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time, the question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Birchard, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—77.

The nays were:

Messrs. Baker, Clark of Marion, and Elliott—3.

Absent or not voting:

Messrs. Benton, Bolter, Brooks, Brush, Bush, Dixon, Gibbons, Gilliland, Giltner, Gray, Hoag, Jordan, McCune, Madson, Moffit, Norris, Reed of Howard, Reed of Jackson, and Rees—19.

So the bill passed and the title was agreed to.

On motion of Mr. Wilson, H. F. No. 378, A bill for an act to appropriate money to pay the Trustees of the Iowa Reform School, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Wilson moved that the rule be suspended, the bill considered engrossed, and read a third time now, which prevailed, and the bill read a third time.

The question being shall the bill pass, the yeas were;

Messrs. Allen, Auld, Brooks, Campbell, Case, Clark of Johnson, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Glover, Graves, Gray, Hall, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madson, Manning, Mentzel, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Rees, Robinson, Said, Shaw, Shepardson, Smith, Stone, Thayer, Young, and Mr. Speaker—54.

The nays were:

Messrs. Baker, Brown, Chapman, Clark of Marion, Cleveland, Colvin, Danforth, Giltner, Given, Glendenning, Harned, Hotchkiss, Madden of Taylor, Maris, Mills, Moffit, Proudfoot, Reed of Jackson, Scott, Simmons, Stuart, Stuckey, Tice, Underwood, White, Williams, and Wilson—27.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Brush, Bush, Calvin, Christy, Elliott, Hemenway, Hoag, Jaqua, Johnston of Dubuque, Jordan, Lynch, Madden of Polk, Norris, Reed of Howard, and Ure—18.

So the bill did not pass, two-thirds being required

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 241, A bill for an act making an appropriation for the penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that substitute for H. F. No. 23, be substituted therefor, and that the substitute do pass.

W. DANFORTH, *Chairman.*

Ordered passed on file.

By leave, Mr. Reed of Howard introduced H. F. No. 498, A bill for an act to legalize the incorporation of the Lime Spring Manufacturing Company of Lime Spring, Howard county, Iowa.

Read first and second time, and referred to Sifting Committee.

Substitute for S. F. No. 241, A bill for an act making appropriation for the penitentiary at Anamosa, was taken up, with the report of the committee recommending as a substitute substitute for H. F. No. 23.

The substitute recommended by the committee was adopted.

Mr. Danforth moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Brooks, Brown, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gilliland, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, McHugh, McNeill, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Reed of Jackson, Robinson, Shaw, Shepardson, Simmons, Smith, Stuart, Thayer, Underwood, Ure, Williams, Wilson, and Mr. Speaker—60.

The nays were:

Messrs. Baker, Christy, Clark of Marion, Giltner, Glendenning, Horst-

man, Hotchkiss, Madden of Polk, Madden of Taylor, Manning, Maris, Mentzel, Proudfoot, Said, Scott, Stuckey, Tice, White, and Young—19.

Absent or not voting:

Messrs. Benton, Birchard, Bolter, Brush, Bush, Calvin, Dixon, Elliott, Given, Irwin of Warren, Jaqua, Jordan, Lynch, McElderry, Madson, Rae, Reed of Howard, Rees, Stone, and Gibbons—20.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 139, A bill for an act to provide for the improvement of the Penitentiary at Fort Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for the increased salaries of certain officers of said penitentiary, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows, viz: Strike out sixth and seventh lines of section 1. Also, strike out eleventh, twelfth, and thirteenth lines of same section, and that when so amended it do pass.

W. DANFORTH, *Chairman*.

Ordered passed on file.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 496, A bill for an act to define the crime of swindling and to punish the same.

H. F. No. 128, A bill for an act to amend sections 1745 and 1751, chapter 9, title 12 of the Code, relative to report of treasurers of school districts.

MCNEILL, *Chairman*.

RESOLUTION.

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

Resolved, That the Speaker is hereby authorized to appoint one additional clerk for the balance of the session.

Substitute for S. F. No. 139, A bill for an act providing for the improvement of the Penitentiary at Fort Madison, Iowa, was taken up, with report of the committee recommending amendments.

The first amendment recommended by the committee was concurred in.

The second amendment recommended by the committee was concurred in.

The third amendment recommended by the committee was concurred in.

The House refused to concur in the fourth amendment recommended by the committee to strike out "\$4,000."

Mr. Hobbs moved to reconsider the vote by which the House concurred in the first amendment recommended by the committee.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Baker, Christy, Clark of Johnson, Clark of Marion, Craver, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Evans, Given, Glendenning, Glover, Graves, Gray, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, McCartney, McCune, McHugh, Mueller, Palmer, Rees, Robinson, Shaw, Smith, Stone, Thayer, Wilson, Young, and Mr. Speaker—41.

The nays were:

Messrs. Benton, Birchard, Brooks, Brown, Campbell, Chapman, Cleveland, Colvin, Danforth, Fuller, Giltner, Harned, Hoag, Johnson of Winneshiek, McElderry, McNeill, Madden of Polk, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Proudfoot, Reed of Jackson, Said, Scott, Shepardson, Simmons, Stuart, Stuckey, Tice, Underwood, Ure, White, and Williams—38.

Absent or not voting:

Messrs. Allen, Bolter, Brush, Bush, Calvin, Case, Deweese, Gibbons, Gilliland, Hall, Hemenway, Jordan, Kauffman, Lathrop, Lynch, Madden of Taylor, Madson, Manning, Rae, and Reed of Howard—20.

So the motion to reconsider prevailed.

The question recurring on concurring with the first amendment recommended by the committee in striking out \$7,500 for converting the Deputy Warden's room into cells, the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Birchard, Brown, Campbell, Cleveland, Colvin, Danforth, Fuller, Harned, Hoag, Irwin of Warren, Johnson of Benton, Lynch, McElderry, Maris, Mentzel, Mills, Morse of Wright, Proudfoot, Rees, Scott, Simmons, Smith, Stuart, Stuckey, Tice, Ure, White, and Williams—28.

The nays were:

Messrs. Auld, Baker, Benton, Brooks, Chapman, Christy, Clark of Marion, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Elliott, Evans, Given, Glendenning, Glover, Graves, Hemenway, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Madson, Morse of Adams, Mueller, Palmer, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Shaw, Stone, Thayer, Underwood, Wilson, Young, and Mr. Speaker—51.

Absent or not voting:

Messrs. Allen, Bolter, Brush, Bush, Calvin, Case, Clark of Johnson, Dixon, Gibbons, Gilliland, Giltner, Gray, Hall, Jordan, McHugh, Madden of Taylor, Manning, Moffit, Norris, and Shepardson—20.

So the first amendment recommended by the committee was not adopted.

Mr. Wilson moved to amend by adding the following to section one: "For ventilation of cell room and shops, one thousand dollars."

The motion prevailed.

Mr. Hobbs moved to reconsider the vote by which the House concurred in the second amendment recommended by the committee.

The motion prevailed.

The House refused to concur in the second amendment recommended by the committee.

The substitute was then adopted.

Mr. Hobbs moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Brooks, Brown, Calvin, Case, Christy, Clark of Johnson, Clark of Marion, Craver, Crawford of Dubuque, Crawford of Scott, Danforth, Dewese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCune, McHugh, McNeill, Madden of Polk, Madden of Taylor, Mills, Morse of Adams, Morse of Wright, Mueller, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Thayer, Tice, Underwood, Williams, Wilson, Young, and Mr. Speaker—73.

The nays were:

Messrs. Birchard, Campbell, Chapman, Cleveland, Colvin, Harned, Lynch, and Mentzel—8.

Absent or not voting:

Messrs. Auld, Benton, Bolter, Brush, Bush, Jordan, Kauffman, McElderry, Madson, Manning, Maris, Moffit, Norris, Reed of Howard, Smith, Stuckey, Ure, and White—18.

So the bill passed and the title was agreed to.

COMMITTEE REPORT.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be adopted as a substitute for H. F. No. 220, and when so adopted that it do pass.

W. DANFORTH, *Chairman.*

Ordered 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 bills in which the concurrence of the House is asked:

S. F. No. 226, A bill for an act to amend section 3072, chapter 2, title 18, of the Code.

S. F. No. 280, A bill for an act to amend section 1709, of chapter 9, title 12, of the Code, relating to normal institutes.

S. F. No. 272, A bill for an act to require officers of public institutions to furnish plans, specifications and estimates when asking for appropriations, and requiring them to take duplicate receipts with itemized statements when disbursing funds.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

Sub-titute for H. F. Nos. 176, and 354, A bill for an act to provide for condemning, surveying and platting cemeteries, and authorizing all transfers of lots therein to be filed with and recorded by the township clerk.

H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble minded children.

H. F. No. 494, A bill for an act to amend an act entitled "an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts," approved March 3, 1876.

H. F. No. 271, A bill for an act making further appropriations for the Iowa Reform School.

H. F. No. 495, A bill for an act to make an appropriation to liquidate an indebtedness of Iowa Reform School.

H. F. No. 497, A bill for an act to repeal section 1158 of the Code, and enact the following in lieu thereof.

J. A. T. HULL, *Secretary.*

Substitute for S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University, was taken up and adopted as a substitute for H. F. No. 220.

Mr. Giltner moved to amend by striking out all in relation to chairs of Homeopathy.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Auld, Brown, Clark of Marion, Danforth, Deweese, Elliott, Giltner, Glendenning, Jaqua, McElderry, Reed of Howard, Wilson, and Young—13.

The nays were:

Messrs. Allen, Baker, Birchard, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Culvin, Craver, Crawford of Dubuque, Crawford of Scott, Dixon, Fuller, Gibbons, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McHugh, Madden of Taylor, Madson, Manning, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Thayer, Tice, Underwood, Ure, White, Williams, and Mr. Speaker—72.

Absent or not voting:

Messrs. Benton, Bolter, Brooks, Brush, Bush, Evans, Gilliland, Given, Hemenway, Jordan, McNeill, Madden of Polk, Scott and Stuckey—14.
The the motion to strike out 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 the following bill in which the concurrence of the House is asked:

S. F. No. 273, A bill for an act making an appropriation for the payment of State and Judicial officers, and for other purposes hereinafter named, and to amend section 120, chapter 2 of the Code of Iowa.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 431, A bill for an act to legalize the Farmer's Mutual Fire Insurance Company of Mitchell county, Iowa.

Also, that the Senate has concurred in House amendments to substitute for S. F. No. 140, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

Substitute for H. F. Nos. 238, and 472, A bill for an act making further appropriations for the College for the Blind.

Also, that the Senate has adopted the report of Conference Committee on disagreeing vote of the two Houses on S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railroads

I am also directed to inform your honorable body that the Senate has concurred in House amendments to substitute for S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

A. T. McCARGAR,
First Assistant Secretary.

Mr. Glendenning offered the following as an amendment to section four of the bill:

Provided, no part of this appropriation shall be used for the Law and Medical department.

On this question the yeas and nays were demanded, and were as follows:

The yeas were:

Messrs. Baker, Benton, Brown, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Danforth, Dixon, Elliott, Gibbons, Gilliland, Giltner, Glendenning, Gray, Harned, Hoag, Hotchkiss, Irwin of Lee, Irwin of Warren, Lynch, McElderry, Madden of Polk, Madden of Taylor, Madson, Manning, Maris, Mentzel, Proudfoot, Rae, Rees, Smith, Stuart, Stuckey, Tice, White, and Young—37.

The nays were:

Messrs. Allen, Birchard, Calviu, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Crawford of Scott, Deweese, Evans, Fuller, Given, Glover, Graves, Hall, Homer, Horton, Jaqua, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, McHugh, Mills, Moffit, Morse of Adams, Morse of Wright,

Mueller, Norris, Palmer, Reed of Jackson, Robinson, Scott, Shaw Shephardson, Simmons, Stone, Thayer, Underwood, Ure, Wilson, and Mr. Speaker—47.

Absent or not voting:

Messrs. Auld, Bolter, Brooks, Brush, Bush, Hemenway, Hobbs, Horstman, Hunt, Johnston of Dubuque, Jordan, McNeill, Reed of Howard, Said, and Williams—15.

So the amendment was lost.

REPORTS OF COMMITTEES.

Mr. McNeill from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER.—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled.

S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling, and to punish the same.

S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9, of the Code, relating to the number of members of mutual associations.

S. F. No. 242, A bill for an act to make appropriation for the Iowa Soldiers' Home and Home for indigent children, at Davenport, Iowa.

S. F. No. 268, A bill for an act to legalize the conveyance of a certain tract of land for cemetery purposes, in Denison township, Crawford county, Iowa.

S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners.

S. F. No. 117, A bill for an act making appropriation for the Iowa Hospital for the Insane at Independence.

S. F. Nos. 67 and 96, a bill for an act to enable townships and incorporated towns and cities to aid in construction of railroads.

McNEILL, *Chairman.*

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 241, A bill for an act making an appropriation for the Penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that substitute for H. F. 23 be substituted therefor, and that the substitute do pass.

W. DANFORTH, *Chairman.*

Ordered passed on file.

Mr. McCartney offered the following amendment: Add to section 2, the following:

“*Provided*, That the money hereby appropriated for the support of two medical chairs in homeopathy, shall not be used for any other purpose.”

The amendment was adopted.

Mr. Clark of Johnson, moved that the rule suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were :

Messrs. Allen, Birchard, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gilliland, Given, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, McHugh, McNeill, Manning, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Rees, Robinson, Scott, Shaw, Simmons, Stone, Thayer, Underwood, Ure, Williams, Wilson, and Mr. Speaker—58.

The nays were :

Messrs. Baker, Benton, Clark of Marion, Colvin, Dixon, Elliott, Gibbons, Giltner, Glendenning, Harned, Hotchkiss, Lynch, McElderry, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Proudfoot, Reed of Jackson, Said, Smith, Stuart, Stuckey, Tice, White, and Young—27.

Absent or not voting :

Messrs. Auld, Bolter, Brooks, Brown, Brush, Bush, Crawford of Dubuque, Horton, Irwin of Lee, Jaqua, Johnston of Dubuque, Jordan, Reed of Howard, and Shepardson—14.

So the bill passed and the title was agreed to.

H. F. No. 242, A bill for an act for the relief of the Iowa Home for the Friendless, was then taken up, with the report of the committee recommending that the bill do pass with amendments.

The House concurred in the report of the committee.

Mr. Graves moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Benton, Brown, Calvin, Case, Chapman, Clark of Johnson, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Gibbons, Gilliland, Glover, Graves, Hall, Harned, Hemenway, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, McHugh, Madden of Polk, Madden of Taylor, Mentzel, Morse of Adams, Mueller, Norris, Palmer, Reed of Jackson, Robinson, Said, Shaw, Smith, Stone, Stuart, Thayer, Tice, Underwood, White, Williams, Young, and Mr. Speaker—58.

The nays were:

Messrs. Baker, Campbell, Colvin, Danforth, Deweese, Elliott, Giltner, Given, Glendenning, Gray, Hoag, McElderry, McNeill, Madson, Maris, Mills, Moffit, Proudfoot, Rees, Scott, Simmons, Ure, and Wilson—23.

Absent or not voting:

Messrs. Birchard, Bolter, Brooks, Brush, Bush, Christy, Clark of Marion, Fuller, Hotchkiss, Jordan, Manning, Morse of Wright, Rae,

Reed of Howard, Stuckey, Johnson of Benton, Lynch, and Shepardson—18.

So the bill passed and the title was agreed to.

On motion the House adjourned until 7:30 P. M.

EVENING SESSION.

7:30 O'CLOCK.

House met 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 bill, in which the concurrence of the House is asked:

S. F. No. 239, A bill for an act to amend an act, entitled an act to provide a State Capitol, approved April 13th, 1870, and for making an additional appropriation for the erection of the Capitol building.

Also, that the Senate has passed without amendment, H. F. No. 459, A bill for an act apportioning the State into Representative Districts, and declaring the ratio of representation.

J. A. T. HULL, *Secretary.*

On motion of Mr. Tice, H. F. No. 469, A bill for an act to amend section 431, chapter 10 of the Code, in relation to cities and towns, was taken up.

On motion of Mr. Maris, the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Birchard, Brown, Calvin, Campbell, Case, Chapman, Christy, Colvin, Craver, Danforth, Evans, Fuller, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Hobbs, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Kauffman, Lane, Lathrop, McCartney, McCune, McNeill, Madden of Polk, Maris, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Robinson, Said, Scott, Shepardson, Stone, Stuart, Stuckey, Thayer, Tice, Ure, Williams, Wilson, and Mr. Speaker—53.

The nays were:

Messrs. Baker, Elliott, Giltner, Harned, Hotchkiss, Mentzel, Reed of Jackson, Rees, and White—9.

Absent or not voting:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brush, Bush, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Craw-

ford of Scott, Deweese, Dixon, Gibbons, Gilliland, Gray, Homer, Hostman, Hunt, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Jordan, McElderry, McHugh, Madden of Taylor, Madison, Manning, Mills, Mueller, Reed of Howard, Shaw, Simmons, Smith, Underwood, and Young—37.

So the bill passed and the title was agreed to.

Mr. Reed of Jackson, moved that a committee of two be appointed to notify the Senate that the House was ready to receive the Senate in joint convention for the purpose of electing a warden of the additional penitentiary at Anamosa, regents of the State University, and trustees of the various State institutions.

The motion prevailed and the Speaker appointed Messrs. Reed of Jackson, and Ure.

The committee retired, returned and reported that they had discharged the duty assigned them.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 15, A bill for an act to amend section 1725, of chapter 9, title 12 of the Code, relating to the formation of sub-districts.

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes.

H. F. No. 133, A bill for an act empowering township clerks to administer oaths.

H. F. No. 134, A bill for an act in relation to the construction of cattle ways across public highways.

H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, conferring additional powers and amending the charters of such cities.

H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto any excess on revenue paid into the State treasury.

H. F. No. 337, A bill for an act providing for the publication of propositions to amend the constitution and for other purposes connected therewith.

H. F. No. 351, A bill for an act to legalize the sale of a certain eighty acre tract of school land in Harrison county, sold to John A. Parkins.

H. F. No. 395, A bill for an act to authorize the relocation of railroads.

H. F. No. 443, A bill for an act to amend chapter 107 of the Private, Local, and Temporary Acts of the Fourteenth General Assembly.

H. F. No. 478, A bill for an act to amend clause four, section 1606, chapter 3 of the Code.

H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa.

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code.

H. F. No. 493, A bill for an act to amend chapter 69 of the Public Acts of the Fifteenth General Assembly, in relation to game.

H. F. No. 496, A bill for an act to define the crime of swindling and to punish the same.

H. F. No. 128, A bill for an act to amend sections 1745, and 1751, chapter 9, title 12 of the Code, relative to report of treasurers of school districts.

S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners.

S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

S. F. Nos. 67 and 96, A bill for an act to enable townships and incorporated towns and cities to aid in the construction of railroads.

S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same.

S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9, of the Code, relating to the number of members of mutual associations.

S. F. No. 242, A bill for an act to make appropriations for the Iowa Soldiers' Orphan Home and Home for Indigent Children, at Davenport, Iowa.

S. F. No. 268, A bill for an act to legalize the conveyance of a certain tract of land for cemetery purposes in Denison township, Crawford county, Iowa.

McNEILL, *Chairman.*

The Sergeant-at-Arms announced the honorable Senate who came in and took seats assigned them.

The President, Lieutenant Governor Newbold, called the joint convention to order, and stated the purpose to be the election of Warden of the additional penitentiary at Anamosa, Regents of the State University, and trustees of the various State institutions.

On motion, the joint convention proceeded to the election of Warden of the additional penitentiary at Anamosa.

Mr. Shaw nominated Ansel E. Martin.

Mr. Clark of Marion nominated George Martin.

The roll was called with the following result:

Whole number of votes cast.....	109
Necessary to a choice.....	55
Of which Ansel E. Martin received.....	80
Of which George Martin received.....	29

So Mr. Ansel E. Martin was declared duly elect Warden of the Additional Penitentiary at Anamosa.

Those voting for A. E. Martin were:

Messrs. Allen, Bailey, Benton, Bestow, Calvin, Campbell of Shelby, Campbell of Jasper, Carr, Case, Chapman, Clark E. of Johnson, Clark R. of Johnson, Colvin, Conaway, Cooley, Craver, Dashiell, Deweese, Dows, Evans, Fuller, Gear, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Hall, Hoag, Homer, Horton, Irwin of Lee, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCoid, McCune, McHugh, McNeill, Madden of Polk, Maris, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Moffit, Morse of Adams, Morse of Wright, Newton, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson,

Rothert, Said, Scott, Shaw, Shepardson, Smith, Stone, Teale, Thornburg, Tice, Underwood, Ure, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, and Wright—80.

Those voting for George Martin were:

Messrs. Baker, Birchard, Brown, Christy, Clark of Marion, Crawford of Scott, Elliott, Gibbons, Gray, Hobbs, Horstman, Hotchkiss, Hunt, Johnston, Kinne, Lynch, McCormack, Madden of Taylor, Maginnis, Mentzel, Mueller, Pease, Reed of Jackson, Rees, Stuart, Stuckey, Thayer, White, and Young of Clinton—29.

Senator Dows offered the following joint resolution:

Joint resolution providing for certain Regents of the State University, Trustees for the Iowa Agricultural College, Hospital for the Insane at Mt. Pleasant, Asylum for the Blind, Asylum for Feeble Minded Children, Asylum for Deaf and Dumb, Hospital for Insane at Independence, for Reform School and Iowa Soldiers' Orphans' Home at Davenport.

Be it resolved by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, that the following named persons are hereby declared duly elected Regents of State University, and Trustees of the various State Institutions, to-wit:

REGENTS OF STATE UNIVERSITY.

C. W. Slagle of Jefferson county; D. N. Richardson of Scott county; Thos. S. Parr of Warren county.

TRUSTEES FOR THE IOWA AGRICULTURAL COLLEGE.

Wm. Blaine of Marion county; Buel Sherman of Chickasaw county.

TRUSTEES FOR THE IOWA HOSPITAL FOR THE INSANE AT MT. PLEASANT.

Samuel Klien, Lee county; C. E. Whitney. Monona county.

TRUSTEES FOR THE IOWA COLLEGE FOR THE BLIND.

Jeremiah L. Gray, Black Hawk county; Samuel H. Watson, Benton county; P. F. Sturgis, Fayette county.

TRUSTEES FOR ASYLUM FOR THE FEEBLE MINDED CHILDREN AT GLENWOOD.

Jonathan W. Cattell, Polk county; Andrew J. Russell, Mills county; J. W. Robertson, Muscatine county.

TRUSTEES FOR ASYLUM FOR DEAF AND DUMB.

Thomas Officer, Pottawattamie county; Nathan P. Dodge, Pottawattamie county.

TRUSTEES FOR THE HOSPITAL FOR THE INSANE AT INDEPENDENCE.

E. G. Morgan, Webster county; J. G. House, Buchanan county; S. E. Robinson, Fayette county.

TRUSTEES FOR THE IOWA REFORM SCHOOLS.

Wm. G. Stuart, Dubuque county; Joseph Moorehead, Linn county.

TRUSTEES FOR THE IOWA SOLDIERS' ORPHANS' HOME AT DAVENPORT

Geo. Paul, Johnson county; Robt. P. Spear, Black Hawk county; Seth P. Bryant, Scott county.

The question being on the adoption of the resolution, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Bailey, Baker, Benton, Birchard, Calvin, Campbell of Shelby, Campbell of Jasper, Case, Chapman, Christy, Clark R., of Johnson, Clelland, Colvin, Conaway, Cooley, Craver, Dashiell, De-weese, Dows, Elliott, Evans, Fuller, Gear, Gibbons, Gilmore, Giltner, Given, Glover, Graham, Graves, Gray, Hall, Harmon, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Kinne, Lane, McCartney, McCormack, McCune, McHugh, McNeill, Madson, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mills, Moffit, Morse of Adams, Morse of Wright, Norris, Palmer, Pease, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Rothert, Said, Shaw, Stone, Stuart, Thayer, Thornburg, Tice, Underwood, Ure, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wright, Young of Cass, and Young of Clinton—83.

The nays were:

Mr. Gilliland—1

So the resolution was adopted, and the gentlemen named in the resolution declared duly elected to the several offices designated therein.

The following certificates of election were then signed in presence of the joint convention:

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Warden for the Penitentiary at Anamosa, Ansel E. Martin having received a majority of all the votes cast for said office, was declared duly elected Warden 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.
JNO. H. GEAR,

Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March, 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Soldiers' Orphans' Home, S. P. Bryant having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for Iowa Soldiers' Orphans' Home, R. Speer having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday,

the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Soldiers' Orphans' Home, George Paul having received a majority of all the votes cast for said office, was declared duly elected Trustee for said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. MCCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March A. D., 1876, for the purpose of electing a Trustee for Iowa Reform School, J. Moorehead having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of six 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. MCCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Reform School, W. G. Stuart having received a majority of all the votes cast for said office, was declared duly elected Trustee of Reform School for the term of six 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Hospital for Insane at Independence, S. E. Robison having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Hospital for the Insane, at Independence, J. G. House, 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for Iowa Hospital for Insane, at Independence, E. G. Morgan having received a majority of all the votes cast for said office, was declared duly elected Trustee for said institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Institution for the Deaf and Dumb at Council Bluffs, Nathan P. Dodge having received a majority of all the votes cast for said office, was declared duly elected Trustee of said institution, for the term of four years from and after the expiration of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JOHN H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March, 15, 1876. }

This is to certify that at an election by the two House of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Institution for the Deaf and Dumb, Thomas Officer having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876,

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Sppaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate..

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Asylum for Feeble Minded Children, J. A. Robertson having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Asylum for Feeble Minded Children, A. J. Russell having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Asylum for Feeble Minded Children, J. W. Cattell having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D. 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa College for the Blind, P. F. Sturges having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa College for the Blind at Vinton, S. H. Watson having received a majority of all the votes cast for said office, was declared duly elected a Trustee of said Institution for the term of four years from an 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa College for the Blind, J. L. Gay having received a majority of all the votes cast for said office, was declared duly elected a Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for Iowa Hospital for Insane at Mt. Pleasant, C. E. Whiting having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Hospital for the Insane at Mt. Pleasant, Samuel Klien having received a majority of all the votes cast for said office, was declared duly elected Trustee of the said Institute 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee of the Iowa Agricultural College and Farm, Buel Sherman having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution 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 15th day of March, A. D., 1876.

J. G. NEWDOLD,
President of Senate.

JOHN H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee of Iowa Agricultural College, William Blaine having received a majority of all the votes cast for said office, was declared duly elected a Trustee of said institution 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JOHN H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Regent of State University, Thos. S. Parr, having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of six 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Regent for State University, D. N. Richardson, having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of six 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 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JNO. L. McCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

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 Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Regent of the Iowa State University, C. W. Slagle having received a majority of all the votes cast for said office, was declared duly elected Regent of said University for the term of six 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 15th day of March, A. D. 1876.

J. G. NEWBOLD,
President of Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

JOHN L. MCCORMACK,
Teller of Senate.

J. K. GRAVES,
Teller of House of Representatives.

On motion of Mr. ———, the President declared the joint convention dissolved.

The House was called to order by the Speaker.

On motion, H. F. No. 221, A bill for an act to amend chapter 14 of the Code, relating to the State Historical Society, with the report of the committee recommending the substitute, was taken up and considered.

Mr. Williams moved to amend the first section by striking out "\$1,000" and inserting "\$500."

Lost.

The substitute was then adopted.

On motion the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Chapman, Christy, Clark of Johnson, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Gilliland, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Horstman, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, McCartney, McElderry, McNeill, Madden of Taylor, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Said, Scott, Simmons, Smith, Stuart, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—55.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brown, Bush, Brush, Calvin, Campbell, Case, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Elliott, Evans, Gibbons, Giltner, Given, Glendenning, Hemenway, Homer, Horton, Hotchkiss, Hunt, Johnson of Benton, Jordan, Lathrop, Lynch, McCune, McHugh, Madden of Polk, Madson, Manning, Moffit, Mueller, Reed of Howard, Reed of Jackson, Rees, Robinson, Shaw, Shepardson, Stone, Stuckey, Thayer, and Wilson—44.

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 amendment:

H. F. No. 2, A bill for an act to amend chapter 9, of the Public Acts of the Fifteenth General Assembly.

H. F. No. 23, A bill for an act to provide for the continuation of the work on the Additional Penitentiary, and to make an appropriation therefor.

Also, that the Senate has concurred in House amendments to S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University.

A. T. McCARGAR,
First Assistant Secretary.

Mr. Manning was excused.

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred Substitute for S. F. No. 108, A bill for an act to provide for commencing the erection of the west lateral wing, and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

W. DANFORTH, *Chairman.*

Substitute for S. F. No. 108, A bill for an act to provide for the erection of the west lateral wing and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, with report of committee recommending its passage, was taken up, considered, and the report of the committee was adopted.

Mr. Given move to amend by striking out the fourth subdivision of the bill.

Mr. Brown moved the previous question, which was seconded, and the main question ordered.

On the amendment offered by Mr. Given, the yeas and nays were demanded, and the yeas were:

Messrs. Baker, Benton, Chapman, Clark of Marion, Cleveland, Colvin, Craver, Deweese, Dixon, Fuller, Gibbons, Giltner, Given, Glendenning, Gray, Harned, Horstman, Hotchkiss, Irwin of Warren, Johnson of Benton, Kauffman, Lane, Lynch, Madden of Polk, Madden of Taylor, Maris, Mentzel, Mills, Norris, Proudfoot, Reed of Howard, Reed of Jackson, Said, Scott, Smith, Stuart, White, Williams, and Wilson—39.

The nays were:

Messrs. Allen, Auld, Birchard, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Crawford of Scott, Danforth, Evans, Gilliland, Glover, Graves, Hall, Hemenway, Hoag, Horton, Hunt, Irwin of Lee, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, McCartney, McCune, McHugh, Madson, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Robinson, Shaw, Shepardson, Stone, Stuckey, Thayer, Tice, Underwood, Young, and Mr. Speaker—45.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Elliott, Hobbs, Homer, Jordan, McElderry, McNeill, Manning, Rees, Simmons, and Ure—15.

So the motion was lost.

The House ordered the bill engrossed for a third reading.

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 H. F. No. 301, A bill for an act repealing section 286, of the Code of 1873, relating to the elections for the relocation of county seats.

Also that the Senate has passed the following bills without amendments:

H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1, of the Code.

H. F. No. 186, A bill for an act to regulate circusses and other public shows.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and enact a substitute therefor.

H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors by the town clerk.

J. A. T. HULL, *Secretary*.

Mr. Dixon submitted a verbal report from the Sifting Committee, returning bills recommended in accordance with the instructions of the House.

Mr. Stone moved to reconsider the vote by which the House ordered the bill H. F. No. 108 to a third reading.

The motion prevailed.

On motion of Mr. Stone, the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Birchard, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Craver, Crawford of Scott, Danforth, Dixon, Elliott, Evans, Fuller, Gilliland, Glover, Graves, Hall, Hemenway, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kaufman, Lane, Lathrop, McCartney, McCune, McHugh, McNeill, Madson, Moffit, Morse of Adams, Morse of Wright, Mueller, Palmer, Rae, Reed of Jackson, Rees, Robinson, Shaw, Shepardson, Smith, Stone, Stuckey, Thayer, Tice, Underwood, Young, and Mr. Speaker—57.

The nays were:

Messrs. Benton, Chapman, Cleveland, Colvin, Deweese, Gibbons, Giltner, Given, Gray, Harned, Horstman, Hotchkiss, Irwin of Warren,

Lynch, Madden of Polk, Madden of Taylor, Mentzel, Mills, Norris, Proudfoot, Said, Scott, White, and Williams—24.

Absent or not voting:

Messrs. Baker, Bolter, Brooks, Brush, Bush, Clark of Marion, Crawford of Dubuque, Glendenning, Jaqua, Jordan, McElderry, Manning, Maris, Reed of Howard, Simmons, Stuart, Ure, and Wilson—18.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

Substitute for H. F. Nos. 176, and 354, A bill for an act to provide for laying out cemeteries and authorizing the transfer of lots to be filed and recorded by the township clerk.

H. F. No. 497, A bill for an act to repeal section 1158 of the Code, and to enact a substitute.

H. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railways.

H. F. No. 494, A bill for an act to amend an act entitled "an act authorizing the Auditor of State to adjust revenue, insane, law, and other accounts, approved March 3, 1876."

H. F. No. 431, A bill for an act to legalize the Farmers' Mutual Fire Insurance Company of Mitchell county.

Substitute for H. F. Nos. 238 and 472, A bill for an act making further appropriations for the College for the Blind.

H. F. No. 495, A bill for an act making an appropriation to liquidate an indebtedness of the Iowa Reform School.

H. F. No. 271, A bill for an act making further appropriations for the Iowa Reform School.

H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble minded children.

S. F. No. 74, A bill for an act to provide for establishing superior courts in cities of a certain grade.

S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

H. F. No. 459, A bill for an act apportioning the State into Representative Districts and declaring the ratio of representation.

MCNEILL, *Chairman.*

REPORT OF COMMITTEE.

Mr. Danforth, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER:—Your Committee on Appropriations, to whom was referred substitute for S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of com-

man schools, beg leave to report that have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

W. DANFORTH, *Chairman.*

Substitute for S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools, with report of committee without recommendation was taken up and considered.

Mr. Smith moved to lay the bill on the table.

The motion did not prevail.

Mr. Hemenway moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Birchard, Brown, Calvin, Case, Christy, Clark of Johnson, Colvin, Craver, Crawford of Scott, Dixon, Evans, Fuller, Gilliland, Glendenning, Glover, Graves, Hall, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, McCartney, McCune, McElderry, McHugh, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Rees, Robinson, Shaw, Shepardson, Stone, Thayer, Underwood, Ure, Young, and Mr. Speaker—48.

The nays were:

Messrs. Allen, Auld, Baker, Benton, Campbell, Chapman, Clark of Marion, Cleveland, Danforth, Deweese, Gibbons, Giltner, Given, Gray, Harned, Hemenway, Hoag, Hotchkiss, Irwin of Warren, Kauffman, Lane, Lynch, Madden of Taylor, Madson, Maris, Mentzel, Proudfoot, Reed of Jackson, Said, Scott, Smith, Stuart, Stuckey, Tice, and White—35.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Elliott, Horstman, Jordan, Lathrop, McNeill, Madden of Polk, Manning, Moffit, Simmons, Williams, and Wilson—16.

So the bill was lost.

Mr. Hemenway moved to reconsider the vote by which the bill was lost.

On this question the yeas and nays were demanded, and the yeas were:

Messrs. Allen, Birchard, Calvin, Case, Christy, Clark of Johnson, Colvin, Craver, Crawford of Scott, Dixon, Fuller, Gilliland, Glendenning, Glover, Graves, Hemenway, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Rees, Robinson, Shaw, Shepardson, Stone, Thayer, Underwood, Ure, Young, and Mr. Speaker—48.

The nays were:

Messrs. Auld, Baker, Benton, Brown, Campbell, Chapman, Clark of Marion, Cleveland, Deweese, Gibbons, Giltner, Given, Gray, Harned,

Horstman, Hotchkiss, Irwin of Warren, Kauffman, Lane, Lynch, Madden of Taylor, Madson, Maris, Mentzel, Moffit, Proudfoot, Reed of Jackson, Said, Scott, Smith, Stuart, Stuckey, Tice, White, and Wilson—35.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Danforth, Elliott, Evans, Hall, Hoag, Jordan, McNeill, Manning, Mueller, Simmons, and Williams—16.

So the motion prevailed.

On the question shall the bill pass, the yeas were:

Messrs. Allen, Birchard, Calvin, Case, Christy, Clark of Johnson, Craver, Crawford of Scott, Dixon, Evans, Fuller, Gilliland, Glendenning, Glover, Graves, Hall, Hemenway, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCune, McElderry, McHugh, Madden of Polk, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Rees, Robinson, Shaw, Shepardson, Stone, Thayer, Underwood, Ure, Young, and Mr. Speaker—52.

The nays were:

Messrs. Auld, Baker, Benton, Brown, Campbell, Chapman, Clark of Marion, Cleveland, Colvin, Danforth, Deweese, Gibbons, Giltner, Given, Gray, Harned, Hotchkiss, Irwin of Warren, Kauffman, Lynch, Madden of Taylor, Madson, Maris, Mentzel, Proudfoot, Reed of Jackson, Said, Scott, Smith, Stuart, Stuckey, Tice, and White—33.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Elliott, Horstman, Jordan, McNeill, Manning, Moffit, Simmons, Williams, and Wilson—14.

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.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code, and to provide for the organization of district townships.

R. B. BAIRD,
Second Assistant Secretary.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 2, A bill for an act entitled an act to amend section 289 and section 290 of the Code.

H. F. No. 23, A bill for an act to provide for the continuation of the work on the additional penitentiary, and to make an additional appropriation therefor.

H. F. No. 186, A bill for an act to regulate circusses and other shows.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor.

H. F. No. 470, A bill for an act to amend section 973 of the Code, relating to the appointment of Road Supervisors.

H. F. No. 234, A bill for an act to amend section 1381, title 11, of the Code.

S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of State University.

S. F. No. 108, A bill for an act to provide for commencing the west lateral wing, and completion of buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa.

McNEILL, *Chairman.*

Substitute for S. F. No. 273, A bill for an act making appropriations for the payment of State and Judicial officers, &c., with report of committee recommending the adoption of a substitute, was taken up, considered, and the substitute of the committee was adopted.

Mr. Ure moved to strike out "\$2,000" and insert "\$1,000."

The motion prevailed.

Mr. Clark, of Marion, moved to consider the bill by sections.

Lost.

Mr. Clark of Marion, moved to strike out "\$1,200" for rent of Governor's house.

The motion prevailed.

On motion of Mr. Clark of Marion, the item of \$1,000 for keeping arms in repair was stricken out.

Mr. Danforth moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Birchard, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, McCartney, Madden of Polk, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stone, Stuart, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—64.

The nays were:

Messrs. Clark of Marion, Gibbons, Horstman, Hotchkiss, and White—5.

Absent or not voting:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brown, Brush, Bush,

Colvin, Dixon, Elliott, Hemenway, Jordan, Kauffman, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Reed of Howard, Shaw, Shepardson, Simmons, Stuckey, and Crawford of Dubuque—30.

So the bill passed and the title was agreed to.

Mr. Stone offered a resolution extending the hour of adjournment 24 hours.

The resolution was adopted.

RESOLUTION.

Mr. Hobbs offered the following:

Resolved, That a committee of two be appointed to notify the honorable the Senate that the House meet the Senate in joint convention at such time as the Senate may fix, to elect trustees for the Normal and Training School.

The resolution was adopted, and Messrs. Hobbs and Stone were appointed a committee to convey the same to the Senate.

Committee returned and reported that they had performed the duty assigned them.

S. F. No. 234, A bill for an act to amend an act to provide a State capitol, approved April 13, 1870, and for making an additional appropriation for the erection of the capitol building, was taken up and considered.

Mr. Given moved to amend section 2 by inserting after "dollars" in the second line the words, "and any other moneys not otherwise appropriated, not exceeding in all \$350,000."

The amendment was agreed to.

Mr. Given moved that the rule be suspended, the bill considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Barker, Benton, Birchard, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, White, Williams, Wilson, Young, and Mr. Speaker—81.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Elliott, Hall, Irwin of Warren, Jordan, Kauffman, Lynch, McHugh, Madson, Manning, Mills, Shaw, Shepardson, and Simmons.— 18.

So the bill passed and the title was agreed to.

Mr. Fuller submitted final report from the Committee on Senatorial and Representative Districts.

Substitute for H. F. No. 256, A bill for an act to amend section 4315 of the Code, relating to accessories after the fact, was taken up and considered.

Mr. Crawford of Scott, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Campbell, Case, Chapman, Christy, Clark of Johnson, Colvin, Craver, Crawford of Scott, Dixon, Evans, Fuller, Gibbons, Giltner, Glendenning, Glover, Graves, Gray, Hall, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Proudfoot, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stuart, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—71.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Calvin, Clark of Marion, Cleveland, Crawford of Dubuque, Danforth, Deweese, Elliott, Gilliland, Given, Harned, Hunt, Johnston of Dubuque, Jordan, Kauffman, Lynch, McHugh, Manning, Rae, Shaw, Shepardson, Simmons, Stone, Stuckey, and White—28.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Substitute for H. F. Nos. 176 and 354, A bill for an act to provide for laying out cemeteries and authorizing the transfer of lots to be filed and recorded by the township clerk.

H. F. No. 497, A bill for an act to repeal section 1158 of the Code, and to enact a substitute.

H. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railways.

H. F. No. 494, A bill for an act to amend an act entitled "an act authorizing the Auditor of State to adjust revenue, insane, and other accounts. Approved March 3, 1876."

H. F. No. 431, A bill for an act to legalize the Farmers' Mutual Fire Insurance Company of Mitchell county.

Substitute for H. F. No. 238 and 472, A bill for an act making further appropriations for the College for the Blind.

H. F. No. 495, A bill for an act making an appropriation to liquidate an indebtedness of the Iowa Reform School.

H. F. No. 271, A bill for an act making further appropriations for the Iowa Reform School.

H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble minded children.

S. F. No. 74, A bill for an act to provide for establishing superior courts in cities of a certain grade.

S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

H. F. No. 459, A bill for an act apportioning the State into Representative districts and declaring the ratio of representation.

McNEILL, *Chairman.*

H. F. No. 283, A bill for an act to regulate the practice in the Supreme Court, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Dixon moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Deweese, Dixon, Evans, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Homer, Horton, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnson of Winneshiek, Lane, Lynch, McCartney, McCune, McElderry, Madden of Taylor, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Williams, Wilson, Young, and Mr. Speaker—68.

The nays were none.

Absent or not voting.

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Fuller, Hemenway, Hoag, Hobbs, Horstman, Hotchkiss, Jaqua, Johnston of Dubuque, Jordan, Kauffman, Lathrop, McHugh, McNeill, Madden of Polk, Manning, Morse of Wright, Mueller, Shaw, Shepardson, Simmons, Underwood, Ure, and White—31.

So the bill passed and the title was agreed to.

By leave, Mr. Graves introduced S. F. No. 499, A bill for an act providing for the taxation of mutual loan and building associations.

Read first and second time, and on motion the rule was suspended and the bill read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Danforth, Deweese, Evans, Fuller, Gilliland, Given, Glendenning, Glover, Graves, Gray, Harned, Hemenway, Hoag, Homer, Horton, Hunt, Irwin of Lee,

Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lathrop, McCartney, McCune, Madden of Polk, Madson, Maris, Mentzel, Mills, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Scott, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Ure, Williams, Wilson, Young, and Mr. Speaker—86.

The nays were:

Messrs. Gibbons and Hobbs—2.

Absent or not voting:

Messrs. Allen, Benton, Birchard, Bolter, Brooks, Brush, Bush, Chapman, Crawford of Dubuque, Crawford of Scott, Dixon, Elliott, Giltner, Hall, Horstman, Hotchkiss, Jordan, Lynch, McElderry, McHugh, McNeill, Madden of Taylor, Manning, Moffit, Morse of Wright, Rees, Shaw, Shepardson, Simmons, Underwood, and White—31.

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 considered joint resolution in relation to extending time for final adjournment twenty-four hours, and that the Senate has tabled the same.

A. T. McCARGAR,
First Assistant Secretary.

Mr. Harned moved to take up S. F. No. 150.

The motion did not prevail.

REPORT OF COMMITTEE.

Mr. Stone, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, beg leave to report herewith back to the House the petitions and memorials referred to said committee.

Also, the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred a resolution in regard to a change in the present jury system, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do lie on the table, as the question has been heretofore acted upon by the committee and the House.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

H. F. No. 367, A bill for an act in relation to liens, and the recovery in certain cases, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Mr. Stone moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brown, Campbell, Chapman,

Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hoag, Hobbs, Homer, Irwin of Warren, Jaqua, Johnson of Benton, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, Maris, Mentzel, Morse of Adams, Mueller, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—60.

The nays were none.

Absent or not voting :

Messrs. Allen, Bolter, Brooks, Brush, Bush, Calvin, Case, Christy, Clark of Maion, Crawford of Dubuque, Danforth, Elliott, Giltner, Hall, Harned, Hemenway, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mills, Moffit, Morse of Wright, Reed of Jackson, Shaw, Shepardson, Simmons, and White—39.

So the bill passed and the title was agreed to.

Mr. Stuart called up substitute for S. F. No. 17 and 80.

Mr. Hobbs moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 433, A bill for an act providing for the organization of the county of Cook, with report of committee recommending its passage, was taken up, considered, and the report of the committee was adopted.

Mr. Speaker moved to amend by striking out the word "Cook", wherever it occurs in the bill, and insert the word "Grimes."

The motion prevailed.

Mr. Hunt moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Brown, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, Maris, Mentzel, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—71.

The nays were:

Messrs. Campbell, and Johnson of Winneshiek—2.

Absent or not voting:

Messrs. Allen, Benton, Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Danforth, Dixon, Giltner, Hemenway, Horstman, Jordan, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mills, Moffit, Mueller, Shaw, Shepardson, Simmons, and White—26.

So the bill passed and the title was agreed to.

On motion of Mr. Clark of Johnson, S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 40, of chapter 3, title 1 of the Code, and to enact a substitute therefor with report of committee was taken up and considered.

Mr. Clark of Johnson, moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Baker, Brown, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Graves, Gray, Hall, Harned, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lathrop, McCartney, McCune, McElderry, McNeill, Madson, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Rees, Robinson, Said, Stone, Stuart, Stuckey, Thayer, Tice, Underwood, Ure, Williams, and Young—57.

The nays were:

Messrs. Allen, Hobbs, Maris, and Mueller—4.

Absent or not voting:

Messrs. Auld, Benton, Birchard, Bolter, Brooks, Brush, Bush, Calvin, Case, Colvin, Crawford of Dubuque, Danforth, Elliott, Glendenning, Glover, Hemenway, Hoag, Horstman, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McHugh, Madden of Polk, Madden of Taylor, Manning, Moffit, Proudfoot, Reed of Jackson, Scott, Shaw, Shepardson, Simmons, Smith, White, Wilson, and Mr. Speaker—38.

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:

Substitute for S. F. No. 273, A bill for an act making an appropriation for the payment of State and Judicial officers, and for other purposes hereinafter named, and to amend section 120 of chapter 2 of the Code of Iowa, with the following amendments: Add to section 5 the words, "and for the payment of room rent for the Governor the sum of \$1,200." Amend section 12 by inserting the words, "and for the care and transportation of arms and other expenses of the Quartermaster General's Department the sum of \$1,000." Add to section 37 as follows:

Section 37. For conveyance for carrying mails to and from post office, and for bridge toll, the sum of \$25.00, to be paid to E. H. Stedman.

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

I am also directed to inform your honorable body that the Senate has refused to concur in House amendment to S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State capitol," &c.

J. A. T. HULL, *Secretary.*

On motion of Mr. Danforth Senate messages were then taken up.

On motion of Mr. Given the House receded from its amendment to the capitol appropriation bill, S. F. No. 239.

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their owners, agents and employees, was then taken up.

On motion of Mr. Dixon the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brown, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Danforth, Dixon, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, Madden of Polk, Madson, Maris, Mentzel, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stuart, Thayer, Tice, Ure, White, Williams, Wilson, Young and Mr. Speaker—77.

The nays were:

Messrs. Benton, Clark of Marion Deweese and Stuckey—4:

Absent or not voting:

Messrs. Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Elliott, Jordan, Kauffman, McHugh, McNeill, Madden of Taylor, Manning, Proudfoot, Shaw, Shepardson, Simmons, Stone and Underwood—18.

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.

H. F. No. 498, A bill for an act providing for the taxation of Mutual Loan and Building Associations.

A. T. McCARGAR,
First Assistant Secretary.

Substitute for S. F. No. 273, was taken up and considered.

The question was on receding from House amendments.

The House receded from first amendment.

The House refused to recede from second amendment.

On the question of agreeing to the Senate amendment, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Birchard, Calvin, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, McCartney, Madden of Polk, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Nor-

ris, Palmer, Proudfoot, Rae, Reed of Jackson, Rees, Robinson, Said, Scott, Smith Stone, Stuart, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—64.

The nays were:

Messrs. Clark of Marion, Gibbons, Horstman, Hotchkiss, and White—5.

Absent or not voting:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brown, Brush, Bush, Colvin, Crawford of Dubuque, Dixon, Elliott, Hemenway, Jordan, Kauffman, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Reed of Howard, Shaw, Shepardson, Simmons, and Stuckey—30.

So the Senate 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 resolution.

Resolved, That, in the opinion of the Senate, there is no existing law providing for or requiring the election of Trustees for a Normal or Training School, and that this resolution be communicated to the House of Representatives in reference to its resolution requesting a joint convention for the election of such trustees.

J. A. T. HULL, *Secretary*.

Mr. Danforth moved the appointment of a conference committee on the disagreeing votes of the two Houses on the appropriation bill.

The motion prevailed and the Speaker appointed Messrs. Danforth, Mills, and Johnston of Dubuque such committee.

H. F. No. 345, A bill for an act to repeal sections 283, 287, and 288 of the Code, and to enact substitutes therefor with report of committee recommending amendments was taken up, and considered.

Mr. Robinson offered a substitute for the bill.

The substitute was adopted.

Mr. Robinson moved that the rule be suspended, the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Birchard, Calvin, Campbell, Case, Christy, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Dewese, Evans, Gibbons, Gilliland, Given, Glover, Graves, Gray, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, McCartney, McCune, Madden of Polk, Madden of Taylor, Mentzel, Moffit, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Rees, Robinson, Said, Scott, Thayer, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—52.

The nays were:

Messrs. Reed of Jackson, Stuart, and White—3.

Absent or not voting:

Messrs. Auld, Benton, Bolter, Brooks, Brown, Brush, Bush, Chapman, Clark of Marion, Colvin, Crawford of Dubuque, Danforth, Dixon, Elliott, Fuller, Giltner, Glendenning, Hall, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lathrop, Lynch, McElderry, McHugh, McNeill, Madson, Manning, Maris, Mills, Morse of Wright, Mueller, Reed of Howard, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, and Tice—44.

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 appointed a Conference Committee, consisting of Senators Clark, Larrabee, and Maginnis, to confer with House Committee on disagreeing vote on House amendments to general appropriation bill.

I am also directed to inform your honorable body that the Senate has passed the following bill.

Substitute for H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Waukonsa township, Webster county Iowa, for the years 1869, and 1870, and to legalize the levy of taxes within said township, and within the corporate limits of the city of Ft. Dodge in the township, county and State aforesaid for the year A. D., 1870, with amendment as noted in the bill.

A. T. McCAGAR,
First Assistant Secretary.

Mr. Gibbons moved to take up the joint resolution in relation to jurors.

The motion did not prevail.

Mr. Allen was appointed on Conference Committee instead of Mr. Mills excused.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 498, A bill for an act providing for the taxation of mutual loan and building associations.

S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mt. Pleasant.

S. F. No. 139, A bill for an act to provide for the improvement of the Penitentiary at Fort Madison, Iowa, and to provide for the transportation of discharged convicts.

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code, relating to the publication of the reports of the supreme court.

S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

McNEILL, *Chairman.*

H. F. No. 366, A bill for an act in reference to the reports of public officers and institutions, with report of committee recommending amendments, was taken up and considered.

The first and second amendments were concurred in.

On the question of concurring in the third amendment, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Benton, Birchard, Brown, Campbell, Case, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, McCartney, McCune, Maris, Mills, Morse of Adams, Norris, Palmer, Proudfoot, Rae, Said, Scott, Smith, Thayer, Underwood, Ure, Williams, Young, and Mr. Speaker—56.

The nays were:

Messrs. Clark of Marion, White, and Wilson—3.

Absent or not voting:

Messrs. Allen, Auld, Bolter, Brooks, Brush, Bush, Calvin, Crawford of Dubuque, Danforth, Elliott, Giltner, Horton, Hotchkiss, Hunt, Jordan, Kauffman, Lane, Lynch, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Moffit, Morse of Wright, Mueller, Reed of Howard, Reed of Jackson, Rees, Robinson, Shaw, Shepardson, Simmons, Stone, Stuart Stuckey, and Tice—40.

So the amendment of the Senate 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 joint resolution in relation to publication of school laws.

A. T. McCARGAR,
First Assistant Secretary.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two houses on substitute for S. F. No. 273, beg leave to report that they have met, and after a full and frank conference beg leave to report the following:

Be amended by striking out "\$1,000" and insert "\$600."

Strike out of section 37, "\$25" and insert "\$10."

W. DANFORTH,
WM. ALLEN,
T. W. JOHNSON,
On part of House.
E. CLARK,
W. LARRABEE,
W. A. MAGINNIS,
On part of Senate.

On the adoption of the report, the yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Bush, Calvin, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Fuller, Gibbons, Gilliland, Giltner, Given, Glover, Hall, Harned, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McCartney, McClelland, Madden of Taylor, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Simmons, Smith, Stone, Underwood, Ure, White, Wilson, Young, and Mr. Speaker—62.

The nays were none.

Absent or not voting:

Messrs. Birchard, Bolter, Brown, Brush, Campbell, Case, Chapman, Craver, Danforth, Elliott, Evans, Glendenning, Graves, Gray, Hemenway, Hoag, Horstman, Irwin of Lee, Jaqua, Johnson of Benton, Lathrop, McCune, McHugh, McNeill, Madden of Polk, Madson, Manning, Moffit, Mueller, Reed of Jackson, Shaw, Shepardson, Stuart, Stuckey, Thayer, Tice, and Williams—37

So the report of the Conference Committee was adopted.

H. F. No. 211, a bill for an act to repeal section 1587, chapter 2, title 12 of the Code, with report of committee, was taken up and considered.

Mr. Hemenway moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Birchard, Brown, Calvin, Campbell, Case, Chapman, Clark of Johnson, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Johnson of Benton, Johnson of Winneshiek, Kauffman, McCartney, McCune, Madden of Polk, Maris, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Rees, Said, Scott, Stuart, Thayer, Underwood, Williams, Wilson, Young, and Mr. Speaker—51.

The nays were:

Messrs. Christy, Clark of Marion, Cleveland, Horton, Irwin of Warren, Madden of Taylor, Proudfoot, Smith, and Stuckey—9.

Absent or not voting:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brush, Bush, Colvin, Craver, Crawford of Dubuque, Danforth, Elliott, Giltner, Hall, Harned, Hotchkiss, Jaqua, Johnston of Dubuque, Jordan, Lane, Lathrop, Lynch, McClelland, McHugh, McNeill, Madson, Manning, Mentzel, Moffit, Mueller, Reed of Jackson, Robinson, Shaw, Shepardson, Simmons, Stone, Tice, Ure, and White—39.

So the bill passed and the title was agreed to.

S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington and Missouri Railroad Company certain lands, with report of committee, was taken up and considered.

Mr. Palmer moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Baker, Birchard, Brown, Calvin, Campbell, Case, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hall, Hemenway, Hobbs, Homer, Horstman, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lathrop, Lynch, McCartney, McCune, Madden of Polk, Madden of Taylor, Maris, Mentzel, Mills, Morse of Wright, Palmer, Reed of Howard, Reed of Jackson, Rees, Said, Scott, Smith, Stone, Stuart, Stuckey, Thayer, Young, and Mr. Speaker—59.

The nays were:

Messrs. Horton, and Wilson—2.

Absent or not voting:

Messrs. Allen, Auld, Benton, Bolter, Brooks, Brush, Bush, Chapman, Crawford of Dubuque, Danforth, Elliott, Gray, Harned, Hoag, Hunt, Johnson of Benton, Jordan, Kauffman, McElderry, McHugh, McNeill, Madson, Manning, Moffit, Morse of Adams, Mueller, Norris, Proudfoot, Rae, Robinson, Shaw, Shepardson, Simmons, Tice, Underwood, Ure, White, and Williams—38.

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 adopted the report of conference committee on disagreeing vote on general appropriation bill, substitute for S. F. No. 273, A bill for an act making an appropriation for the payment of State and judicial officers, and for other purposes hereinafter named and to amend section 120, chapter 2 of the Code of Iowa.

A. T. McCARGAR,
First Assistant Secretary.

Mr. Cleveland was granted leave of absence.

Mr. Dixon moved that the House adjourn until 9 A. M.

Lost.

Mr. Dixon moved that the House adjourn until 8 A. M.

Lost.

Mr. Deweese moved to take up Senate messages.

Lost.

Mr. Birchard offered a resolution in relation to retaining Miss. Johnson, Postmistress, for five days after adjournment for the purpose of forwarding mail.

The resolution was lost.

Mr. Madden of Polk, moved to take up regular order.

The motion prevailed.

H. F. No. 298, A bill for an act to amend section 1675 of the Code, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Mr. Johnson moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Brown, Campbell, Chapman, Christy, Clark of Johnson, Colvin, Craver, Dixon, Evans, Fuller, Gibbons, Gilliland, Given, Glover, Graves, Gray, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Lathrop, McCune, Madden of Polk, Madden of Taylor, Maris, Mills, Morse of Adams, Morse of Wright, Proudfoot, Rae, Reed of Howard, Robinson, Said, Smith, Thayer, Underwood, Ure, White, Williams, and Young—49.

The nays were:

Messrs. Deweese, Giltner, Glendenning, Harned, McCartney, Reed of Jackson, Scott, Stuart, Stuckey, and Wilson—11.

Absent or not voting:

Messrs. Birchard, Bolter, Brooks, Brush, Bush, Calvin, Case, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Danforth, Elliott, Hall, Hemenway, Hoag, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, Lynch, McElderry, McHugh, McNeill, Madson, Manning, Mentzel, Moffit, Mueller, Norris, Palmer, Shaw, Shepardson, Simmons, Stone, Tice, and Mr. Speaker—39.

So the bill was lost.

Mr. Wilson moved that when this House adjourn, it be at 3:25, A. M.

The motion was lost.

By leave, Mr. Hobbs introduced H. F. No. 500, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of fire. Was read a first and second times, when Mr. Hobbs moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas were:

Messrs. Benton, Birchard, Brown, Campbell, Case, Chapman, Christy, Clark of Johnson, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Given, Glover, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lathrop, McCune, Madden of Polk, Madson, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Proudfoot, Reed of Jackson, Reef, Robinson, Said, Scott, Smith, Stone, Stuckey, Thayer, White, Williams, Wilson, Young, and Mr. Speaker—59.

The nays were:

Messrs. Allen, Clark of Marion, McCartney, Underwood, and Ure—5.

Absent or not voting:

Messrs. Auld, Baker, Bolter, Brooks, Brush, Bush, Calvin, Cleveland, Crawford of Dubuque, Elliott, Giltner, Glendenning, Graves, Hall,

Hemenway, Jaqua, Jordan, Kauffman, Lane, Lynch, McElderry, McHugh, McNeill, Madden of Taylor, Manning, Moffit, Mueller, Palmer, Rae, Reed of Howard, Shaw, Shepardson, Simmons, Stuart, and Tice—35.

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:

S. F. No. 274, A bill for an act apportioning the State of Iowa into Senatorial districts.

J. A. T. HULL, *Secretary*.

ENROLLED BILLS.

Mr. McNeill from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 140, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, Iowa, and to provide for the transportation of discharged convicts.

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code, relating to the publication of the Reports of the Supreme Court.

H. F. No. 498, A bill for an act providing for the taxation of mutual loan and building associations.

S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

H. F. No. 2, A bill for an act entitled an act to amend section 289, and 290 of the Code.

H. F. No. 23, A bill for an act to provide for the continuation of the work on the additional penitentiary, and to make an additional appropriation therefor.

H. F. No. 186, A bill for an act to regulate circuses and other shows.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor.

H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors.

H. F. No. 234, A bill for an act to amend section 1381, title 11 of the Code.

S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University.

S. F. No. 108, A bill for an act to provide for commencing the erection of the west lateral wing and completion of buildings of the Deaf and Dumb Asylum at Council Bluffs.

Also that they have examined the following bills and find the same correctly enrolled.

S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State capitol," approved April 13th, 1870, and for making an additional appropriation for the erection of the capitol building.

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their agents and employees.

Joint resolution of the House, A joint resolution relative to publication of school laws.

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39 and 40 of chapter 3, title 1 of the Code, and to enact a substitute therefor.

McNEILL, *Chairman.*

On motion of Mr. Gibbons H. F. No. 252, A bill for an act to enforce the speedy payment of working men on works of internal improvements when discharged from such work, with report of committee recommending the adoption of substitute, was taken up, considered and the report of the committee adopted.

Mr. Gibbons moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas were:

Messrs. Auld, Baker, Birchard, Brown, Clark of Johnson, Colvin, Craver, Crawford of Scott, Danforth, Dixon, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Lane, Lathrop, Madden of Polk, Maris, Mentzel, Mills, Morse of Wright, Norris, Proudfoot, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stone, Stuckey, Thayer, Williams, Young and Mr. Speaker—51.

The nays were:

Messrs. Campbell, Deweese, Fuller, Giltner, Johnson of Benton, and McCartney—6.

Absent or not voting:

Messrs. Allen, Benton, Bolter, Brooks, Brush, Bush, Calvin, Case, Chapman, Christy, Clark of Marion, Cleveland, Crawford of Dubuque, Elliott, Evans, Horstman, Johnson of Winneshiek, Jordan, Kauffman, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Moffit, Morse of Adams, Mueller, Palmer, Rae, Reed of Howard, Shaw, Shepardson, Simmons, Stuart, Tice, Underwood, Ure, White, and Wilson—42.

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:

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code relating to the State University, and to enact a substitute therefor.

A. T. McCARGAR,
First Assistant Secretary.

On motion of Mr. Fuller, S. F. No. 274, A bill for an act apportioning the State into Senatorial Districts, was taken up and considered.

Mr. Smith offered a substitute which was adopted.

Mr. Auld offered an amendment which was not adopted.

Mr. Deweese moved to reconsider the vote by which the substitute was adopted.

Mr. Smith moved to lay the motion on the table.

The motion did not prevail, and the House refused to adopt the substitute.

Mr. Lathrop offered the following:

Move to amend by inserting in place of section 24 the following:

SEC. 24. Cedar county shall be the twenty-third district, and entitled to one Senator.

Amend section 27:

Iowa and Poweshiek counties shall be the twenty-sixth district, and entitled to one Senator.

Amend section 38:

Jones county shall be the thirty-seventh district, and entitled to one Senator.

The amendments was rejected.

Mr. Smith moved to amend sections 4 and 32.

The amendments did not prevail.

On motion of Mr. Williams, the rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Campbell, Case, Chapman, Clark of Johnson, Colvin, Craver, Danforth, Deweese, Dixon, Evans, Fuller, Gibbons, Gilliland, Glendenning, Glover, Gray, Hall, Harned, Homer, Horton, Hotchkiss, Hunt, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Kauffman, Lane, Lynch, McCune, Madden of Polk, Madden of Taylor, Madson, Mentzel, Mills, Morse of Wright, Rae, Reed of Howard, Rees, Robinson, Stone, Stuart, Stuckey, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—52.

The nays were:

Messrs. Birchard, Calviu, Christy, Given, Hobbs, Horstman, Irwin of Lee, Jaqua, Johnson of Winneshiek, Lathrop, McCartney, Maris, Moffit, Mueller, Norris, Proudfoot, Reed of Jackson, Said, Scott, Smith, Thayer, and Ure—22.

Absent or not voting:

Messrs. Bolter, Brooks, Brown, Brush, Bush, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Elliott, Giltner, Graves, Hemenway, Hoag, Jordan, McElderry, McHugh, McNeill, Manning, Morse of Adams, Palmer, Shaw, Shepardson, Simmons, and Tice—25.

So the bill passed and the title was agreed to.

Mr. Smith entered the following protest:

MR. SPEAKER:—I protest, in the name of the people of the counties of Madison, Dallas, Adair, and Guthrie against the manner in which this House, in despite of the earnest protest of myself, has placed the counties above named and others contiguous thereto in the apportioning of Senatorial Districts.

J. J. SMITH.

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:

H. F. No. 366, A bill for an act in reference to the reports of public officers and institutions, and to provide for printing and distributing public documents, amendatory of chapter 9, title 2 of the Code, relating to the general regulations of the executive department. Also, of title 8, of chapter 1, in relation to the militia; and also of title 12, chapter 3, relating to the Agricultural College.

A. T. McCARGAR,
First Assistant Secretary.

H. F. No. 235, A bill for an act to prevent pauperism, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Mr. Mills moved that the rule be suspended, the bill considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Benton, Chapman, Clark of Johnson, Colvin, Craver, Dantorth, Evans, Given, Glendenning, Glover, Hall, Hemenway, Hoag, Horton, Hotchkiss, Jaqua, Johnston of Dubuque, Kauffman, Lane, McCartney, Madden of Polk, Maris, Mills, Morse of Adams, Morse of Wright, Norris, Proudfoot, Reed of Jackson, Rees, Robinson, Said, Smith, Ure, Williams, Wilson, and Young—37.

The nays were:

Messrs. Baker, Campbell, Dixon, Hobbs, Horstman, Irwin of Warren, Johnson of Benton, Madson, Stuckey, Thayer, and White—11.

Absent or not voting:

Messrs. Allen, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Case, Christy, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Deweese, Elliott, Fuller, Gibbons, Gilliland, Giltner, Graves, Gray, Harned, Homer, Hunt, Irwin of Lee, Johnson of Winnebick, Jordan, Lathrop, Lynch, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Manning, Mentzel, Moffit, Mueller, Palmer, Rae, Reed of Howard, Scott, Shaw, Shepardson, Simmons, Stone, Stuart, Tice, Underwood, and Mr. Speaker—51.

So the bill failed to pass the House.

Mr. Wilson moved that when the House adjourn it be until 8 o'clock A. M., 16th inst.

Mr. Dixon moved to amend by striking out "8," and inserting "9."

Mr. Dixon's amendment did not prevail, and the motion of Mr. Wilson was adopted.

On motion of Mr. Wilson, the House adjourned.

HAIL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 16, 1876. }

House met pursuant to adjournment, Speaker in the chair.

On motion the reading of the Journal of yesterday was dispensed with.

Mr. Crawford of Scott, moved that the House take up the regular order.

Mr. Given moved to amend by taking up Senate Files.

The amendment prevailed and the motion as amended was agreed to.

H. F. No. 293, in relation to taxation of certain property, was taken up.

The question being on concurring in Senate amendments, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Brown, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Scott, Danforth, Deweese, Elliott, Evans, Fuller, Giltner, Given, Glendenning, Glover, Harned, Hobbs, Homer, Hotchkiss, Hunt, Irwin of Warren, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Morse of Wright, Norris, Proudfoot, Reed of Howard, Rees, Robinson, Said, Scott, Shepardson, Stone, Underwood, Ure, White, Williams, Young, and Mr. Speaker—57.

The nays were none.

Absent or not voting:

Messrs. Allen, Bolter, Brush, Bush, Calvin, Christy, Cleveland, Crawford of Dubuque, Dixon, Gibbons, Gilliland, Graves, Gray, Hall, Hemenway, Hoag, Horstman, Horton, Irwin of Lee, Jaqua, Johnson of Benton, Jordan, Lathrop, Lynch, McCartney, McCune, McNeill, Manning, Mills, Moffit, Morse of Adams, Mueller, Palmer, Reed of Jackson, Shaw, Simmons, Smith, Stuart, Stuckey, Thayer, Tice, and Wilson—42.

So the amendment was concurred in.

S. F. No. 256, A bill for an act amendatory of section 4315 of the Code, and providing for punishment of accessories after the fact, was taken up and considered.

Mr. Hobbs moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Elliott,

Evans, Fuller, Giltner, Given, Glendenning, Glover, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Lane, Lynch, McElderry, McHugh, Madden of Polk, Madson, Maris, Mentzel, Moffit, Morse of Adams, Morse of Wright, Norris, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shepardson, Tice, Underwood, White, Williams, Young, and Mr. Speaker—64.

The nays were none.

Absent or not voting:

Messrs. Allen, Bolter, Brown, Brush, Bush, Calvin, Christy, Danforth, Dixon, Gibbons, Gilliland, Graves, Hemenway, Hotchkiss, Jordan, Kauffman, Lathrop, McCartney, McCune, McNeill, Madden of Taylor, Manning, Mills, Mueller, Palmer, Reed of Jackson, Shaw, Simmons, Smith, Stone, Stuart, Stuckey, Thayer, Ure, and Wilson—35.

So the bill passed and the title was agreed to.

Mr. Smith moved to take up special order, joint resolution, relating to amendment of Constitution in regard to Grand Juries.

Motion did not prevail.

On motion of Mr. Crawford of Dubuque, H. F. No. 28, A bill for an act to amend section 3798 of the Code of Iowa, in relation to compensation of county auditors, with report of committee recommending the adoption of a substitute, was taken up, considered, and the report of the committee was adopted.

Mr. Reed of Howard moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas were:

Messrs. Allen, Auld, Baker, Birchard, Brooks, Brown, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Evans, Given, Glendenning, Glover, Gray, Harned, Hoag, Hobbs, Horstman, Horton, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, McCartney, McHugh, Madson, Morse of Adams, Morse of Wright, Rae, Reed of Howard, Rees, Robinson, Shepardson, Simmons, Smith, and Young—14.

The nays were:

Messrs. Campbell, Danforth, Deweese, Elliott, Gibbons, Gilliland, Giltner, Hemenway, Homer, Hotchkiss, Irwin of Warren, Johnson of Winneshiek, Lane, McElderry, Madden of Taylor, Maris, Mentzel, Moffit, Norris, Proudfoot, Reed of Jackson, Said, Scott, Shaw, Stuart, Tice, Underwood, Ure, White, Williams, and Mr. Speaker—31.

Absent or not voting:

Messrs. Benton, Bolter, Brush, Bush, Calvin, Dixon, Fuller, Graves, Hall, Hunt, Jaqua, Jordan, Kauffman, Lathrop, Lynch, McCune, McNeill, Madden of Polk, Manning, Mills, Mueller, Palmer, Stone, Stuckey, Thayer, and Wilson—27.

So the bill failed to pass the House.

On motion of Mr. Given, S. F. No. 106, A bill for an act to amend section 983 of the Code, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Mr. Given moved that the rule be suspended, the bill be considered

engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Deweese, Evans, Gibbons, Glover, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Kauffman, Lane, Lynch, McHugh, McNeill, Madden of Polk, Maris, Morse of Adams, Morse of Wright, Norris, Rae, Reed of Jackson, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stuart, Tice, Underwood, White, Williams, Wilson, Young, and Mr. Speaker—55.

The nays were:

Messrs. Brown, Brush, Colvin, Danforth, Elliott, Fuller, Irwin of Warren, Madden of Taylor, Mentzel, Mueller, Proudfoot, Reed of Howard, and Stuckey—13.

Absent or not voting:

Messrs. Auld, Bolter, Bush, Calvin, Campbell, Christy, Crawford of Scott, Dixon, Gilliland, Giltner, Given, Glendenning, Graves, Hemenway, Hunt, Jaqua, Johnson of Winneshiek, Jordan, Lathrop, McCartney, McCune, McElderry, Madson, Manning, Mills, Moffit, Palmer, Rees, Stone, Thayer, and Ure—31.

So the bill passed and title was agreed to.

S. F. No. 150, A bill for an act to provide for the changing of the names of unincorporated towns and villages, with report of committee recommending its passage, was taken up and considered.

Mr. Harned moved that the rule suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Calvin, Campbell, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Gibbons, Given, Glendenning, Glover, Hall, Harned, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lynch, McCartney, McElderry, Madden of Polk, Maris, Moffit, Morse of Adams, Morse of Wright, Norris, Proudfoot, Rae, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stuckey, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—59.

The nays were none.

Absent or not voting:

Messrs. Bolter, Brown, Brush, Bush, Christy, Crawford of Dubuque, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gilliland, Giltner, Graves, Gray, Hemenway, Homer, Jaqua, Jordan, Lane, Lathrop, McCune, McHugh, McNeill, Madden of Taylor, Madson, Manning, Mentzel, Mills, Mueller, Palmer, Reed of Howard, Reed of Jackson, Rees, Simmons, Stone, Stuart, Thayer, and White—40.

So the bill passed and the title was agreed to.

Mr. Smith moved to take up the joint resolution in relation to grand juries.

The motion did not prevail.

S. F. No. 149, A bill for an act to amend section 900, etc., with report of committee recommending that it do pass, was taken up and considered.

Mr. Crawford of Scott, moved that the rule be suspended, the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Bush, Chapman, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Dubuque, Crawford of Scott, Deweese, Dixon, Elliott, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Gray, Harned, Hoag, Hobbs, Homer, Horstman, Hotchkiss, Irwin of Lee, Irwin of Warren, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McElderry, McHugh, Madden of Polk, Madden of Taylor, Maris, Moffit, Morse of Adams, Morse of Wright, Norris, Proudfoot, Rae, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuckey, Thayer, Underwood, Ure, White, Young, and Mr. Speaker—65.

The nays were:

Messrs. Brooks, Campbell, Reed of Jackson, Stuart, and Tice—5.

Absent or not voting:

Messrs. Bolter, Brown, Brush, Calvin, Case, Cleveland, Danforth, Evans, Fuller, Graves, Hall, Hemenway, Horton, Hunt, Jaqua, Jordan, Lathrop, McCune, Madson, Manning, Mentzel, Mills, Mueller, Palmer, Reed of Howard, Rees, Williams, Wilson, and McNeill—29.

So the bill passed and the title was agreed to.

On motion of Mr. Reed of Howard, H. F. No. 55, A bill for an act to repeal section 1 of the Code, was taken up and considered.

Substitute adopted,

Mr. Tice moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Benton, Birchard, Brooks, Bush, Calvin, Campbell, Case, Chapman, Christy, Clark of Marion, Craver, Crawford of Dubuque, Danforth, Deweese, Dixon, Evans, Gibbons, Given, Glendenning, Glover, Hall, Harned, Hoag, Hobbs, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Johnson of Benton, Johnston of Dubuque, Johnson of Winneshiek, McCartney, McNeill, Madden of Polk, Madden of Taylor, Madson, Mentzel, Morse of Adams, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Smith, Stuart, Thayer, Tice, Underwood, Ure, Young, and Mr. Speaker—61.

The nays were:

Messrs. Allen, Fuller, Irwin of Warren, McHugh, Proudfoot, and Stuckey—6.

Absent or not voting:

Messrs. Bolter, Brown, Brush, Clark of Johnson, Cleveland, Colvin, Crawford of Scott, Elliott, Gilliland, Giltner, Graves, Gray, Hemenway, Homer, Jaqua, Jordan, Kauffman, Lane, Lathrop, Lynch, McCune, McElderry, Manning, Maris, Mills, Moffit, Mueller, Simmons, Stone, White, Williams, and Wilson—32.

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.

H. F. No 433, A bill for an act providing for the organization of the county of Grimes, with following amendments:

Strike out of section 3 1877 and insert 1878.

Strike out of section 6 1877 and insert 1876, and striking out 1878 and inserting 1877.

Strike out of section 10 1877 and insert 1876.

Strike out of section 11, 1878 and insert 1877, as noted in the bill.

I am also directed to inform your honorable body that the Senate has refused to concur in the House amendments to substitutes for S. F. No. 106, A bill for an act to amend sections 1207, 1212 and 1216, chapter 2, title 10, of the Code, in relation to drains, ditches, and water courses.

I am also directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked.

S. F. No. 275, A bill for an act to define who may hold the office of county school superintendent and school director in the State of Iowa.

R. B. BAIRD,
Second Assistant Secretary.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 239, A bill for an act to amend an act to provide a State Capitol, approved April 13, 1870, and for making an additional appropriation for the erection of the Capitol Building.

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their agents and employees.

Joint Resolution of House, A joint resolution relative to School Laws.

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39 and 40 of chapter 3, title 1, of the Code, and to enact a substitute therefor.

MCNEILL, *Chairman.*

Mr. Irwin of Warren, asked and obtained leave to record his vote in favor of the capitol appropriation bill.

RESOLUTION.

Mr. Gibbons offered the following resolution, which the House refused to adopt.

Resolved, That the final adjournment of this General Assembly be, and is hereby deferred to the hour of 1 o'clock this afternoon, March 16th, 1876.

On motion of Mr. Rae, H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa, with report of committee recommending its passage, was taken up, considered, and the report of the committee was adopted.

The rule was suspended and the bill considered engrossed, and read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Benton, Birchard, Brooks, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Hoag, Hobbs, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Lane, McCartney, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Morse of Adams, Morse of Wright, Norris, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Said, Scott, Shepardson, Simmons, Stone, Stuart, Stuckey, Thayer, Underwood, Williams, Young, and Mr. Speaker—62.

The nays were none.

Absent or not voting:

Messrs. Auld, Bolter, Brown, Brush, Bush, Case, Cleveland, Crawford of Dubuque, Danforth, Dixon, Graves, Gray, Hall, Harned, Hemenway, Homer, Horton, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCune, McNeill, Manning, Mills, Moffit, Mueller, Palmer, Reed of Jackson, Shaw, Smith, Tice, Ure, White, and Wilson—37.

So the bill passed and the title was agreed to.

TESTIMONIAL OF RESPECT.

Mr. Hobbs offered the following as an expression of the sense of the House, and as a testimonial of the high regard entertained for its presiding officer.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 18, 1876. }

HON. JOHN H. GEAR, *Speaker of the House of Representatives*

We, the members of the House of Representatives of the Sixteenth General Assembly, beg leave to offer to you our sincere and ardent thanks, for the eminently able and impartial manner in which you

have presided over the deliberations of this body, and to assure you that we unanimously regard the record made by you in the discharge of these arduous duties, as one of unexampled brilliancy.

John McHugh,
Wm. E. Fuller,
J. D. Hotchkiss,
R. G. Scott,
Thos. Christy,
J. B. Shepardson,
J. S. Smith,
S. P. McNeill,
H. C. Hemenway,
W. C. Hobbs,
Chas. F. Craver,
Louis Case,
Milton Evans,
John L. Morse,
John N. Irwin,
Wm. M. Brooks,
D. Hunt,
G. J. Maris,
Geo. W. Lathrop,
Joseph A. Crawford,
E. S. Johnson,
Alex. Moffit,
Geo. M. Wilson,
Josiah Given,
Wm. G. Madden,
A. M. Giltner,
E. Glendenning,
G. T. Clark,
H. T. Reed,
Rush Clark,
J. F. Glover,
M. C. Jordan,
Wm. Ure,
Jno. Gibbons,
Hardin Tice.

Thos. C. Norris,
W. Danforth, with all my heart,
Jacob Proudfoot,
Samuel Irwin,
G. S. Robinson,
Edward H. Thayer,
Hy. Horstman,
John A. Young,
G. T. Auld,
M. K. Campbell,
Jas. Underwood,
H. P. Homer,
W. L. S. Simmons,
L. W. Stuart,
Charles Mentzel,
John Madden,
John L. Williams,
Henry H. Bush,
Wm. Lynch,
Wm. Allen,
John Calvin,
R. E. Benton,
E. B. Hoag,
Levi Colvin,
Ernst Mueller,
John McCartney,
J. W. Deweese,
S. W. McElderry,
S. B. Gilliland,
G. A. Madson,
Geo. A. Morse,
D. M. Baker,
B. A. Cleveland,
William Said,
Samuel Rees.

Mr. Clark of Johnson, offered the following as an additional clause to the testimonial:

And as a slight token of the esteem of this House, we hereby commit to the permanent care and preservation of Mr. Speaker, the chair occupied by him, and the gavel, wielded so discreetly.

The House adopted the testimonial unanimously, by a standing vote.

On motion of Mr. Brooks, S. F. No. 275, A bill for an act to define whom may hold the office of county school superintendent, was taken up and considered.

Mr. Brooks 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.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Baker, Bolter, Brooks, Bush, Calvin, Campbell, Case, Chapman, Clark of Johnson, Cleveland, Craver, Crawford of Scott, Deweese, Dixon, Elliott, Evans, Fuller, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hemenway, Hoag, Homer, Hotchkiss, Hunt,

Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, McCartney, McElderry, McHugh, Madden of Polk, Madson, Maris, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Stuart, Tice, Underwood, Ure, White, Williams, and Mr. Speaker—67.

The nays were:

Messrs. Auld, Benton, Birchard, Clark of Marion, Crawford of Dubuque, Danforth, Gibbons, Horstman, Johnston of Dubuque, Lane, Madden of Taylor, and Thayer—22.

Absent or not voting:

Messrs. Brown, Brush, Christy, Colvin, Gray, Hall, Harned, Hobbs, Horton, Lynch, McCune, McNeill, Manning, Mentzel, Mills, Moffit, Mueller, Stuckey, Wilson, and Young—20.

So the bill passed and the title was agreed to.

On motion, the House receded from its amendment to S. F. No. 106.

S. F. No. 153, A bill for an act to provide a highway on the Reform School farm, at Salem, Lee county, was taken up and considered.

The rule was suspended and the bill considered engrossed, and read a third time.

The question being, shall the bill pass, the yeas were.

Messrs. Allen, Baker, Benton, Birchard, Brooks, Bush, Calvin, Campbell, Case, Chapman, Christy, Cleveland, Crawford of Scott, Danforth, Deweese, Elliott, Fuller, Gibbons, Given, Glendenning, Glover, Graves, Hall, Harned, Hoag, Hobbs, Horstman, Horton, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Lane, McCartney, McHugh, Madden of Polk, Madden of Taylor, Maris, Mentzel, Morse of Adams, Mueller, Norris, Palmer, Rae, Reed of Howard, Reed of Jackson, Robinson, Said, Shaw, Shepardson, Smith, Stone, Thayer, Tice, Underwood, Ure, Young, and Mr. Speaker—60.

The nays were:

Messrs. Clark of Marion, Giltner, and Stuckey—3.

Absent or not voting:

Messrs. Auld, Bolter, Brown, Brush, Clark of Johnson, Colvin, Craver, Crawford of Dubuque, Dixon, Evans, Gilliland, Gray, Hemenway, Homer, Hotchkiss, Johnson of Winneshiek, Jordan, Kauffman, Lathrop, Lynch, McCune, McElderry, McNeill, Madison, Manning, Mills, Moffit, Morse of Wright, Proudfoot, Rees, Scott, Simmons, Stuart, White, Williams, and Wilson—36.

So the bill passed and the title was agreed to.

Messrs. Hotchkiss and Glendenning were appointed a committee to wait on the Governor and enquire if he had any further communications to make.

The committee reported that he had nothing further to communicate.

On motion of Mr. Bush the joint resolution in relation to a constitutional amendment in regard to grand juries was taken up and considered.

The committee amendments were agreed to.

Mr. Gibbons offered a substitute for section 11 of the joint resolution as follows:

Substitute for section 11:

SEC. 11. All offenses in which the punishment does not exceed a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a justice of the peace or other officer authorized by law, on information under oath, saving to the defendants, the right of appeal; and all other offenses less than felony shall be tried in the court of the proper county having criminal jurisdiction, on information preferred by the State's attorney, attested by him in his official capacity and filed by the clerk of the court; and no person shall be held to answer for any higher criminal offense unless on presentment or indictment by a grand jury, except in cases arising in the navy or army, or in the militia when in actual service in time of war or public danger.

The House refused to adopt the substitute.

The question recurring on the adoption of the joint resolution, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Bush, Calvin, Chapman, Christy, Clark of Johnson, Cleveland, Colvin, Crawford of Scott, Deweese, Dixon, Fuller, Giltner, Given, Glendenning, Glover, Graves, Hall, Harned, Hoag, Johnston of Dubuque, Kauffman, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Madson, Maris, Mentzel, Morse of Adams, Morse of Wright, Norris, Palmer, Rees, Said, Scott, Shaw, Shepardson, Simmons, Smith, Stone, Thayer, Ure, White, Williams, Young, and Mr. Speaker—55.

The nays were:

Messrs. Campbell, Clark of Marion, Evans, Gibbons, Hobbs, Horstman, Horton, Hunt, Irwin of Lee, Mueller, Stuckey, and Tice—12.

Absent or not voting:

Messrs. Bolter, Brown, Bush, Case, Craver, Crawford of Dubuque, Danforth, Elliott, Gilliland, Gray, Hemenway, Homer, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Jordan, Lane, Lathrop, McNeill, Manning, Mills, Moffit, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Robinson, Stuart, Underwood, and Wilson—32.

So the resolution passed the 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 joint resolution in which the concurrence of the House is asked:

Joint resolution relative to the Iowa Home for the Friendless at Dubuque, Iowa.

J. A. T. HULL, *Secretary*.

SENATE MESSAGES.

Senate messages were then taken up, and on motion of Mr. Given, the House receded from its amendment to S. F. No. 106.

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with and injury to property of Railroad Companies, with report of committee recommending its passage, was taken up, considered, and the report of the committee was adopted.

Mr. Crawford of Dubuque, moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Birchard, Brooks, Chapman, Christy, Clark of Johnson, Crawford of Scott, Danforth, Deweese, Dixon, Fuller, Gilliland, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Horstman, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, McCartney, McElderry, McNeill, Madden of Taylor, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Said, Scott, Simmons, Smith, Stuart, Tice, Underwood, Ure, White, Williams, Young, and Mr. Speaker—55.

The nays were none.

Absent or not voting.

Messrs. Bolter, Brown, Brush, Bush, Calvin, Campbell, Case, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Dubuque, Elliott, Evans, Gibbons, Giltner, Given, Glendenning, Hemenway, Homer, Horton, Hotchkiss, Hunt, Johnson of Benton, Jordan, Lathrop, Lynch, McCune, McHugh, Madden of Polk, Madson, Manning, Moffit, Mueller, Reed of Howard, Reed of Jackson, Rees, Robinson, Shaw, Shepardson, Stone, Stuckey, Thayer, and Wilson—44.

So the bill passed and the title was agreed to.

On motion of Mr. Clark of Johnson, S. F. No. 122, A bill for an act to furnish certain county and township officers with a copy of Field's Treatise, etc., with report of committee recommending its passage was taken up, considered, and the report of the committee was adopted.

Mr. Clark of Johnson moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas were:

Messrs. Auld, Benton, Brooks, Bush, Chapman, Christy, Clark of Johnson, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hemenway, Homer, Horstman, Horton, Hunt, Irwin of Lee, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, McCune, McElderry, McHugh, Madden of Polk, Madden of Taylor, Mentzel, Mills, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Robinson, Scott, Simmons, Smith, Stone, Stuart, Underwood, Ure, and Mr. Speaker—52.

The nays were:

Messrs. Allen, Baker, Campbell, Clark of Marion, Cleveland, Deweese, Fuller, Gibbons, Hobbs, Lynch, Proudfoot, Said, Stuckey, Thayer, Tice, White, Williams, and Young—18.

Absent or not voting:

Messrs. Birchard, Bolter, Brown, Brush, Calvin, Case, Craver, Dan-

forth, Elliott, Hall, Harned, Hoag, Hotchkiss, Irwin of Warren, Johnson of Benton, Jordan, Lathrop, McNeill, Madson, Manning, Maris, Moffit, Rae, Reed of Howard, Reed of Jackson, Rees, Shaw, Shepardson, and Wilson—29.

So the bill passed and the title was agreed to.

The Senate joint resolution in relation to the Iowa Home for the Friendless at Dubuque, was taken up and adopted.

On motion of Mr. Madden of Taylor, H. F. No. 334, A bill for an act to legalize the incorporation and ordinances of Lennox, Taylor county, Iowa, with report of committee recommending its passage, was taken up, considered, and the report of the committee was adopted.

Mr. Madden of Taylor, moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows.

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Bush, Campbell, Christy, Clark of Johnson, Clark of Marion, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Harned, Hoag, Hobbs, Homer, Horstman, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Lane, McCartney, McElderry, McHugh, Madden of Polk, Madden of Taylor, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rees, Said, Scott, Simmons, Smith, Stone, Stuckey, Underwood, Ure, White, Williams, Young, and Mr. Speaker—60.

The nays were none.

Absent or not voting:

Messrs. Birchard, Bolter, Brown, Brush, Calvin, Case, Chapman, Cleveland, Colvin, Craver, Dixon, Elliott, Giltner, Gray, Hall, Hemenway, Horton, Johnson of Benton, Jordan, Kauffman, Lathrop, Lynch, McCune, McNeill, Madson, Manning, Maris, Moffit, Mueller, Rae, Reed of Howard, Reed of Jackson, Robinson, Shaw, Shepardson, Stuart, Thayer, Tice, and Wilson—39.

So the bill passed and the title was agreed to.

On motion of Mr. Mills, S. F. No 143, A bill for an act to establish central stations for meteorological observations, with report of committee recommending its passage was taken up and considered.

Mr. Deweese moved to indefinitely postpone the bill.

The motion did not prevail.

Mr. Gibbons moved to lay the bill on the table.

The motion did not prevail.

Mr. Ure moved that the rule be suspended, the bill be considered engrossed and read a third time now, which prevailed and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Brooks, Bush, Christy, Clark of Johnson, Colvin, Crawford of Dubuque, Crawford of Scott, Dixon, Evans, Given, Glover, Graves, Hall, Hemenway, Hobbs, Homer, Horstman, Hunt,

Irwin of Lee, Johnston of Dubuque, Johnson of Winneshiek, Kauffman, Lane, Lynch, McCartney, Maris, Mentzel, Mills, Morse of Wright, Rees, Robinson, Said, Stone, Thayer, Underwood, Ure, Williams, and Mr. Speaker—40.

The nays were:

Messrs. Baker, Benton, Campbell, Clark of Marion, Deweese, Fuller, Gibbons, Giltner, Palmer, Proudfoot, Scott, Simmons, Smith, and Stuckey—14.

Absent or not voting:

Messrs. Birchard, Bolter, Brown, Brush, Calvin, Case, Chapman, Cleveland, Craver, Danforth, Elliott, Gilliland, Glendenning, Gray, Harned, Hoag, Horton, Hotchkiss, Irwin of Warren, Jaqua, Johnson of Benton, Jordan, Lathrop, McCune, McElderry, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Moffit, Morse of Adams, Mueller Norris, Rae, Reed of Howard, Reed of Jackson, Shaw, Shepardson, Stuart, Tice, White, Wilson, and Young—45.

So the bill failed to pass the House.

ENROLLED BILLS.

Mr. McNeill from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled.

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code, relating to the State University, and to enact a substitute therefor.

H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Wabkonsa township, Webster county, Iowa, for the years 1869, and 1870, and to legalize the levy of taxes within said township and within the corporate limits of the city of Fort Dodge, in the township, county and State aforesaid for the year A. D., 1870.

H. F. No. 366, A bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents, amendatory of chapter 9, title 2 of the Code, relating to the general regulations of the executive department, also of title 12, chapter 3, relating to the Agricultural College.

S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with, and purchase from, the Burlington and Missouri River Railroad Company the se $\frac{1}{4}$ of section 13, the ne $\frac{1}{4}$ of the ne $\frac{1}{4}$, and the sw $\frac{1}{4}$ of the ne $\frac{1}{4}$ of section 23, township 70, range 16, in Appanoose county, Iowa.

S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School Farm at Salem, Henry county, Iowa.

S. F. No. 275, A bill for an act to define who may hold the offices of county superintendent and school director in the State of Iowa.

S. F. No. 274, A bill for an act apportioning the State into Senatorial Districts.

S. F. No. 106, A bill for an act amending sections 1212 and 1216 of chapter 2, title 10 of the Code, in relation to drains, ditches and water courses.

S. F. No. 273, A bill for an act making an appropriation for the payment of State and Judicial officers, and for other purposes hereinafter named, and to amend section 120 of chapter 2 of the Code of Iowa.

S. F. No. 149, A bill for an act to amend section 900 of chapter 2, title 6 of the Code, relating to the sale of land for taxes and the interest acquired thereunder by purchase of United States, municipal, university, agricultural college, swamp lands, burial grounds, fair grounds, public squares, public ornamental grounds, and the property of school districts.

McNEILL, *Chairman.*

On motion of Mr. Johnston of Dubuque, S. F. No. 259, A bill for an act to amend sections 1815 to 1820 inclusive, chapter 9, title 12 of the Code, with report of committee recommending its passage was taken up, considered, and the report of the committee was adopted.

Mr. Johnston of Dubuque, 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.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Auld, Baker, Benton, Brooks, Bush, Calvin, Campbell, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Crawford of Dubuque, Crawford of Scott, Danforth, Deweese, Dixon, Elliott, Evans, Fuller, Gibbons, Gilliland, Giltner, Given, Glendenning, Glover, Graves, Hall, Harned, Hemenway, Hoag, Hobbs, Homer, Horstman, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnston of Dubuque, Johnson of Winneshiek, Jordan, Kauffman, Lane, McCartney, McElderry, Madden of Polk, Madden of Taylor, Maris, Mills, Moffit, Morse of Adams, Morse of Wright, Mueller, Norris, Palmer, Rae, Rees, Robinson, Said, Scott, Smith, Stone, Stuckey, Thayer, Ure, White, Wilson, Young, and Mr. Speaker—70.

The nays were:

Messrs. Lynch, and Proudfoot—2.

Absent and not voting:

Messrs. Birchard, Bolter, Brown, Brush, Case, Colvin, Craver, Gray, Horton, Hotchkiss, Johnson of Benton, Lathrop, McCune, McHugh, McNeill, Madson, Manning, Mentzel, Reed of Howard, Reed of Jackson, Shaw, Shepardson, Simmons, Stuart, Tice, Underwood, and Williams—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 bills without amendment:

H. F. No. 334, A bill for an act legalizing the incorporation and ordinances of Lennox, Taylor county, Iowa.

H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa, and to authorize the treasurer of said county to refund certain money illegally paid therefor.

A. T. McCARGER,
First Assistant Secretary.

Mr. Norris entered the following protest:

MR. SPEAKER:—I hereby protest against the action of the House in placing the county of Dallas, and contiguous counties, into Senatorial districts that are repugnant to the feelings, and contrary to the wishes of the people of those counties.

THOS. C. NORRIS.

On motion of Mr. Brooks S. F. No. 260, A bill for an act to amend section 1769, chapter 9, title 12 of the Code, with report of committee recommending its passage, was taken up, considered, and the report of the committee was adopted.

Mr. Brooks moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being, shall the bill pass, the yeas were:

Messrs. Auld, Brooks, Colvin, Danforth, Given, Glover, Hall, Harned, Hemenway, Homer, Horstman, Hunt, Johnston of Dubuque, Johnson of Winneshiek, Jordan, McElderry, Maris, Mills, Morse of Wright, Norris, Palmer, Rae, Reed of Howard, Rees, Scott, Thayer, Underwood, Wilson and Mr. Speaker—30.

The nays were:

Messrs. Alen, Baker, Benton, Bush, Calvin, Campbell, Christy, De-weese Dixon, Evans, Fuller, Gibbons, Gilliland, Giltner, Hotchkiss, Irwin of Lee, Lathrop, Lynch, Madden of Polk, Mentzel, Smith, Stuckey, and White—23.

Absent or not voting:

Messrs. Birchard, Bolter, Brown, Brush, Case, Chapman, Clark of Johnson, Clark of Marion, Cleveland, Craver, Crawford of Dubuque, Crawford of Scott, Elliott, Glendenning, Graves, Gray, Hoag, Hobbs, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Kauffman, Lane, McCune, McHugh, McNeill, Madden of Taylor, Madson, Manning, Moffit, Morse of Adams, Mueller, Proudfoot, Reed of Jackson, Robinson, Said, Shaw, Shepardson, Simmons, Stone, Stuart, Tice, Ure, Williams, and Young—46.

So the bill failed to pass the House.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 150, A bill for an act to provide for the changing of the names of unincorporated towns and villages.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Fields' Treaties, or such other works of a similar character, on County and Township Officers.

Joint resolution in relation to the Home of the Friendlies at Dubuque.

S. F. No. 221, A bill for an act to diminish liabilities to railroad ac-

cidents, and to punish interference with and injury to the proprietor Railroad Companies.

McNEILL, *Chairman.*

On motion of Mr. Graves, H. F. No. 312, A bill for an act empowering the Home for the Friendless to assume legal guardianship of destitute children, etc., with report of committee recommending its passage, was taken up and considered.

Mr. Graves moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

The question being shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Allen, Benton, Bush, Christy, Clark of Johnson, Cleveland, Crawford of Scott, Deweese, Dixon, Gilliland, Given, Glover, Graves, Hall, Harned, Hoag, Hobbs, Hotchkiss, Hunt, Irwin of Lee, Jordan, Kauffman, Lane, Lynch, Madden of Polk, Maris, Mentzel, Mills, Morse of Adams, Morse of Wright, Norris, Palmer, Reed of Howard, Robinson, Said, Smith, Stone, Stuart, Thayer, Underwood, White, and Mr. Speaker—43.

The nays were:

Messrs. Campbell, Clark of Marion, Danforth, Evans, Gibbons, Johnston of Dubuque, Scott, Tice, Wilson, and Young—10.

Absent or not voting:

Messrs. Auld, Baker, Birchard, Bolter, Brooks, Brown, Brush, Calvin, Case, Chapman, Colvin, Craver, Elliott, Fuller, Giltner, Glendenning, Gray, Hemenway, Homer, Horstman, Horton, Irwin of Warren, Jaqua, Johnson of Benton, Johnson of Winneshiek, Lathrop, McCartney, McCune, McElderry, McHugh, McNeill, Madden of Taylor, Madson, Manning, Moffit, Mueller, Proudfoot, Rae, Reed of Jackson, Rees, Shaw, Shepardson, Simmons, Stuckey, Ure, and Williams—46.

So the bill failed to pass the House.

RESOLUTION.

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

Resolved, That the Chief Clerk be requested to deliver to the Secretary of State, the bills now on the Speaker's table, to be preserved till the next session of the General Assembly.

On the question of concurring in the Senate amendment to H. F. No. 433, A bill for an act providing for the organization of the county of Grimes, the yeas and nays were as follows:

The yeas were:

Messrs. Auld, Baker, Birchard, Brown, Calvin, Case, Chapman, Christy, Clark of Johnson, Clark of Marion, Cleveland, Colvin, Craver, Crawford of Scott, Deweese, Elliott, Evans, Fuller, Gibbons, Gilliland, Given, Glendenning, Glover, Graves, Gray, Hall, Harned, Hoag, Hobbs, Homer, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Johnston of Dubuque, Kauffman, Lane, Lathrop, Lynch, McCartney, McCune, McElderry, Maris, Mentzel, Morse

of Adams, Morse of Wright, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Said, Scott, Smith, Stone, Stuart, Stuckoy, Thayer, Tice, Underwood, Ure, Williams, Wilson, Young, and Mr. Speaker—71.

The nays were:

Messrs. Campbell, and Johnson of Winneshiek—2.

Absent or not voting:

Messrs. Allen, Benton, Bolter, Brooks, Brush, Bush, Crawford of Dubuque, Danforth, Dixon, Giltner, Hemenway, Horstman, Jordan, McHugh, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mills, Moffit, Mueller, Shaw, Shepardson, Simmons, and White—26.

So the Senate amendments were concurred in.

RESOLUTION.

Mr. Crawford of Scott, offered the following resolution, which was adopted.

Resolved, That the thanks of the House of Representatives of the Sixteenth General Assembly is hereby tendered to the reporters of the various papers represented in this House during the session.

On motion, all bills now on the files of the House were indefinitely postponed.

On motion, the House took a recess of fifteen minutes.

AFTER RECESS.

House convened.

ENROLLED BILLS.

Mr. McNeill, from the Committee on Enrolled Bills, submitted the following report.

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 165, A bill for an act to legalize the sale of certain lands in Cherokee county.

H. F. No. 334, A bill for an act to legalize the incorporation of the town of Lennox, Taylor county, Iowa.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code of Iowa, and to provide for the organization of district townships.

H. F. No. 433, A bill for an act providing for the organization of the county of Grimes.

MCNEILL, *Chairman.*

Mr. McNeill, from the Committee on Enrolled Bills, submitted this further report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2,

title 12 of the Code, relating to the State University, and to enact a substitute therefor.

H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Waukon township, Webster county, Iowa, for the year 1869 and 1870 and to legalize the levy of taxes within said township and within the corporate limits of the city of Fort Dodge, in the township, county, and State aforesaid, for the year A. D., 1870.

H. F. No. 366, A bill for an act in relation to the reports of public officers and institutions and to provide for printing and distributing public documents amendatory of chapter 9, title 11 of the Code, relating to the general regulations of the executive department; also, of title 8, chapter 1, in relation to the militia, and also of title 12, chapter 3, relating to the Agricultural College.

S. F. No. 248, A bill for an act authorizing Auditor of State to negotiate with and purchase from the Burlington and Missouri River Railroad Company the southeast quarter of section 13, the northeast quarter of the northeast quarter, and the southwest quarter of the northeast quarter of section 23, township 70, range 16, in Appanoose county, Iowa.

S. F. No. 275, A bill for an act to define who may hold the offices of county superintendent and school director in the State of Iowa.

S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School Farm at Salem, Henry county, Iowa.

S. F. No. 149, A bill for an act to amend section 900, chapter 2, title 6 of the Code, relating to the sale of land for taxes.

S. F. No. 273, A bill for an act making appropriations to pay State and Judicial officers and for other purposes.

S. F. No. 274, A bill for an act apportioning the State into Senatorial districts.

S. F. No. 106, A bill for an act amending sections 1207, 1212 and 1216, chapter 2, title 10, of the Code, in relation to drains, ditches and water courses.

S. F. No. 150, A bill for an act to provide for the changing of the names of unincorporated towns and villages.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise or such other work of similar character on county and township officers.

Joint Resolution relating to the Home of the Friendless, at Du-buque.

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with and inquiry to the proprietor of railroad company.

H. F. No. 165, A bill for an act to legalize the sale of certain lands in Cherokee county.

H. F. No. 334, A bill for an act to legalize the incorporation of the town of Lennox, Taylor county, Iowa.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819 and 1820, of chapter 9, title 12, of the Code of Iowa, and to provide for the organization of district townships.

H. F. No. 433, A bill for an act providing for the organization of the county of Grimes.

McNEILL, *Chairman.*

Mr. Reed of Howard, moved that a committee consisting of Messrs. Graves, and Danforth, be appointed to notify the Senate that the House has concluded its business and were ready to adjourn.

The motion prevailed.

The committee returned and reported that they had performed the duty assigned them.

A committee from the Senate announced that the Senate had concluded its business and was ready to adjourn, and also asked the appointment of a committee to join with a like committee on the part of the Senate to notify the Governor that both branches of the Sixteenth General Assembly had completed their labors and were ready to adjourn.

The Speaker appointed Messrs Graves, and Danforth, such committee.

The committee returned and reported that they had discharged the duty assigned them.

At 10 o'clock A. M. March 16, 1876, the Speaker declared the House adjourned without day.

J. W. LOGAN, *Chief Clerk.*

APPENDIX.

The following memorial, resolution and report of special committee having been mislaid at the time of making up the Journal of the date wherein they should have appeared, are here appended, as the interests of the parties thereto demand:

Mr. Stone offered the following resolution which was adopted:

Resolved by the House the Senate concurring, That a committee of two on the part of the Senate, and three on the part of the House, be appointed to investigate the matters mentioned in the accompanying memorial of Thomas L. Stephens, late Superintendent of the Soldiers' Orphans' Home at Glenwood, and to report the facts and their conditions. Said committee shall have power to send for persons and papers.

MEMORIAL OF THOMAS L. STEPHENS.

To the Sixteenth General Assembly of the State of Iowa:

As the framer of the last biennial report on Soldiers' Orphans' Homes has taken occasion in that report to reflect somewhat upon me, the former Superintendent of that branch of the Home (the one at Glenwood) which was closed about one year ago, I beg leave to call your attention to the following facts in relation to the closing of the Home and to the matters referred to by the author of the report.

On the 9th day of November 1874, as the report states, the board of trustees met at the Glenwood Home and transacted the usual business. There were, at that time, some bills outstanding and unpaid, as had been customary at that season of the year. For a confirmation of this statement and as a reply to that part of the report which states that my official reports were devoid of information on the subject of outstanding debts, I respectfully call your attention to the biennial report of 1873, as laid before the Fifteenth General Assembly, which shows an outstanding indebtedness at that time of over sixteen hundred dollars.

These bills were for winter supplies which must be laid in at that season of the year; such as wool goods for boys and girls' winter suits, boots, shoes, hats, caps, stockings, fuel, school books and supplies, and a somewhat heavier and larger supply of groceries, provisions, etc., than at other seasons. They did not form a permanent debt, nor was their aggregate amount of such a magnitude as to give any reasonable alarm. Indeed, taking the year together there was no debt hanging over the institution, for during those seasons, when the expenditures were light, there would be a balance of funds accumulated sufficient to almost if not quite meet the bills incurred in the more expensive seasons of the year.

Having become cognizant of that fact from several years of experience in the management of the Home, I felt no anxiety with reference to the matter, and, indeed, stated to the Board, at the time of their meeting, that I felt assured the little debts at that time existing could all be paid off in the natural order of things before the following June.

This, however, did not seem to be satisfactory to certain members of the Board who, while on their way home from this November meeting, in company with the Superintendent of the Home at Davenport, planned for a second meeting of the Trustees, which meeting took place, as per report, on the 3d day of December, 1874.

This meeting was called by the President of the Board, W. H. Leas, avowedly for the purpose of investigating the affairs of the Glenwood Home more fully than had been done in the former meeting.

After spending a full day in the investigation of the accounts, books and vouchers, which were all fully opened up and laid before them, and after inquiring into all the matters, the examination of which had called them together, the Board recorded in their minutes in substance the following: We have made a careful examination of all the books, accounts and vouchers kept by the Superintendent and find them correct, and while we think the Superintendent has, in some instances, been indiscreet in his management, we do not find that it has been through any bad intention on his part. I say this was the record *in substance*, as read up and approved in my presence before the adjournment of the Board. I presume these minutes are still in the hands of the Secretary of the Board. And this was the *result* of meeting held on the 3rd of December, for the investigation, as the report alleges, into the affairs of the Home.

Before the adjournment of the Board of Trustees on this occasion a spirited discussion took place over the question of closing up the Home at Glenwood and removing the children to the Home at Davenport. The advocates of this plan held that it was a *necessity* from the fact that there was already a debt hanging over the Institution and that the Board were not warranted, by the laws of the State, in incurring any indebtedness on these institutions, which, I believe is true and correct as to the general question. The opponents of the measure held that it was an injustice to the children whose homes were mostly in the western portion of the State and many of whose mothers had settled in and about Glenwood in order that they might be near to their children; that there was no statutory provision, giving the Trustees power or authority to close an institution without an act of the Legislature; that in the event the Home should be closed, three-fourths of the children being unwilling to go 300 miles away from all their friends and endearing associations, would necessarily be thrown out of a home in the midst of a severe winter, and would be thrown upon the care of friends who were unprepared to receive, them, and keep them on such short notice.

These objections to the closing of the Glenwood Home were so strongly urged, especially by the Rev. J. C. Otis, the resident Trustee at this place, now deceased, that the advocates of the measure, chief among whom was W. H. Leas, President of the Board, as a compromise made this proposition, viz: That if before the first of January

following, a guarantee should be made by Mr. Otis that the debt then existing should be paid off within three months from that date, then the Home should not be closed.

Apparently satisfied with this arrangement of the matter, the Board adjourned, most of the members repeatedly expressing to Mr. Otis and myself the wish that we might be able to so economise the funds and manage the means placed at our disposal, as to be able to meet the requirement of the Board, which, you will see, was a very severe one, coming as it did in the midst of winter, when expenses were highest, and the length of time being a brief three months.

Notwithstanding these seeming impossibilities, Mr. Otis and myself set ourselves about the work of curtailing expenses, wherever such could possibly be done, and so arranging the affairs of the Home as to warrant us in the formal guarantee to the Board that this Home should be out of debt within the brief time demanded by the majority, and we did pay off during the month of December, out of the support fund drawn for that month, nearly two hundred dollars of the debt. So, relying on a corresponding saving during the three following months, and a little assistance which we were kindly offered by good friends of the Home in the town, Mr. Otis was enabled before the close of December, to guarantee that the requirement of the Board should be met, and that the indebtedness should be paid off within the specified three months, providing no changes should take place in the management. But at this juncture he received a letter from W. H. Leas, President of the Board, in which that gentleman, without having had action on the matter, either by the Board in session, or the Executive Committee in session, in a dictatorial and unofficial manner, demanded my resignation as Superintendent.

In this condition of affairs, and not wishing to appear to sustain and foster an institution which the president of a board of trustees and some members seemed anxious to close up and discontinue, I most respectfully tendered to the Executive Committee of the Glenwood Home my resignation to take effect on January 1, 1875. This resignation, placed in the hands of Mr. Otis, the resident Trustee, and one of the Executive Committee, was forwarded to W. H. Leas, the other member of the Executive Committee, and was accepted by him as an individual, and my successor appointed by him as an individual *and without any action of the Board or Committee in either case.*

I received a letter from W. H. Leas, requesting me to remain in charge a few days longer, which, owing to the fact that the children must suffer if left without a manager, I consented to do.

On the 6th or 7th of January Mr. Leas arrived in company with S. W. Pierce, Superintendent of the Davenport Home, whom Mr. Leas had elected as my successor, although at the same time Superintendent of another Home.

Some conversation was had with reference to turning over the affairs of the institution to my successor, in the course of which I said to Mr. Leas that it might be well for him to call a meeting of the executive committee of this Home, which committee consisted of himself and Mr. Otis, resident trustee in Glenwood, and in a session of that committee according to law act upon my resignation and also upon the appointment of my successor, or stating at the same time that I should not

feel warranted in turning the institution over into the hands of any one unless regularly elected as my successor according to law and that I desired to settle with and receive a receipt from the executive committee so that I might myself be on the safe side.

To this suggestion Mr. Leas gave attention, and though apparently somewhat surprised to think that any one should question his authority, as an individual, to transact business that belonged to a board of trustees or a committee, sent to Mr. Otis and called for a meeting of the committee.

Before this meeting my resignation was formally presented and accepted and a full and final settlement was made.

A complete inventory of all property and effects of the institution was taken which inventory, together with all books of accounts containing quarterly settlements made regularly as the law directs with the proper committee appointed for making such settlements with the superintendents, in all three, marked A, B, and C, a clothing record, a complete register of the children in the home and of those who had gone out from time to time, with all moneys on hand was turned over to the committee and their receipt for the same taken, which receipt I now have. At this meeting Mr. Leas demanded of me my vouchers which had been settled upon from time to time as provided by law. I refused to surrender these papers, stating that they had been settled upon once and were after such settlement my own property, that they were always ready to be *examined or inspected* by any person authorized to make such examination, but should remain in my possession. I took this position on competent legal advice and because I desired to defend myself, if at any time necessary, against unjust accusations or reflections, let them come from what source they might, and I am more firmly convinced now that my position was a wise one. These vouchers have been carefully preserved by me and are a duplicate of all the accounts settled upon from time to time during my connection with the home. They are ready at any time for inspection by any persons authorized to examine them.

In relation to the matter of reporting to the Auditor of State on the last day of every month the number of children in the Home during that month, and drawing funds for the support of the children during the succeeding month, I have this to say, that my custom was uniform with the Superintendents at the other Homes, and in accordance with instructions of the Board given years ago. At the close of the school year in June it was customary to allow children desiring to visit their friends to do so. But it will be apparent to any who give the matter attention, that although these absent ones may save to the Homes a few dollars in the way of curtailed table expenses, they increase the expense of clothing, and do not decrease the expense of employees and that of general management.

With this view of the matter, the law concurring, the statement of the Superintendents of the number of children supported in the homes during any month has always been construed so as to include any who might be absent on leave with the avowed intention of returning. It seemed reasonable, and indeed necessary to do this in order that the homes might be maintained on the very small allowance of \$10.00 per month for each inmate.

Following, therefore, an established custom and the advice of former boards in the matter I reported children when absent temporarily as other superintendents have always done, and dropped them from the roll so soon as I was informed or could ascertain that they were not designing to return to the institution. If I have been at fault in this matter it is the common one into which all superintendents have fallen and one which has received the sanction of trustees in the years gone by and of the present board so far as it applies to the Home at Davenport and Cedar Falls. Just why I should be especially censured by the framer of the biennial report for doing what was tolerated in others, is difficult to explain or understand on any reasonable grounds.

And now, gentlemen, I approach what I conceive to be the key to the whole matter.

It seemed desirable to a certain combination of forces to close the Soldiers' Orphans' Home at Glenwood, so that the numbers in the Home at Davenport might be increased. There was no law authorizing such a measure during the interim between the sessions of the Legislature, so that if such an act were done, it must be done without law, and in that event some party must be censurable. The champions of the measure were unwilling to bring upon themselves that censure, so they have sought to place it upon me.

This, gentlemen, I take this opportunity to resent, stating candidly and earnestly, that on the contrary I labored faithfully and zealously, as did also the lamented Rev. J. C. Otis, resident member of the Board of Trustees, for the continuance and success of the Home at this place.

Whether or not the biennial report purporting to be that of the board of trustees was ever seen by any one of the board other than the president, W. H. Leas, I know not. Of this, however, I am confident that it never was presented to Mr. Otis, the member from this Home, for examination and that he knew nothing of its contents, although it was prepared by Mr. Leas and ready to be placed in the hands of the printer before Mr. Otis' death. So manifestly unjust are the reflections sought to be placed upon me by the framer of this report and so wholly at variance with many of the facts in the case is the account given that I feel as a matter of self defense and in the interest of common justice called upon to ask your honorable body to appoint a special committee whose duty it shall be to examine into the whole history of the closing up of the Home at Glenwood and of all the matters touched upon by the framer of the report. I ask this, gentlemen, not only on my own account but in the name of fifty soldiers' orphans who were by the untimely closing of this institution thrown out of a home in mid-winter and compelled to put up with such scanty provisions as poor friends, on short notice, could give them, and I do it in the name of those noble citizens of Glenwood and Mills county, and the Western Slope who have fostered and sustained by sympathy and material aid this patriotic institution of one section. Let this committee canvass this whole subject and putting the censure, after a careful investigation of all the facts, where it justly belongs and there let it remain.

With the hope that your honorable body will accede to this request

I am, gentlemen, your obedient servant

THOMAS L. STEPHENS.

GLENWOOD, IOWA, March 2, 1876.

REPORT OF SPECIAL COMMITTEE ON PART OF THE HOUSE.

MR. SPEAKER:—Your special committee to whom was referred the memorial of Thomas L. Stephens, late Superintendent of the Soldiers' Orphans' Home at Glenwood, and resolution asking an investigation of the matter contained in said memorial, beg leave to report that they have had the same under consideration and report the same back to the House, and would state that from the limited time which we have been able to give the matters set forth in said memorial, we do not deem the facts stated by the Board of Trustees of the Iowa Soldiers' Orphans' Home sufficient to warrant an investigation of the charges against Mr. Stephens; we therefore, recommend that the resolution be not adopted.

WM. E. FULLER,
JOHN B. ELLIOTT,
D. HUNT.

The report of the committee was adopted by the House.

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ERRATA.

Page 79, 97, 526—For “Mr. Howard,” read “Reed of Howard.”

Page 123 —For “Campbell of Dubuque,” read “Crawford.”

Page 281—Last paragraph—for “Wilson,” read “Williams.”

For “Stewart,” where his name occurs, read “Stuart.”