

# JOURNAL

OF

## THE SENATE,

OF THE

## FIRST GENERAL ASSEMBLY

OF THE

## STATE OF IOWA,

BEGUN AND HELD AT IOWA CITY, ON MONDAY, THE THIRTIETH DAY OF  
NOVEMBER, A. D. 1846, BY VIRTUE OF THE CONSTITUTION OF THE  
STATE, OF IOWA, ADOPTED AUGUST THIRD, 1846.

---

IOWA CITY:

A. H. PALMER, PRINTER.

1847.



# JOURNAL OF THE SENATE.

OF THE

## FIRST GENERAL ASSEMBLY

OF THE STATE OF IOWA.

BEGUN AND HELD AT IOWA CITY, ON MONDAY THE THIRTIETH DAY OF NOVEMBER, A. D. 1846, BY VIRTUE OF THE CONSTITUTION OF THE STATE OF IOWA, ADOPTED AUGUST THIRD, A. D. 1846.

---

SENATE CHAMBER, JOWA CITY, }  
NOVEMBER 30th, 1846. }

This being the day designated by the Governor of the Territory of Iowa, in his Proclamation dated November 5th, 1846, issued in conformity to the provisions of the Constitution for the State of Iowa, adopted at the preceding August election, for the meeting of the first General Assembly of the State of Iowa; at twelve o'clock, M., the Senators elect were called to order by Evan Jay, of Henry, and on his motion,

Francis Springer, of Louisa, was appointed President *pro tem.*, to whom the oath of office was administered by M. D. Browning, member elect from Des Moines.

On motion of James Davis, of Wapello,  
James W. Woods was appointed Secretary, *pro tem.*

On motion of P. B. Bradley, of Jackson,  
John B. Russell was appointed Assistant Secretary, *pro tem.*

On motion of S. A. Bissell, of Cedar,  
H. H. Welch was appointed Sergeant-at-Arms, *pro tem.*

On motion of Thos. Hughes, of Johnson,  
Peter Conboy was appointed Fireman, *pro tem.*

On motion of Mr. Hughes,  
William Windrum was appointed Messenger, *pro tem.*

The Secretary proceeded to call the several counties in their order, when the following named gentlemen, from their respective counties, presented their credentials, and the oath prescribed by the Constitution was administered to them by the President *pro tem.*, and took their seats as members of the Senate, viz :

*From the county of Lee*—JACOB HUNER, JAMES SPROTT.

*From the county of Van Buren*—JOHN M. WHITAKER, JOHN F. SANFORD.

*From the counties of Davis and Appanoose*—JOHN SELMAN.

*From the counties of Wapello and Monroe*—JAMES DAVIS.

*From the counties of Marion, Polk, Dallas and Jasper*—THOMAS BAKER.

*From the county of Des Moines*—MILTON D. BROWNING, SAMUEL FULLINWIDER.

*From the county of Henry*—EVAN JAY.

*From the county of Jefferson*—ROBERT BROWN.

*From the counties of Louisa and Washington*—FRANCIS SPRINGER.

*From the counties of Keokuk and Mahaska*—R. R. HARBOUR.

*From the counties of Muscatine, Johnson and Iowa*—THOMAS HUGHES.

*From the counties of Scott and Clinton*—LORING WHEELER.

*From the counties of Cedar, Linn and Benton*—S. A. BISSELL.

*From the counties of Jackson and Jones*—PHILIP B. BRADLEY.

*From the counties of Dubuque, Delaware, Clayton, Fayette, Buchanan, and Blachhawk*—THOMAS H. BENTON, jr., THEOPHILUS CRAWFORD.

On motion of Mr. Jay,

Ordered, That the rules for the government of the Council of the Territory of Iowa, at its last session, be adopted for the temporary government of the Senate, and until new rules are adopted.

On motion of Mr. Hughes,

The Senate adjourned until to morrow morning at 10 o'clock.

TUESDAY MORNING, DECEMBER 1, 1846.

Senate met pursuant to adjournment.

The President laid before the Senate a communication from Sylvanus Johnson, which was read, and,

On motion of Mr. Benton,  
Laid on the table.

On motion of Mr. Benton,  
Ordered, That the Senate now proceed to a permanent organization by the election of its officers.

Mr. Bradley moved a suspension of the rule requiring the election of officers by ballot.

Upon which the ayes and nays being demanded, were ordered, and were as follow :

AYES—Messrs. Bradley, Hughes, Huner, Selman, Spratt—5.

NAYS—Messrs. Baker, Benton, Bissell, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Jay, Sanford, Springer, Wheeler, Whitaker—14.

So the motion was lost.

And the Senate proceeded to the election of officers, Messrs. Davis and Browning acting as tellers.

Upon the first ballot, Thomas Baker received a majority of all the votes given, and was declared duly elected President of the Senate, and, upon being conducted to the chair, addressed the Senate as follows :

*Gentlemen of the Senate :*

I arise to return to you my sincere thanks and gratitude for the honor you have conferred upon me, in selecting me to preside over your deliberations during the present session.

From my age and inexperience in legislation, you have reason to expect me to commit many errors—but I hope you will attribute them to errors of the head, and not of the heart; and I hope you will be always ready and willing to give me the aid of your counsel. I shall make it my constant aim to discharge the duties of the chair faithfully and impartially.

Gentlemen, you have many important duties to perform during the present session—among which is to establish a code of laws for the government of the State, in conformity to the constitution, which is to

constitute the basis of our action and supremacy of our laws; and I hope that harmony may characterize your acts, and that you may discharge your duties with pleasure to yourselves and satisfaction to your constituents.

Gentlemen, permit me again to return to you my sincere thanks; and let me assure you that the favor you have shown me upon this occasion will always be remembered by me with the warmest feelings of gratitude.

The Senate then proceeded to the election of its other officers, and, upon counting the ballots, the following persons having received majority of the votes of the Senate, were declared to be duly elected to the several stations, viz :

Jno. B. Russell, Secretary.

Joseph Myers, Assistant Secretary.

Thomas C. Young, Sergeant-at-Arms.

John H. Anderson, Messenger.

H. H. Welch, Fireman.

To whom the oath of office was severally administered, when they entered upon the duties of their stations.

On motion of Mr. Springer,

Resolved, That a committee of three be appointed by the President to inform the House of Representatives that the Senate is now organized, and ready to proceed to business.

The President appointed Messrs. Springer, Bradley and Selman said committee.

On motion of Mr. Jay,

Resolved, That a committee of five be appointed by the President to examine the credentials of the sitting members.

The President announced Messrs. Benton, Browning, Hughes and Sanford as composing said committee.

On motion of Mr. Sanford,

Resolved, That a committee of three be appointed by the President to draft rules for the government of the Senate.

Messrs. Springer, Bradley and Whitaker were appointed said committee.

On motion of Mr. Hughes,

Resolved, That the editors of the different newspapers in this State be admitted to seats within the bar of the Senate at pleasure.

On motion of Mr. Hughes,  
Resolved, That A. H. Palmer, proprietor of the Iowa Capital Reporter, be employed to do the incidental printing of the Senate until otherwise ordered.

On motion of Mr. Bradley,  
The Senate adjourned until 10 o'clock to-morrow morning.

---

WEDNESDAY MORNING, DECEMBER 2, 1846.

Senate met pursuant to adjournment.

Mr. Sanford offered the following resolution :

Resolved, That the officers of the Senate receive a compensation for their services as follows : Secretary, two dollars per day ; Assistant Secretary, one dollar and fifty cents per day ; Sergeant-at-Arms, one dollar and fifty cents per day ; Messenger, one dollar per day ; Fireman, one dollar per day.

On motion,

Laid on the table.

Mr. Springer, from the committee to prepare rules for the government of the Senate, made a partial report, recommending that the following be the standing committees of the Senate ;

On Ways and Means.

On Judiciary.

On Federal Relations.

On Internal Improvements.

On Military Affairs.

On Schools.

On Roads.

On Public Buildings.

On Elections.

On Engrossed Bills.

On County Boundaries.

On Claims.

On Agriculture.

On Incorporations.

On Enrolled Bills.

On New Counties.

Which was agreed to.

Mr. Benton, from the committee appointed to examine the credentials of members, reported that they had performed that duty, and found each member entitled to his seat.

On motion,

The report was accepted and the committee discharged.

A committee from the House of Representatives was announced, who informed the Senate that the House of Representatives was fully organized and ready to proceed to business.

On motion of Mr. Benton,

Ordered, That a committee of two be appointed, to act in conjunction with a similar committee on the part of the House, to wait upon the Governor of the Territory and inform him that both branches of the General Assembly were in readiness to receive any communication he may have to make them.

Messrs. Benton and Springer were appointed said committee.

A committee from the House of Representatives was announced, who informed the Senate that, as a committee to act in conjunction with a similar committee on the part of the Senate, they were in readiness to wait upon the Governor of the Territory, to inform him of their readiness to receive any communication he may have to make.

Mr. Jay offered the following resolution :

Resolved, That the regular hours for the meeting of the Senate shall be nine A. M., and one P. M., unless otherwise agreed upon by the Senate.

On motion,

Laid upon the table.

Mr. Benton, from the committee appointed to wait upon the Governor, reported that they had performed that duty, and received from him a message in writing, which was read by the Secretary as follows :

*Gentlemen of the Senate*

*and of the House of Representatives :*

Of the many wise features of our excellent system of government, there are none more worthy of admiration than the mode provided by the Constitution for the introduction of new States into the Federal Union. While other countries have resorted to force and violence to enlarge their possessions and extend their sway, it has been reserved



for the United States to achieve these results by a policy eminently simple and pacific. Under this policy, infant settlements have been nursed, Territories established, and sovereignties finally organized, until a greater number of States than were originally embraced within the confederacy have been added to the Union, each imparting additional vigor and strength to the parent government. At the present time we have an illustration of the wonder-working results of this influence in the history of events within our own limits. In a period of eight years, under the fostering protection of the General Government, Iowa, as a Territory, has gone on to increase in wealth, population, and the developement of her resources, until a majority of her citizens have become impressed with the conviction that it is their duty to establish and sustain a government of their own. They have accordingly adopted a Constitution, and taken other necessary preliminary steps looking to a State organization; and nothing remains to complete the admission of the State into the Union but a compliance by Congress with the few and simple forms rendered necessary by the Constitution and by usage. With a full knowledge of the pecuniary sacrifices involved in the change, it has been made; and sensible of the extent and character of the new obligations which the support of a State Government could not fail to impose, they have been voluntarily and cheerfully assumed. Having thus given the highest possible evidence of her attachment to the Union, Iowa will henceforth take her place with her sisters as a member of the confederacy, exercising her proper weight in the administration of the government, and receiving equal protection and favor with the older States.

Upon this civil revolution in our form of Government, effected not through coercion, but by the silent operation of public opinion, I beg leave most respectfully to congratulate the members of the State Legislature. With a Constitution republican in its character, and containing guards against improvidence, and restrictions upon class legislation, we may hope to escape many of the abuses and evils which of late years have brought ruin and blight upon other portions of our common country. The prevalence of wise and patriotic counsels, such as I am sure will animate those connected with the several branches of the government, is all that is necessary to a happy commencement of our existence as a State. At such a time it becomes us not to rely solely upon human effort; the aid of Him in whom rests the perfection of all wisdom should be sought, and a continuance of His favor to us as a people invoked.

I regret that it is not in my power to congratulate you upon the continuance of friendly relations between the United States and all other governments, such as existed at the time of my last annual communication to the Territorial Legislature. Since that period a termination has been put to the good understanding previously existing between our own Government and the Republic of Mexico, under circumstances which must relieve the former from all responsibility for the consequences which may ensue. For the first time within thirty years our country finds itself an unwilling party to a war rendered necessary to repel invasion, to enforce a compliance with violated treaty obligations, and to resent multiplied and aggravated instances of insult to our flag and injury to our commerce. While we cannot but lament the occurrence of any event calculated to interrupt the peace of the world, and especially that hostilities should be permitted to exist between sister republics of the same continent, it is peculiarly gratifying to our national pride to witness the readiness with which the citizen soldiery of America have responded to the call made upon them for their services, and the gallant manner in which, whenever the opportunity has been presented, they have sustained their own and their country's honor. The additional satisfaction is also ours of knowing that the American arms, although employed against superior forces, have thus far been completely victorious. Mexico having rejected the overtures made by our Government since the commencement of hostilities for the renewal of negotiations, with the view of effecting an amicable adjustment of the difficulties between the two countries, a vigorous prosecution of the war is believed to be the course required by true policy, and best calculated to secure a speedy and permanent peace. In a cause so just I cannot doubt that the nation will be found united in furnishing all the aid, of whatever description, which may be found necessary; and it gratifies me to be able to state that Iowa has already evinced her willingness to contribute more than her proportionate share of men to the common defence. Under an act of Congress authorizing the acceptance by the President of the services of fifty thousand volunteers, a requisition was made upon the Territory, in the early part of the summer, for one regiment of volunteer infantry, to be raised and held in readiness for service whenever required. This force was enrolled and organized into companies in an unusually short period of time, and at present stands reported to the President as ready for orders. Should it be called into the field, I have every confidence that the honor and reputation of the State will be creditably sustained.

One of the most important subjects demanding legislative interposition at the present session will be that of providing ways and means for the support of the State Government. In the discharge of a task so delicate and of such magnitude in its consequences, I cannot but express a hope that resort to temporary measures of relief may be avoided, and that the responsibility may be fairly and fully met by the establishment of a permanent revenue system, which, after the first year, will secure to the treasury an annual income adequate to the public wants. Such a step is believed to be called for by considerations of sound policy, and justified by the events which render it necessary. It would be an unwarrantable imputation upon the intelligence of the people to suppose that they omitted to inform themselves of the burdens the support of a State Government would impose upon them, when they ratified the constitution; and, to question their willingness now to assume those burdens, might well be regarded as a stigma upon their patriotism.

The details of such a system properly belong to the legislative branch of the Government; but, in maturing them, it is respectfully suggested that a wide field exists for reform and improvement. The revenue laws at present in existence are radically defective, and call for amendment. It cannot be denied that, under the territorial organization, with all our legislative, executive and judicial expenses borne by the general Government, a system of taxation, exceeded for severity by but few of the States of the Union, has prevailed. While these excessive levies have been submitted to, the necessity for their imposition has been denied. The time is believed to be at hand when the reform in this particular, looked for, in vain, for so long a period, is imperiously demanded by public opinion; and I confidently anticipate the adoption of such measures by the Legislature as will correct the evil in future. The necessity for a State tax, equal to the support of an economical administration of the Government—such as is contemplated by the constitution—is immediate and obvious; but I should regret to be forced to the conclusion that the burdens of the people must be thereby necessarily increased to the amount of such new levy. Under such an accumulated load of obligation their energies would sink, and enterprise and industry might be expected to take their flight to less expensive and better governed lands. I cannot permit myself to doubt that if the subject is approached with an eye singly to the public interests, a reduction can be made in the county and township rates, without in any degree impairing the usefulness of these corpora-

tions, equal to any amount of revenue which it may be necessary to collect for State purposes. The abolition of all useless offices, and a reduction of the fees of all officers to the lowest standard which will admit of a fair equivalent for services rendered, will do something towards effecting this result, and is most earnestly recommended. A further reduction of the county machinery might be made, and a corresponding saving be effected to the people, by uniting two or more of the offices that cannot be dispensed with, and devolving the discharge of their duties upon a single person. Where this can be done without detriment to the public interests, I conceive it to be a highly proper reform, called for by considerations of economy, and desirable as a check upon the thirst for public station which is known to prevail in Iowa, in common with other portions of the country. Offices under our Government are created for the people, and not for the benefit of the incumbent; and to multiply them beyond the number ascertained to be absolutely necessary, is a departure from that simplicity which was originally intended to enter into our institutions. It is also a subject well worthy the consideration of the Legislature, whether officers in the receipt of fees, such as sheriffs, clerks, &c., should not be required to transact the county business pertaining to their respective offices, free of charge; and the expediency of diminishing, or, should the public exigencies be deemed of a character requiring such a step, of entirely abolishing the per diem allowance at present authorized to be paid to grand jurors, is respectfully submitted. As affecting the county treasuries, the several measures of retrenchment recommended cannot fail to exercise a most favorable influence, if carried into effect; and, in urging them upon the attention of the Legislature, I look not for justification to the example of other States, in which similar reforms have been gone into, but to the circumstances by which we are surrounded, and to the manifest necessity which exists of limiting the public expenditures to the ability of the people to meet them.

The laws in relation to the assessment of real and personal property are believed to be imperfect, and will demand consideration at the hands of the Legislature in the general modification of the existing revenue system, which, it is apprehended, will take place. It is objected that, in practice, they operate unequally and unjustly, in the want of some rule to which uniformity may be approximated in the valuation of property, and these complaints are frequently sustained by evidence showing them to be well grounded. Although led to believe that the evils complained of are as much owing to the selection of in-

competent and improper agents to execute the laws, as to any inherent defectiveness of the system itself. I entertain the hope that it will be in the power of the Legislature to apply at least a partial remedy. The receipts from the personal property tax, with legal enactments which will enable the assessors to make true and correct assessments, can, I have reason to believe, be materially augmented, without an increase in the existing rates; but, in the absence of further legislative provision on the subject, no addition to the revenue need be looked for from this source, and real estate must continue to submit to undue taxation. Many proper objects of taxation, not intended to be exempted, but which now escape, through the looseness of the law, might also be made to contribute their proportionate share to the support of the State. The imposition of a reasonable tax upon each suit brought in the several district courts of the State, to be paid into the county or State treasuries, as may be deemed to be most judicious, is a measure which I feel myself called upon to urge upon your attention, as furnishing a legitimate and reliable source of revenue.

But while, by these and similar reforms, provision may be made for the support of the State Government in future, without any material augmentation of the public burdens, we cannot be insensible to the pressing necessities of the present. We enter upon our new existence as a State with an empty treasury, which cannot be replenished before the expiration of a year, and heir to a debt of some twenty thousand dollars. The payment of the debt, if deemed expedient, may be postponed to a more convenient period, but the immediate and accruing expenses of the Government must be met. I know of no other way in which this can be done than by the negotiation of a loan; and I therefore recommend that immediate steps be taken by the Legislature towards effecting that object. The sale of the State bonds, to the amount of thirty thousand dollars, would furnish a sufficiency of means to cover all actual and necessary expenses up to January, 1848, and twenty thousand more added would enable the State to pay off the existing territorial debt, all of which is due to domestic creditors. With such guarantees in favor of the regular payment of the interest as should accompany any law authorizing a loan—and, as it will be in the power of the Legislature to furnish the successful termination of any negotiation authorized, upon terms favorable to the State, may be reasonably anticipated. Free, comparatively, from debt, with a constitutional limitation upon the debt-creating power—great in all the elements of wealth, agriculture, mineral and commercial—Iowa, even at the com-

mencement of her career, cannot but occupy a position highly favorable to the establishment of her credit; and the maintenance of this credit, under all circumstances, should be a chief object with those intrusted with the administration of her affairs. Should the Legislature coincide with me in the opinion that a sale of the state bonds is the course required by true policy, it will be necessary to authorize the appointment of an agent to conduct the negotiation; but I must repeat my conviction that it would be folly to attempt a sale of such bonds without the adoption of such a course on the part of the State, in advance, as will do away with all doubts which may exist in the minds of capitalists as to the regular payment of the interest.

Under an act of Congress, approved March 3d, 1845, all the lands lying in Iowa, reserved for the use of schools, are granted to the State. The aggregate, in acres, of this grant, in the counties already established by law, is as follows:

	ACRES.
Lee county, (including 3,308 acres granted by the act of August 23, 1842, for the use of the Half-Breed Tract,	9,782
Van Buren county,	8,908
Davis	9,376
Appanoose	10,240
Wayne	10,240
Decatur	10,240
Des Moines	7,349
Henry	7,680
Jefferson	7,680
Wapello,	7,577
Monroe	7,680
Lucas	9,600
Clarke	9,600
Louisa	7,304
Washington	10,240
Keokuk	10,240
Mahaska	10,207
Marion	10,240
Warren	7,680
Madison	10,240
Muscatine	9,024
Scott	8,160
Cedar	10,240
Johnson	10,700

Poweshiek county,	-	-	-	-	-	-	-	-	10,240
Iowa	"	-	-	-	-	-	-	-	10,240
Jasper	"	-	-	-	-	-	-	-	12,800
Polk	"	-	-	-	-	-	-	-	12,800
Dallas	"	-	-	-	-	-	-	-	10,240
Clinton	"	-	-	-	-	-	-	-	12,800
Jackson	"	-	-	-	-	-	-	-	11,220
Jones	"	-	-	-	-	-	-	-	10,240
Linn	"	-	-	-	-	-	-	-	12,800
Benton	"	-	-	-	-	-	-	-	12,800
Tama	"	-	-	-	-	-	-	-	12,800
Marshall	"	.	.	.	.	.	.	.	10,240
Story	"	.	.	.	.	.	.	.	10,240
Boone	"	.	.	.	.	.	.	.	10,240
Dubuque	"	.	.	.	.	.	.	.	11,060
Delaware	"	.	.	.	.	.	.	.	10,240
Buchanan	"	.	.	.	.	.	.	.	10,240
Blackhawk	"	.	.	.	.	.	.	.	10,240
Clayton	"	.	.	.	.	.	.	.	14,000
Fayette	"	.	.	.	.	.	.	.	6,400
Total,	.	.	.	.	.	.	.	.	<u>442,107</u>

The estimated quantity of school land in that portion of the State not yet laid off into counties is 463,048, making a total of 905,155 acres. Add to this the 500,000 to which we will be entitled upon our admission into the Union, and which is appropriated by our Constitution to educational purposes, and we have the magnificent aggregate of 1,405,155 acres. As the care of these lands will devolve upon the Legislature, I cannot omit to recommend the passage of such additional laws as may be necessary to the preservation of their value. By the act of Congress of May 20, 1846, and the act of June 25, 1844, the Secretary of the Treasury of the United States is authorized to cause selections to be made for the townships where the sixteenth section has been, in whole or in part, disposed of; and also for those fractional townships where there is no sixteenth section, or where the sixteenth section is a fractional one, containing a less quantity of land than the township in which it is situated may be entitled to. For some of the townships and fractional townships in Iowa thus situated, the trustees have recommended selections, and in others the Land Officers; while in many no selections

whatever have been recommended, and consequently no lands are reserved. It is understood that their selections have not yet been confirmed by the General Land Office, and as a number of them were made without a personal inspection of the land, and may prove to be of little value, the State could not but be benefitted by authorizing new selections. I would, therefore, recommend that provision be made for effecting this object, as well also as for the immediate location of school lands for those townships where none have been recommended, and where the sixteenth section may have been in whole or in part disposed of.

I cannot but regard the sale of the school lands at present, as of questionable policy; but should it be determined to make an early disposition of them, too much care cannot be taken to avoid an insecure investment of the proceeds arising from their sale. The interest annually accruing from such investment, should constitute the available school fund, and might be distributed to the several counties in proportion to their population. As the grant is intended for the whole people, this is perhaps the only way in which justice can be done; for if each township is to receive only the proceeds of its own sixteenth section, some would be almost entirely excluded from all participation in the benefits of the fund, owing to the inferior character of the land assigned it, while others, with perhaps less population, would receive a large and over proportion. If the sale of the lands be not authorized, a law empowering the school directors of the several townships, or some other organized body, to lease or rent the untimbered portions of them would, it is believed, attended with beneficial effects.

By an act of Congress, approved July 20, 1840, two townships, or seventy-two sections, of land were set apart to the Territory for the use and support of a University, and under the act of March 3, 1845, these lands are given to the State, to be applied to the purposes for which they were originally granted. The selections authorized by this act were to be made under the directions of the Secretary of the Treasury, but no appropriation having been made for the pay of an agent but little has been done towards carrying out the provisions of the law. Although three several persons have been appointed at different periods to make choice of these lands, I know of but two sections which have been regularly selected and returned. These lie in Jefferson county, and are said to be valuable. As it is of manifest importance that further delay in making this grant available should be avoided, I respectfully suggest the passage of an act compensating the present



agent (David Ferguson, Esq., of Van Buren county) for any services which he may perform. Nothing short of such a step, I am satisfied, will enable the State to locate the remaining seventy sections judiciously and at an early day. The government surveys are at present being actively prosecuted in Iowa, and the agent should be prepared to make return of his selections the ensuing spring.

Under an act of Congress, approved August 8, 1846, one equal moiety of all the unsold and unencumbered public lands, in alternate sections, in a distance of five miles on each side of the Des Moines river, is granted to the Territory of Iowa, to aid in the improvement of the navigation of said river, from its mouth to the Raccoon fork; and the lands thus granted are to become the property of the State, for the purposes stated, as soon as it is admitted into the Union, provided the Legislature will declare its formal acceptance of the grant. The lands donated are not to be conveyed or disposed of except as the improvements to which they are applied progress; and are to be selected by an agent or agents appointed by the Governor of the Territory. In accordance with this provision of the law, and after waiting in vain for instructions from the General Land Office, on the eleventh of the present month, I appointed Jesse Williams, of Johnson county, Josiah H. Bonney, of Van Buren county, and Robert Cock, of Wapello county, commissioners to make the contemplated selections. These appointments were made under the belief that it would be necessary, or at least highly advantageous to the State, to make a personal inspection of the country embraced within the grant, but the agents were informed that it was not expected they should proceed to the discharge of the task assigned them until further advised. I communicate to you a letter from the Commissioner of the General Land Office, received since these appointments were made, accompanied by a diagram of the surveyed portion of this grant, from which it will be seen to be the decision of the department that the only step necessary to be taken by the Territory or State is to make choice between the odd and even sections. Should it be thought advisable, under this decision, to dispense with all examination of the land, it will be in the power of the Legislature to do so. The list referred to in this letter as showing the area of all the sections and parts of sections within the grant, was found, upon examination, to be entirely incorrect, and has been returned. Beyond the appointment of commissioners to make the necessary selections, no measures have been adopted towards fulfilling the requirements of the law, and it will remain for the State authorities

to take such further action on the subject as may be found necessary to make the donation available.

That the State will accept of this extensive grant and faithfully apply its proceeds, I cannot entertain a doubt. The Des Moines is known to present fewer obstacles to navigation than any other river within our limits, and its improvement has ever been regarded as an object of the first importance. The practicability of so improving it by locks and dams as to enable reasonably sized steamboats to pass as high up as the Raccoon Fork, a distance of one hundred and fifty miles, has been affirmed by engineers of experience; nor from the regularity of the river, its high banks, rocky bottom, and extremely favorable character generally, is it believed the work would be attended with any very heavy expenditure of money. It is an improvement in which nearly one-half of the people of Iowa are directly interested, as furnishing them with an easy, safe and cheap mode of transit for their vast and increasing surplus productions, and one which, when completed, will greatly add to the population and wealth of the State. The precise extent of the grant cannot be ascertained at present; but I feel warranted in stating, from information derived from the most reliable sources, that it will cover upwards of three hundred thousand acres of the most fertile and valuable land in Iowa.

In order to make these lands available, and at the same time to avoid injustice to a very large class of citizens, who, acting upon the invitation of the Government to settle on the public domain, have made locations which will be embraced within the grant, additional legislation will be necessary. It is estimated that at least two-thirds of the entire donation is occupied and claimed by settlers, many of whom, under the expectation of obtaining a title to their lands from the general Government at the minimum price, have gone on to make extensive and valuable improvements. A change of proprietorship should not, in my opinion, be permitted to place this large and respectable portion of our fellow-citizens in a worse condition in regard to their lands than they are at present, either by increasing the price or shortening the period allowed for payment. In view of all the circumstances, I am inclined to believe that a special pre-emption law, which will give to the claimants the privilege of entering their homes at one dollar and twenty-five cents per acre, will be found the most judicious course for the State, as it doubtless will be the most satisfactory to the settlers. The passage of such a law, or of any law looking to the prosecution of the Des Moines river improvement, must necessarily be followed by the establishment

of a land office, and the appointment of an agent or agents to dispose of the lands.

The period has arrived when a complete revision of the laws of Iowa is on all hands expected. The want of such a code has been felt and acknowledged for years, but it was deemed inexpedient to commence its compilation until after the organization of a State Government. In calling the attention of the Legislature to the subject now, I feel that I need but refer to its importance to insure immediate and favorable action. The confusion which pervades our statute enactments is injurious in its tendencies, and, if permitted to continue, it will be disreputable to the character of the State. Nor will it be an easy task to collect, harmonize and put into proper shape the incongruous legislation of eight years—but a work of time and labor, which should be committed to none but able hands. I cannot but express the hope that, in authorizing such a revision, the State will avail itself of its best legal talent—whether it be deemed advisable to institute a special commission for the purpose, or, as has been done elsewhere, some gentlemen learned in the law be authorized to perform the work, with a guarantee that the State will subscribe and pay a stipulated price for a certain number of copies upon their delivery; in either case the State should prescribe the arrangement and execution of the work in the fullest manner possible.

I regret to inform you that an effort made by me during the past summer to effect such a return of the effective strength of the militia as would enable the State to draw its proper quota of arms, proved entirely unsuccessful. A most unaccountable feeling of indifference pervades the community on this subject, which should, if possible, be overcome. We have a militia law on our statute book, and a semblance of a militia organization, without the reality. The law, for all useful purposes, is a dead letter, and should, it is suggested, be made to give way to one more simple in its provisions, and looking only to such an organization as will secure the State its proportionate share in the distribution of arms and accoutrements annually made by the general Government. The most effective measures are called for at the hands of the Legislature, to guard against future loss to the people in this particular.

Under an act of Congress, passed at the last session, all necessary authority is conferred upon the Supreme Court of the United States to adjudicate the disputed question of boundary existing between Iowa and Missouri. The law was passed in obedience to a memorial of the

territorial Legislature, and was necessary to a determination of the question, while Iowa remained a territory, but, as a State, she needs no such law to become a party to any case which may be agreed upon. I adhere to the belief, expressed in my annual communication to the territorial Legislature a year ago, that true policy requires that this vexatious and long pending question should be submitted to the decision of the Supreme Court, and recommend that all legislative provisions, necessary to the commencement and termination of such suit, be made.

The reports of the Auditor of public accounts and Territorial Treasurer are herewith communicated. The liabilities of the territory are stated by the auditor to be \$20,791 25, and the estimated resources, \$8,167 50—leaving an excess of liabilities, for the payment of which there is no provision, of \$12,623 75. The debt due the Miners' Bank of Dubuque, amounting, principal and interest, to about \$7,000, is understood not to be included in this excess; which added, will show the aggregate of liabilities of the Territory to be 19,628 76. This debt is due chiefly, if not entirely, to our own citizens, whose interests will demand consideration at your hands.

The law of last session for leasing the Penitentiary is defective in not requiring the lessee to submit an annual report. In the absence of information from the proper source, I am only able to state that during the past year the number of convicts has varied from six to two, the latter being the number at present in confinement. The leasing system, whatever may have been its success elsewhere, in the opinion of those who have had the best opportunities of judging, has proved a failure, and should be abandoned. The State owes it to itself to assume the management of the prison, and to prescribe and enforce a rigid system of prison discipline. At present there is no discipline whatever; the convicts are more frequently employed without than within the walls of the Penitentiary, and can easily make their escape when disposed to do so.

Within the past year treaties have been concluded with the Winnebago and Pottawatomie Indians, by which all the lands owned by these tribes lying within Iowa are ceded to the United States. The country acquired from the Winnebagoes constitutes what is known as the "Neutral Ground," a strip of land forty miles in width, extending from the Mississippi to the Des Moines, and embraces about four million of acres of choice and valuable land. The Pottawatomie purchase, greater in extent than the "Neutral Ground" by about a million of acres, lies on the Missouri river, and is also valuable. By these treaties the

government acquires the title to all the Indian lands remaining in the State; and we may expect at an early day to be entirely relieved of our Indian population. The occurrence of this event will be the signal for a rush of immigration to the newly acquired lands which must materially augment the population and wealth of the State.

The discharge of the Executive duties, under the constitution, will shortly devolve upon another, recently chosen by the people, of whose disposition to co-operate with the General Assembly in all things calculated to advance the interests of the State, I feel fully assured. That your joint labors may be characterized by harmony, and that a wise, pure and economical administration of the government may be secured to the people, is my sincere wish.

JAMES CLARKE.

Iowa City, December 2d, 1846.

Mr. Hughes offered the following resolution:

Resolved, That 1,500 copies of the Governor's Message, together with the accompanying documents, be printed for the use of the Senate.

Mr. Bradley moved to amend by striking out 1,500 and inserting 2,000.

Mr. Springer called for a division of the question,

Which was had,

And the question being on the motion to strike out 1,500,

It was decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Bradley, Davis, Harbour, Hughes, Selman, Springer, Sprott, Whitaker, and Mr. President—9.

NAYS—Messrs. Benton, Bissell, Brown, Browning, Crawford, Fullenwider, Huner, Jay, Sanford, and Wheeler—10.

The question was then taken and the resolution adopted by yeas and nays as follows:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullenwider, Harbour, Hughes, Huner, Selman, Wheeler, and Mr. President—14.

NAYS—Messrs. Jay, Sanford, Springer, Sprott, and Whitaker—5.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Sanford,

Resolved, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House, for the purpose of preparing the necessary rules to regulate the intercourse of the two Houses. [See Appendix.]

Messrs. Sanford, Browning, and Huner, were appointed said committee.

Mr. Bradley offered the following resolution :

Resolved, That the Secretary of the Senate be authorized to make arrangements with the Postmaster at Iowa City, for the payment of postage on letters and newspapers to and from the members of the Senate during the present session.

On motion,

Laid on the table.

A committee from the House of Representatives was announced, who informed the Senate that the House is now in readiness to receive the Senate for the purpose of canvassing the vote for Governor of the State of Iowa.

On motion,

Resolved, That the Senate repair, immediately to the Hall of the House of Representatives for the purpose of canvassing the vote given for Governor.

In pursuance of which resolution, the Senate, preceded by its President and principal officers, repaired to the Hall of the House of Representatives, and took seats within the bar. The Speaker of the House appointed Messrs. Benton and Browning tellers. The returns of the several counties were canvassed, and it appearing that Ansel Briggs had received a majority of all the votes cast, was declared duly elected Governor of the State of Iowa.

The Senate then withdrew to its own chamber.

On motion,

Adjourned till 9 o'clock to-morrow morning.

THURSDAY MORNING, DECEMBER 3, 1846.

Senate met pursuant to adjournment.

On motion of Mr. Sprott,

Resolved, That the Secretary be authorized to furnish each member of the Senate one copy of the Journal of the Convention for the formation of the Constitution, containing that instrument.

On motion of Mr. Crawford,

Resolved, That the Secretary furnish each member of the Senate with twenty copies, weekly, of such newspaper published in this city, as he may direct.

Mr. Springer from the committee to prepare standing rules for the government of the Senate, submitted a report, which, after amendment was adopted. and

On motion,

Ordered. That forty copies of the same be printed for the use of the Senate.

A committee from the House of Representatives was announced, who informed the Senate that a committee had been appointed by that body to act in conjunction with the committee of the Senate, to wait upon the Governor elect, ANSEL BRIGGS, and inform him that they were in readiness for the proper administration of the oath to him as Governor of the state of Iowa.

On motion,

Ordered, That a committee of two be appointed to act in conjunction with the committee of the House; whereupon

Messrs. Bradley and Benton were appointed said committee.

On motion,

Resolved, That the Senate now proceed to the Hall of the House of Representatives to witness the inauguration of His Excellency Gov. BRIGGS;

In obedience to which, the Senate, preceded by the President and its principal officers, repaired to the Hall of the House of Representatives and took seats within the bar of the same. In a short time the Governor elect was announced, and received, all rising to their feet. His conductors escorted him to the Speaker's chair, when the oath of office was administered to him by Chief Justice MASON;

After which the following Inaugural Address was delivered:

*Gentlemen of the Senate*

*and of the House of Representatives:*

Having been called by the suffrages of my fellow citizens, to the Executive office of the State of Iowa, I enter upon the discharge of its duties with a profound sense of gratitude for this manifestation of public confidence. From my want of experience in the affairs of civil administration, I must naturally feel a great degree of embarrassment in my present position; but that feeling will be greatly lessened from the hope and belief which I entertain, that in your character of representatives of an enlightened constituency, you will kindly extend to me your aid and indulgence.

The circumstances under which you assemble, are to us of a novel, interesting and important character. We have passed from a dependent Territory to an independent and sovereign State, and it is a subject of congratulation that we shall no longer be denied the blessings and privileges consequent upon this great change.

Our constitution is one which does honor to the character and intelligence of our infant State; and we need apprehend no difficulty in the way of our full admission into the Federal Union, so soon as the simple form of its presentation in the Congress of the United States is complied with.

Having a country unsurpassed in beauty and fertility, and which is rapidly filling up with an intelligent and enterprising people, we bid fair in a very short time, to take a most enviable position among our sister states. But, gentlemen, it much depends upon your action at this first session of our Legislature, whether we shall advance to that position by rapid strides, or for years be left to "draw our slow length along." If you proceed with that calmness and caution, that fervent desire for the happiness and welfare of our country, which should, and doubtless will, characterize your deliberations, all will be well; but if, unhappily, from any cause, the utmost care is not taken to guard against hasty and unnecessary legislation, lasting evils may be entailed upon our institutions.

Having only within the last four days had notice of my election, and not being in possession, and having no opportunity of access to any data by which to be guided, it cannot be expected that I will, at this time, attempt to call your attention to any specific subjects of legislation. Indeed, it is now rendered altogether unnecessary, as His Excellency,



the Governor of the Territory, has done this in his able communication of yesterday, to the two houses of the General Assembly.

You will have the constitution before you, gentlemen, which points out all subjects of immediate legislation that will be necessary to set the State Government in motion; and I shall as it may become necessary in the progress of your labors, make you further communications.

In conclusion, gentlemen, permit me to assure you, that in all your efforts which are directed to the advancement and prosperity of our State, you shall have my hearty co-operation, trusting that if we place a proper reliance on the Supreme Being who rules and governs all nations, our labors at this first and most important session of the Legislature, will redound to the honor and happiness of our fellow citizens.

ANSEL BRIGGS.

Iowa City, Dec. 3, 1846.

The Senate then, in the same order withdrew and returned to its Chamber.

The President announced the standing committees of the Senate as follows:

*On Ways and Means*—Messrs. Huner, Whittaker, Wheeler, Jay and Crawford.

*On the Judiciary*—Messrs. Bissell, Bradley, Browning, Springer and Benton.

*On Federal Relations*—Bradley, Sprott, Sanford, Hughes and Selman.

*On Internal Improvements*—Messrs. Davis, Harbour, Sprott, Wheeler and Whittaker.

*On Military Affairs*—Messrs. Sprott, Brown, Crawford, Davis and Fullinwider.

*On Schools*—Messrs. Benton, Browning, Sanford, Huner and Bissell.

*On Roads*—Messrs. Whittaker, Fullinwider, Harbour, Selman and Wheeler.

*On Public Buildings*—Messrs. Harbour, Huner, Sanford, Crawford and Springer.

*On Elections*—Messrs. Brown, Browning, Jay, Benton, and Bradley.

*On Engrossed Bills*—Messrs. Hughes and Whitaker.

*On County Boundaries*—Messrs. Harbour, Jay, Selman, Bradley and Crawford.

*On Claims*—Messrs. Crawford; Fullinwider, Hughes, Springer and Davis.

*On Agriculture*—Messrs. Selman, Huner, Jay, Bissell and Whitaker.

*On Incorporations*—Messrs. Hughes, Benton, Bradley, Springer and Browning.

*On Enrolled Bills*—Messrs. Sanford and Wheeler.

*On New Counties*—Messrs. Davis, Harbour, Whitaker, Brown and Fullinwider.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sanford gave notice that he would, on some future day, ask leave to introduce a joint resolution to accept the appropriation of lands made by an act of Congress, approved August 8th, 1846, to aid in the improvement of the navigation of the Des Moines river.

On motion,

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

---

FRIDAY MORNING, DECEMBER 4, 1846.

Senate met pursuant to adjournment.

On motion of Mr. Jay,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill providing for the qualification of the clerks of the district courts elected by the people at the late election, so that they may enter as soon as may be upon the duties of their respective offices.

A message from the House of Representatives by Mr. Hudson, chief clerk:

*Mr. President:*

I am directed to inform the Senate that the House have appointed

Messrs. Matson, Hebard and Holland a committee on the part of the House, to act with a similar committee to be appointed by the Senate, to prepare the necessary rules for the government of the intercourse between the two Houses.

Mr. Jay offered the following resolution :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill providing for the revision of the laws of the State by a board of commissioners.

On motion of Mr. Mr. Sprott,

Laid on the table.

On motion of Mr. Selman,

Resolved, That the Senate now proceed to the classification of its members in the manner prescribed by the constitution.

Resolved, further, That there be nine tickets prepared, with the number four written thereon, and that there be ten tickets prepared, with the number two written thereon ; that a number two ticket and a number four ticket shall be placed in a hat or box with any number of blank tickets ; that the members from the county of Lee shall draw alternately until one or the other shall draw a ticket with a number thereon, which shall determine his term of office, and the other numbered ticket remaining in the hat or box shall determine the term of office of the other ;

The members from the county of Van Buren shall determine their respective terms of office in the same manner ;

The members from the county of Des Moines, in the same manner ;

The members from the district composed of the counties of Dubuque, &c., in the same manner ;

The members from the counties of Henry and Jefferson, in the same manner ;

The members from the counties of Davis and Appanoose, and Wapello and Monroe, in the same manner ;

The members from the counties of Mahaska and Keokuk, and Marion, Polk, Dallas and Jasper, in the same manner ;

The members from the counties of Louisa and Washington, and Muscatine and Johnson, in the same manner ;

The members from the counties of Scott and Clinton, and Cedar, Linn and Benton, in the same manner ;

And the member from the counties of Jackson and Jones shall draw from a hat or box containing a number two and number four ticket, and

his term of office shall be determined by the number which he shall first draw.

In accordance with said resolution the members proceeded to draw, and their lots fell as follows :

Jacob Huner, of Lee,	drew 2 years.
James Sprott, " "	" 4 "
John F. Sanford, of Van Buren,	" 4 "
John M. Whitaker, of "	" 2 "
M. D. Browning, of Des Moines,	" 4 "
Samuel Fullinwider, of "	" 2 "
Theophilus Crawford, of Dubuque,	" 4 "
Thomas H. Benton, of "	" 2 "
Evan Jay, of Henry,	" 4 "
Robert Brown, of Jefferson,	" 2 "
John Selman, of Davis,	" 2 "
James Davis, of Wapello,	" 4 "
R. R. Harbour, of Mahaska,	" 4 "
Thomas Baker, of Polk,	" 2 "
Francis Springer, of Louisa,	" 4 "
Thomas Hughes, of Johnson,	" 2 "
Loring Wheeler, of Clinton,	" 4 "
S. A. Bissell, of Cedar,	" 2 "
P. B. Bradley, of Jackson,	" 4 "

On motion of Mr, Sprott,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of bringing in a bill, at as early a day as practicable, providing for the qualification of the Auditor, Treasurer and Secretary elect, in order that they may proceed to discharge the duties of their respective offices.

Mr. Browning, on leave, introduced

Senate file, No. 1, joint resolution, authorizing the Secretary of State to effect a loan to defray postage, and for other purposes,

Which was read a first and second time.

Mr. Springer moved to amend, by adding :

*Provided*, The rate of interest shall not exceed six per cent.

Lost.

On motion of Mr. Bradley,

The 13th rule was suspended, and the joint resolution read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Davis,

Resolved that the ex-Governors of Iowa Territory be invited to take seats within the bar of the Senate at pleasure, and that the Sergeant-at-Arms provide them with seats.

Mr. Fullinwider offered the following resolution:

Resolved, That the Rev. Mr. Woods have the use of the Senate chamber each Sabbath during the present session for religious services.

Mr. Bradley offered the following, as a substitute:

Resolved, That the Senate chamber shall be open to all denominations for public worship on Sundays during the present session of the Legislature.

On motion of Mr. Benton,

Said resolution and substitute were laid on the table.

Mr. Benton offered the following resolution:

Resolved, That the Secretary of the Senate be instructed to have two thousand five hundred copies of the Inaugural Address of his Excellency, Governor Briggs, printed for the use of the General Assembly of the State of Iowa.

Mr. Jay moved to amend by striking out two thousand, and inserting five hundred.

Mr. Springer moved the indefinite postponement of said resolution.

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Fullinwider, Harbour, Jay, Sanford, Springer, Sprout and Wheeler—8.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Huner, Selman and Mr. President—11.

Mr. Bradley called for a division of the question, and the question recurring on striking out, was decided in the affirmative.

Mr. Hughes moved to fill the blank by inserting one thousand five hundred, and the resolution was so amended and adopted.

On motion,

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

---

SATURDAY MORNING, DECEMBER 5, 1846.

Senate met pursuant to adjournment.

Mr. Jay offered the following resolution :

Resolved, That the Auditor of Public Accounts be instructed to inquire into and report to the Senate, at as early a day as practicable, the amount of Territorial tax assessed, with the amount paid in by the several counties of this State for the last three fiscal years, together with an abstract of all the audited liabilities of the State of Iowa.

Adopted.

Mr. Sanford, from the Joint Committee on Joint Rules, made a report, which was,

On motion,

Adopted. [For report see Appendix.]

Mr. Davis, on leave, introduced the following resolution :

Resolved, That the Committee on Internal Improvements be instructed to report a bill to the Senate, at an early day, granting pre-emption rights, at one dollar and twenty-five cents per acre, to all persons claiming lands within the limits of the donation to the Territory of Iowa for the improvement of the Des Moines river, approved August 8th, 1846, granting one equal moiety of all the unsold and unencumbered public lands, in alternate sections, in a district of five miles on each side of the Des Moines river.

Mr. Whitaker gave notice that he would, at some future day, ask leave to introduce a bill prescribing the general duties of the Auditor, Treasurer, and Secretary of State.

On motion of Mr. Whitaker,

Resolved, That the Secretary of State furnish each member of the

Senate with a copy of the Revised Statutes of 1843, also with copies of the laws of 1844, '5 and '6, if the same should be in his office; the said laws to be returned at the termination of the present session.

On motion,

The Senate adjourned until 10 o'clock on Monday morning.

---

MONDAY MORNING, DECEMBER 7, 1846.

Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Hudson, their chief clerk:

*Mr. President—*

I am directed to inform the Senate that the House have passed, without amendment,

No. 1, Senate file, Joint Resolution authorizing the Secretary of State to effect a loan, and for other purposes.

Also,

That the House have agreed to the report of the committee on joint rules for the government of the intercourse of the two houses.

On motion of Mr. Sanford,

Resolved, That His Excellency, Gov. Briggs, be requested to communicate to the Senate all the necessary information respecting the southern boundary of this State, and whether any steps have been taken in accordance with an act of the Territorial Legislature, authorizing the employment of counsel to conduct the necessary proceedings in relation to the matter in the Supreme Court of the United States.

On motion of Mr. Davis,

Resolved, That the chair appoint a select committee of seven to report a bill to the Senate, dividing the State into two Congressional districts, so as to include, as nearly as can be done, an equal portion of territory and an equal portion of the population of the State in each district, and that the vote given in August last for and against the Constitution, be taken as the basis in dividing the population.

The President appointed Messrs. Davis, Benton, Wheeler, Whitaker, Sprott, Browning, and Harbour, said committee.

Mr. Selman, on leave, presented the petition of sundry citizens of Van Buren and Davis counties, praying the re-location of part of the Territorial road leading from Keosauqua to Bloomfield;

Which was read, and,

On motion,

Referred to the Committee on Roads.

On motion of Mr. Springer,

The message of James Clarke, Governor of Iowa, was taken up, and

On motion of Mr. Springer,

Ordered, That so much of said message as relates to revenue, be referred to the Committee on Ways and Means.

On motion of Mr. Hughes,

Ordered, That so much of said message as relates to schools and school lands, be referred to the Committee on Schools.

On motion of Mr. Davis,

Ordered, That so much of said message as relates to public lands, be referred to the Committee on Internal Improvements.

On motion of Mr. Sanford,

Ordered, That so much of said message as relates to the revision of the laws, be referred to the Committee on the Judiciary.

On motion of Mr. Bradley,

Ordered, That so much of said message as relates to military affairs, be referred to the Committee on the Militia.

On motion of Mr. Jay,

Ordered, That so much of said message as relates to our southern boundary, be referred to the Committee on Federal Relations.

On motion of Mr. Benton,

Ordered, That so much of said message as relates to the liabilities of the State, be referred to the Committee on Ways and Means.

On motion of Mr. Crawford,

Ordered, That so much of said message as relates to the Penitentiary, be referred to the Committee on Public Buildings.

Message from the House of Representatives by Mr. Hudson, their chief clerk:

*Mr. President—*

I am directed to inform the Senate that the House have passed, House resolution No. 1, providing for the election of Supreme Judges and U. S. Senators.



Which was read a first time, when,  
On motion,  
The Senate adjourned till 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Hughes,  
House resolution No. 1, providing for the election of Supreme Judges and U. S. Senators, was read a second time, and on his motion, all that part which relates to the election of Supreme Judges was stricken out.

On motion of Mr. Benton,  
Said resolution was amended by striking out 11th and inserting 10th. Mr. Hughes moved that the 13th rule be suspended and the resolution be now read a third time.

Lost.

On motion of Mr. Bradley,  
Ordered, That said resolution be read a third time to-morrow.

On motion,  
The Senate adjourned till 10 o'clock to-morrow morning.

---

## TUESDAY MORNING, DECEMBER 8, 1846.

Senate met pursuant to adjournment.

Mr. Hughes, from the Committee on Engrossed Bills reported, as correctly engrossed,

Senate file, No. 1, Joint Resolution authorizing the Secretary of State to effect a loan, and for other purposes.

H. R. file, No. 1, Resolution relative to the election of United States' Senators, as amended,

Was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Brown, on leave, introduced,

Senate file, No. 2, A bill to amend the act of the Territorial Legislature, entitled "An act for the organization of townships," approved 17th February, 1842;

Which was read a first and second time, and

On motion of Mr. Bradley,

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

On motion,

The Senate adjourned until 2 o'clock, P. M.

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Fullinwider gave notice that he would, on a future day, ask leave to introduce,

A bill to provide for the election of a Superintendent of Public Instruction, and define his duties.

Mr. Springer moved to reconsider the vote of this morning on a bill to amend "An act for the organization of townships," approved Feb. 17th, 1842, ordering said bill to be engrossed and read a third time on to-morrow.

Which was agreed to.

Said bill was amended, on his motion, by striking out the word "there," in the 6th line, and inserting "any;" by striking out the words "on the first Monday of January next," and inserting "as early as practicable;" by striking out, in the 19th line, the word "first," and inserting "any;" to the second section add "saving the enacting clause."

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion,

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

WEDNESDAY MORNING, DECEMBER 9, 1846.

Senate met pursuant to adjournment.

Mr. Springer presented the petition of sundry citizens of Louisa county, praying the establishment of a road therein named.

On motion,

Laid on the table.

Mr. Springer gave notice that he would, on a subsequent day, ask leave to introduce a bill in relation to the admission of the State of Iowa into the Union.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed,

Senate file, No. 2: A bill to amend the act of the Territorial Legislature, entitled "An act for the organization of townships," approved 17th January, 1842,

Which was read a first and second time.

On motion of Mr. Browning,

Said bill was referred to a select committee.

Messrs Browning, Brown and Whitaker were appointed said committee.

Mr. Browning, from said committee, reported the same back to the Senate, with amendments, which were concurred in.

On motion of Mr. Whitaker,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Jay offered the following resolution :

Resolved, that the Committee on the Judiciary be instructed to report, at as early a day as practicable, their views as to the expediency of a revision of the laws.

Mr. Davis moved to amend by striking out "at as early a day as practicable," and inserting "to-morrow,"

Which was agreed to, and the resolution, as amended, was adopted.

Message from the House of Representative, by Mr. Hudson, chief clerk :

*Mr. President—*

I am instructed to inform the Senate that the House have passed

H. R. file, No. 1: A bill for an act staying the school fund in the hands of the holders thereof,

In which the concurrence of the Senate is requested.

I herewith return you

Senate file, No. 1: Joint resolution authorizing the Secretary of State to effect a loan to defray postage, and for other purposes.

The same having been signed by the Speaker. Also,

House resolution, providing for the election of United States Senators, the House having disagreed to the Senate amendments made thereto.

House file, No. 1: A bill for an act staying the school funds in the hands of the holders thereof,

Was read a first time.

On motion of Mr. Davis,

Resolved, That the Senate insist on its amendment to House file, No. 1: Resolution relative to the election of United States Senators.

Ordered, That the Secretary notify the House accordingly.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sanford, in accordance with previous notice, introduced Senate file, No. 2: Joint resolution accepting the grant of land for the improvement of the navigation of the Des Moines river,

Which was read a first time.

On motion,

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

THURSDAY MORNING, DECEMBER 10, 1846.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President:*

The House have passed,

H. R. file, No. 2, A bill for an act to authorize Elizabeth Blackwell to convey certain property therein named; also,

H. R. file, No. 3, A bill for an act to divide the county of Clinton into county commissioners' districts.

In which the concurrence of the Senate is requested.

I am also directed to inform the Senate that the House refuse to recede from their disagreement to Senate amendment to House resolution, providing for the election of United States' Senators, and have appointed Messrs. Cochran and Sells a committee of conference in relation thereto.

On motion of Mr. Davis,

Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of establishing by law, the office of State Engineer, with leave to report by bill or otherwise.

On motion of Mr. Brown,

Resolved, That a special committee of five be appointed by the chair, with instructions to report, at an early day, a division of the State into Judicial Districts, and that they be instructed to report by bill or otherwise.

Messrs. Brown, Bradley, Davis, Bissell, and Browning, were appointed said committee.

Mr. Bissell, from the Committee on the Judiciary, asked until to-morrow morning to report their views as to the expediency of a revision of the laws.

Granted.

H. R. file, No. 1, An act staying the school fund in the hands of the holders thereof;

Was read a second time.

Mr. Jay moved to refer to a select committee.

Lost.

Mr. Harbour moved to amend by striking out, in the third section, the word "State," and insert "city."

Agreed to.

Said bill was then ordered to a third reading; and,

On motion of Mr. Hughes,

The thirteenth rule was suspended, said bill read a third time, passed and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 3, Joint Resolution accepting of the grant of land for the improvement of the navigation of the Des Moines river;

Was read a second time, and,

On motion of Mr. Sanford,

Referred to a select committee.

Messrs. Sanford, Davis, and Crawford, were appointed said committee.

H. R. file, No. 2, A bill for an act to authorize Elizabeth Blackwell to sell certain property therein named;

Was read a first time.

H. R. file, No. 3, A bill to divide the county of Clinton into county commissioners' districts;

Was read a first time.

Mr. Bradley moved the appointment of a committee of conference on the part of the Senate, on the disagreeing vote between the two Houses, on H. R. file, No. 1, Resolution relative to the election of U. S. Senators.

Agreed to.

Messrs. Bradley and Selman were appointed said committee.

Mr. Springer, in pursuance of previous notice, introduced, Senate file, No. 4, A bill in relation to the admission of the State of Iowa into the Union.

Which was read a first time.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Bradley, from the committee on conference on the disagreeing

vote between the two houses on the resolution relative to the election of U. S. Senators, reported that they had performed the duty assigned them, and that the committee could not agree.

On motion of Mr. Davis,  
Said committee was discharged.

On motion,  
The Senate adjourned until to-morrow morning 10 o'clock.

---

FRIDAY MORNING, DECEMBER 11, 1846.

Senate met pursuant to adjournment.

Mr. Bissell, from the Committee on the Judiciary, made the following Report :

The Committee on the Judiciary, in accordance with the instructions of the Senate, have authorized me to make the following

R E P O R T :

Your committee are of opinion that a revision of the laws is highly necessary, and that it would be both politic and expedient for the General Assembly, at its present session, to appoint a committee of ———, whose duty it should be to revise and harmonize the laws now in force, and draft such further laws as may be necessary to make our civil and criminal code as perfect as may be, and report the same to the General Assembly on or by the ——— day of ———, by bill.

S. A. BISSELL.

On motion of Mr. Springer,  
Said report was laid on the table.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to his Excellency, Governor Briggs, for his approval,

Joint resolution authorizing the Secretary of State to effect a loan to defray postage, and for other purposes.

The President laid before the Senate a communication from his Excellency, Governor Briggs, made in compliance with a resolution of

the Senate asking for information in relation to the matter in dispute between Missouri and Iowa territory, touching the southern boundary of the State of Iowa, which was read, and,

On motion of Mr. Brown,

Referred to the Committee on Federal Relations. [See Appendix.]

H. R. file, No. 2: Bill for an act to authorize Elizabeth Blackwell to sell certain property therein named,

Was read a second time, and,

On motion of Mr. Davis,

Said bill was referred to the Committee on the Judiciary.

H. R. file, No. 3: A bill to divide the county of Clinton into County Commissioners' Districts,

Was read a second time, and,

On motion of Mr. Browning,

Said bill was referred to the Committee on County Boundaries.

Senate file, No. 4: A bill in relation to the admission of the State of Iowa into the Union,

Was read a second time, and,

On motion of Mr. Springer,

Said bill was referred to the Committee on Federal Relations.

On motion of Mr. Hughes,

Resolved, That, as the Assistant Secretary elected by this House has failed to perform his duties, by absenting himself without leave of the Senate, the office is hereby declared vacant, and that the Senate proceed to fill the office immediately, by a new election.

Mr. Selman moved a call of the House, which was had,

When it appeared that Messrs. Huner and Sprott were absent.

On motion of Mr. Bradley,

Mr. Sprott was excused from attendance, and the absent member appearing, the further call of the Senate was, on motion, dispensed with.

The Senate then proceeded to the choice of of an Assistant Secretary.

Mr. Bradley nominated James W. Woods.

Mr. Hughes nominated William H. Turner.

Mr. Harbour nominated Samuel James.

Those who voted for Mr. Woods were:

Messrs. Bissell, Bradley, Browning, Crawford, Davis, Huner, Jay, Selman, Sanford, Springer, Wheeler and Whitaker—12.

Those who voted for Mr. Turner were:

Messrs. Benton, Brown, Fullinwider and Hughes—3.



Those who voted for Mr. James were :

Mr. Harbour and Mr. President—2.

Mr. Woods havin received a majority of the Senate, was declared duly elected Assistant Secretary—was sworn into office, and entered upon the discharge of its duties.

Mr. Bissell moved that the Senate adjourn until Monday morning.

Lost.

On motion,

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

### SATURDAY MORNING, DECEMBER 12, 1846.

Senate met pursuant to adjournment.

Mr. Bradley offered the following resolution :

Resolved, That the Senate (the House of Representatives concurring) will proceed to the Hall of the House of Representatives, on Tuesday next, at half past ten o'clock, for the purpose of electing the following officers: First—two Senators to the Senate of the United States: Second—one Chief Justice and two Associate Justices of the Supreme Court of Iowa.

Which was,

On motion of Mr. Benton,

Laid on the table.

Mr. Bissell, from the Committee on the Judiciary, made the following

#### R E P O R T :

The Committee on the Judiciary have instructed me to report to the Senate, that they have had under consideration,

H. R. file, No. 2, A bill for an act to authorize Elizabeth Blackwell to sell certain property therein named,

And that your committee are of opinion that the General Assembly have not the power to change the trust, relation, or estate fixed by law between Caroline Blackwell and Elizabeth Blackwell, and have not the power to give to the said Elizabeth Blackwell any greater interests or

title than she now has, as the *cesti qui* use of Caroline Blackwell; and further, that no authority given to the said Elizabeth to sell and convey could divest the trustee, viz: Elizabeth Blackwell, of the legal title to said property.

Which was read, and,

On motion of Mr. Hughes,

Laid on the table until Monday next.

Mr. Sanford, from the select committee to which was referred,

Senate file, No. 3, Joint Resolution accepting the grant of land for the improvement of the navigation of the Des Moines river;

Reported the same back with amendments, and,

On motion of Mr. Benton,

Said report was laid on the table.

Mr. Selman, on leave, introduced the following resolution:

Resolved, That all bills introduced into the Senate, be printed for the use of the members of the Legislative Assembly, previous to the third reading thereof, unless otherwise ordered by the Senate.

Which was,

On motion of Mr. Browning,

Laid on the table.

On motion of Mr. Davis,

Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of erecting, by law, a land office, at some convenient place within the limits of the donation granted to Iowa for the improvement of the Des Moines river, with leave to report by bill or otherwise.

On motion,

The Senate adjourned until 10 o'clock on Monday morning.

---

MONDAY MORNING, DECEMBER 14, 1846,

Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Hudson, their chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 2: Joint resolution authorizing the Secretary of State to procure a State seal;

H. R. file, No. 6; A bill for an act repealing an act to authorize Joel C. Walker to transcribe the records of the district court of Lee county; also,

H. R. file, No. 3: Joint resolution providing for the election of a Chief Justice, two Associate Justices, and two United States Senators, in which the concurrence of the Senate is requested.

Mr. Baker presented the petition of forty-seven citizens of Polk and Marion counties, asking the establishment of a territorial road.

Read and referred to the Committee on Roads.

Also, the petition of sundry citizens of Dallas county for the organization of said county.

Referred to the Committee on New Counties.

On motion of Mr. Baker,

Resolved, That the standing Committee on County Boundaries be instructed to inquire into the expediency of organizing a new county in what is called the "Pottawatamie purchase," on the Missouri river, in this State, and that said committee have leave to report by bill, or otherwise.

Mr. Baker offered the following:

Resolved, That the Senate will proceed to the Hall of the House of Representatives, for the purpose of electing the following officers: First, Two United States' Senators to represent the State of Iowa in the Congress of the United States; and, Second, One Chief Justice and two Associate Justices of the Supreme Court of the State of Iowa, at two o'clock, P. M., of any day which may be appointed for that purpose by the House of Representatives, by said House giving the Senate two days' previous notice of the same.

Mr. Brown moved to strike out "one Chief Justice and two Associate Justices of the Supreme Court of the State of Iowa."

Which was carried, and the resolution, as amended, was adopted.

Ordered, That the Secretary notify the House accordingly.

Mr. Harbour, from the Committee on County Boundaries, to whom was referred

H. R. file, No. 3: A bill to divide the county of Clinton into County Commissioners' Districts,

Reported the same back to the Senate, without amendment.

H. R. file, No. 2: Joint resolution authorizing the Secretary of State to procure a State seal;

H. R. file, No. 6: A bill for an act authorizing the clerk of the district court for the county of Lee to transcribe the records of said court, approved January 13th, 1846,

Were read a first time.

H. R. file, No. 3: Joint resolution providing for the election of a Chief Justice, two Associate Justices, and two Senators,

Was read a first and second time.

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

Upon this question the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Brown, Davis, Harbour, Hughes, Selman, Whitaker and Mr. President—9.

NAYS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

So the resolution was laid upon the table.

On motion,

The report of the Committee on the Judiciary, on

H. R. file, No. 2: Bill for an act to authorize Blackwell to sell certain property, together with said bill,

Were taken from the table, and,

On motion of Mr. Hughes,

The report was adopted, and, on his motion, said bill was indefinitely postponed.

Ordered, That the Secretary notify the House accordingly.

Mr. Baker, on leave, introduced

Senate file, No. 5, Joint Resolution relative to the revision of the laws.

Which was read a first and second time, and,

On motion of Mr. Bradley,

Said resolution was laid on the table.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Hudson, their chief clerk:

*Mr. President—*

I herewith present for your signature,

H. R. file, No. 1, An act staying the school fund in the hands of the holders thereof;

The same having been signed by the Speaker of the House.

Mr. Bradley offered the following resolution :

Resolved by the Senate, (the House concurring,) That the Senate will proceed to the Hall of the House of Representatives for the purpose of electing one Chief Justice and two Associate Justices of the Supreme Court for the State of Iowa, so soon after the election of Senators as the House of Representatives may agree upon.

Mr. Browning moved to lay said resolution on the table.

Lost.

The question recurring on said resolution, it was adopted.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Sanford,

Senate file, No. 3, Joint Resolution accepting the grant of land for the improvement of the navigation of the Des Moines river ;

Was taken from the table.

Mr. Browning moved to amend by striking out the words "does or," in the second resolution.

Pending which,

On motion of Mr. Browning,

Said resolution was laid on the table.

Mr. Davis, on leave, introduced,

Senate file, No. 6, Joint Resolution in relation to the Mexican war.

Which was read a first time.

On motion,

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

TUESDAY MORNING, DECEMBER 15, 1846.

Senate met pursuant to adjournment.

Mr. Browning offered the following resolution :

Resolved by the Senate, (the House concurring,) That the Legislative Assembly of the State of Iowa, will adjourn on Saturday the 19th inst., until Monday the 4th of January, 1847; and that the per diem of all the members and officers of said Legislative Assembly shall cease from and after the day of said adjournment, until they shall again assemble.

The yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Bissell, Bradley, Brown, Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott, Wheeler, Whitaker, and Mr. President—14.

NAYS—Messrs. Benton, Davis, and Selman—3.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

The House have passed the following :

WHEREAS, by a resolution officially communicated to this body, the Senate has notified the House of Representatives that they will proceed to the Hall of said House, for the purpose of electing two Senators to represent the State of Iowa in the Congress of the United States, at 2 o'clock, P. M., of any day by said House appointed for that purpose, by receiving to days previous notice of the day fixed.

AND WHEREAS, it is, in the opinion of this House, important that the election of Judges of the Supreme Court take place previous to or at the same time with that of Senators to Congress ;

Therefore,

Resolved, That the House of Representatives will be prepared to receive the Senate, on Thursday the 17th instant, at two o'clock, P. M., for the purpose of electing a Chief Justice and two Associate Justices of the Supreme Court of the State of Iowa, and two Senators to represent the State of Iowa in the Congress of the United States, and that they be elected at one and the same time ;

In which the concurrence of the Senate is requested.

Mr. Davis offered the following resolution :

Resolved, That the Senate will take no further action in relation to the election of Senators to the Congress of the United States, nor Judges of the Supreme Court of the State, until after the second Monday of January, 1847.

Mr. Springer, moved that the resolution be laid upon the table until to-morrow.

Lost.

The question then recurring on the adoption of the resolution :

The yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Davis, Harbour, Selman, Whitaker, and Mr. President—9.

NAYS—Messrs. Browning, Fullinwider, Hughes, Huner, Jay, Sanford, Springer, Sprott, and Wheeler—9.

So the resolution was lost.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Brown, from the select committee to which was referred the resolution relative to the division of the State into Judicial Districts, reported

Senate file, No. 7, A bill to divide the State into Judicial Districts.

Which was read a first and second time, and,

On motion of Mr. Springer,

Ordered, That the requisite number of copies be printed.

H. R. file, No. 3, A bill to divide the county of Clinton into county commissioners' districts,

Was read a second time, and,

On motion of Mr. Davis,

Recommitted to the Committee on County Boundaries, with instructions to report a general bill, under which new counties, as well as those to be established, shall be districted.

H. R. file, No. 2, Joint Resolution authorizing the Secretary of State to procure a State seal,

Was read a second time.

Mr. Hughes moved to amend by striking out the word "next," and inserting "present;" and striking out "this" before State, and inserting "the," and adding "of Iowa."

Agreed to.

On motion of Mr. Benton,

Said resolution was referred to a select committee, composed of Messrs. Bentod, Springer and Bradley.

H. R. file, No. 6, A bill for an act to authorize the clerk of the district court of Lee county to transcribe the records of said court, &c., approved January 15th, 1846.

Was read a second time, and,

On motion of Mr. Bradley,

Ordered to be read a third time to-morrow.

Senate file, No. 6, Joint Resolution in relation to the Mexican war.

Was read a second time.

Mr. Browning moved to refer the Preamble to the standing committee on Military Affairs.

Mr. Springer moved to lay said resolution on the table, and make it the special order of the day for the first Wednesday in January next.

Lost.

Mr. Browning moved that it be made the special order of the Senate on the eighth of January next.

Lost.

The question recurring on the motion of Mr. Browning to refer the preamble,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Fullinwider, Sprott and Wheeler—4.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Davis, Harbour, Hughes, Huner, Jay, Selman, Sanford, Springer, Whitaker and Mr. President—14.

So said preamble was not referred.

Mr. Sanford moved to amend by adding an additional resolution—pending which,

On motion of Mr. Springer,

Said resolution was laid on the table, subject to the order of the Senate.



Message from the House of Representative was taken up, and,

On motion of Mr. Davis,

Said message was laid on the table until Friday next.

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Selman, Whitaker and Mr. President—11.

NAYS—Messrs. Browning, Fullinwider, Huner, Jay, Sanford, Springer, Sprott and Wheeler—8.

Mr. Browning moved to take from the table

H. R. file, No. 3: Joint resolution providing for the election of a Chief Justice, two Associate Justices and two United States' Senators.

Lost.

On motion of Mr. Sanford,

Senate file, No. 3: Joint resolution accepting the grant of land for the improvement of the navigation of the Des Moines river,

Was then taken from the table, and

The question recurring on Mr. Browning's motion to amend by striking out the words "does or," in the second resolution;

Said resolution was so amended.

On motion of Mr. Hughes,

Said resolutions were ordered to be engrossed and read a third time to-morrow.

On motion,

Senate adjourned until 10 o'clock to-morrow morning.

---

### WEDNESDAY MORNING, DECEMBER 16, 1846.

Senate met pursuant to adjournment.

On motion of Mr. Sprott,

Resolved, That a committee of three be appointed to visit the State Penitentiary for the purpose of examining into the condition thereof, and report to the Senate, at as early a day as practicable.

Messrs. Sprott, Huner, and Jay were appointed said committee.

A message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President:*

The House have passed;

H. R. file, No. 1, Joint Resolution requiring the Auditor of State to audit and allow the expenses incurred by the late Convention to form a Constitution and State Government for the State of Iowa.

In which the concurrence of the Senate is requested.

On motion of Mr. Brown,

Resolved, That the different committees to whom was referred portions of the Governor's Message, be instructed to report, by bill or otherwise, at as early a day as practicable.

Mr. Hughes, from the Committee on Engrossed Bills, reported that said committee have examined

Senate file, No. 3, Joint Resolution accepting the grant of land for the improvement of the navigation of the Des Moines river,

And find the same correctly engrossed.

Mr. Davis, from the select committee to whom was referred a resolution in relation to districting the State for members of Congress, reported

Senate file, No. 8, A bill for an act to divide the State into two Congressional districts ;

Which was read a first and second time, and,

On motion of Mr. Browning,

Laid on the table, and ordered to be printed.

Mr. Springer, on leave, introduced

Senate file, No. 9, Joint Resolution asking a donation of lands for the improvement of the Muscatine Island, on the Mississippi river ;

Which was read a first and second time, and,

On motion,

The thirteenth rule was suspended, said resolution was considered as engrossed, and read a third time, passed, and title agreed to.

Ordered, That the Secretary inform the House accordingly.

H. R. file, No. 6, A bill for an act to authorize the clerk of the district court of Lee county to transcribe the records of said court, approved January 15th, 1846,

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

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 3, Joint Resolution accepting the grant of land for the improvement of the Des Moines river,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker, on leave, introduced

Senate file, No. 10, A bill prescribing the general duties of Treasurer of State;

Which was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table and ordered to be printed.

H. R. file, No. 1, Joint Resolution requiring the Auditor to audit and allow the expenses incurred by the late Convention,

Was read a first and second time, and,

On motion of Mr. Sanford,

Committed to the standing Committee on Claims.

Mr. Springer, on leave introduced

Senate file, No. 11, Joint Resolution asking Congress to establish a mail route from Burlington to Iowa City;

Which was read a first and second time, and,

On motion,

The thirteenth rule was suspended, said resolution considered as engrossed, and read a third time now, and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Bissell moved to adjourn until 10 o'clock to-morrow morning.

The yeas and nays being demanded, were ordered, and were as follows:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Harbour Hughes, Whitaker, and Mr. President—9.

NAYS—Messrs. Browning, Fullinwider, Huner, Springer, and Sprott—5.

So said motion was decided in the affirmative, and

The Senate adjourned till to-morrow morning 10 o'clock.

THURSDAY MORNING, DECEMBER 17, 1846.

Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Hudson, their chief clerk:

*Mr. President—*

I am directed by the House to inform the Senate that the House will be prepared to receive the Senate in the Hall of the House on Saturday, the 19th inst., at half-past 10 o'clock, A. M., for the purpose of electing one Chief Justice and two Associate Justices of the Supreme Court of the State of Iowa, in accordance with a resolution passed to that effect by the Senate, and reported to the House by the Secretary of the Senate; also,

That the House have passed

H. R. file, No. 4: Joint resolution providing for the election of United States' Senators,

In which the concurrence of the Senate is requested.

I herewith present, for your signature,

H. R. file, No. 6: An act respecting an act to authorize the clerk of the district court for the county of Lee to transcribe the records of said court, approved January 18th, 1846,

The same having been signed by the Speaker of the House.

Mr. Crawford, from the Committee on Claims, to whom was referred

H. R. file, No. 1: Joint resolution requiring the Auditor to audit and allow the expenses incurred by the late Convention,

Reported the same back, without amendment.

Said report was adopted, and,

On motion,

Said joint resolution was ordered to be read a third time on to-morrow, 18th instant.

Mr. Browning, on leave, introduced

Senate file, No. 12: A bill for an act in relation to clerks and prosecuting attorneys;

Which was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table, and ordered to be printed.

H. R. file, No. 4: Joint resolution relative to the election of United States' Senators,

Was read a first and second time.

Mr. Davis moved to lay said resolution on the table.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Selman, Whitaker and Mr. President—11.

NAYS—Messrs. Browning, Fullinwider, Huner Jay, Sanford, Springer, Sprott and Wheeler—8.

So said resolution was laid on the table, subject to the order of the Senate.

Mr. Crawford moved to adjourn until 10 o'clock to-morrow morning.

Lost.

On motion of Mr. Davis,

Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of creating a board of internal improvement, for conducting the improvement of the navigation of the Des Moines river, and other purposes; and also whether, in the opinion of said committee, it will be advisable during the present session of the Legislature to create such a board with power to proceed and sell a part of the land donated to the State for the improvement of said river, and to commence operations at as early a time as practicable after a survey shall have been made, by a State engineer, and declared susceptible of slack-water navigation; and, furthermore, to report to the Senate whether it would be advisable to commence said improvements by the erection of one dam in each county on the river.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Hudson, their chief clerk :

*Mr. President—*

The House have passed

Senate Resolution relative to the adjournment of both Houses of the General Assembly, with amendments, so as to make the same read as follows, to wit :

“ Resolved, By the Senate (the House concurring) that the Legislative Assembly of the State of Iowa will adjourn on Tuesday, the 22d inst., until Monday, the 4th day of January, 1847.”

In which the concurrence of the Senate is requested.

The same being taken up and considered,

Mr. Sprott moved to concur in the amendments made by the House.

Lost.

Mr. Brown moved to amend the amended resolution by striking out the 22d, and insert the 24th.

Lost.

Mr. Crawford moved to reconsider the vote of the Senate as to concurring in the House amendment to said resolution.

Agreed to.

Mr. Hughes moved to disagree as to the first amendment made by the House.

Agreed to.

Mr. Hughes moved to agree to the second amendment made by the House.

Agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Whitaker,

Senate file, No. 5: Joint resolution relative to a revision of the laws, was taken from the table.

Mr. Browning moved to indefinitely postpone said resolution.

On which the ayes and nays were demanded, and, being ordered, were as follow :

YEAS—Messrs. Benton, Browning, Crawford, Fullinwider, Harbour, Huner, Jay, Sanford, Springer and Wheeler—10.

NAYS—Messrs. Bradley, Brown, Davis, Hughes, Selman, Sprott, Whitaker and Mr. President—8.

So said resolution was indefinitely postponed.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I am directed to inform the Senate that the House have receded from the disagreeing vote of the two Houses upon the first amendment of the

House to Senate resolution providing for the adjournment of the two Houses.

On motion,

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

FRIDAY MORNING, DECEMBER 18, 1846.

Senate met pursuant to adjournment.

Mr. Wheeler presented the petition of sundry citizens of Clinton county, praying an alteration in the road law.

Which was read. and

On motion,

Referred to the Committee on Roads.

Mr. Springer presented the petition of Abraham McCleary and thirty-nine other citizens of Louisa county, praying for a road from Walling's Landing, &c. ; also, Robert Chandler and seventeen others, for the same purpose.

Which, on his motion,

Were laid on the table.

On motion of Mr. Bissell,

H. R. file, No. 4, Joint Resolution in relation to the election of United States' Senators,

Was taken from the table, and,

On his motion,

Was amended as follows :

Strike out the word "ten," in the fifth line, and insert "eleven."

Strike out the word "two," in the twelfth line, and insert "one."

Also, strike out all after the word "the," in the twentieth line, to the word "having," in the twenty-first line, and insert in lieu thereof the word "person."

Strike out "Senators," in the twenty-second line, and insert "Senator."

SEC. 2nd. And thereupon the said General Assembly, in joint convention, as aforesaid, shall proceed to elect another Senator in the manner aforesaid.

So the resolution passed the Senate as follows :

Resolved by the General Assembly of the State of Iowa, That the Senate and House of Representatives of said State meet together in the Hall of said House on Friday, the 18th inst., at half past eleven o'clock, A. M., of said day, and proceed and elect two Senators to the Congress of the United States. And that the manner in which said election shall be conducted shall be as follows, to wit : The names of the members voting in joint election, as aforesaid, shall be called alphabetically, and upon the call of each members name, he shall vote for one person for the office of United States' Senator, and the clerks or tellers, as the case may be, shall note down opposite each members name, as he votes, the person for whom he votes. And after all the names of the members of the General Assembly shall have been called over, the clerks or tellers, as the case may be, shall count the number of votes given for each and every person voted for, and the person having a majority of all the votes given for Senators, as aforesaid, shall be declared to have been duly elected.

SEC. 2ND. And thereupon the General Assembly in joint convention, as aforesaid, shall proceed to elect another Senator in the manner aforesaid.

On motion of Mr. Bradley,

The thirteenth rule was suspended, said resolution, as amended, was read a third time and passed.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Browning, Crawford, Davis, Fullinwider, Jay, Sanford, Springer, Sprott, Wheeler, and Mr. President—12.

NAYS—Messrs. Benton, Brown, Harbour, Hughes, Huner, Selman, and Whitaker—7.

Title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Brown moved to take from the table,

Senate file, No. 7, A bill to divide the State into judicial districts.

Lost.

H. R. file, No. 1, Joint Resolution requiring the Auditor to audit and allow the expenses incurred by the late Convention ;

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

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker, in accordance with previous notice, and on leave, introduced



Senate file, No. 13, A bill for an act prescribing the general duties of Secretary of State;

Which was read a first and second time, and,

On motion of Mr. Hughes,

Said bill was laid on the table, and ordered to be printed.

Message from the House of Representative, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have agreed to the amendment of the Senate, to House resolution relative to the election of Senators, and will meet the Senate for that purpose at the time specified,

The House have passed,

H. R. file, Joint Resolution, in the following words:

Resolved, (the Senate concurring,) That there be a committee of two from the Senate and one from the House, appointed by the presiding officer of the same, to examine into, investigate, and report to either House, the present condition of the State Penitentiary.

In which the concurrence of the Senate is requested.

Said resolution was read a first and second time, and,

On motion of Mr. Sanford,

The thirteenth rule was suspended, said resolution read a third time, passed, and title agreed to.

Messrs. Sprott and Huner were appointed a committee on the part of the Senate, in accordance with said resolution.

Ordered, That the Secretary notify the House accordingly.

Mr. Sprott moved to rescind the Senate resolution appointing a committee of three to examine the Penitentiary.

Agreed to.

The hour having arrived, to wit, half past eleven o'clock, A. M., the Senate preceded by their President, Secretaries and Sergeant-at-Arms, repaired to the Hall of the House of Representatives for the purpose of balloting for United States' Senators.

The two Houses of the Legislative Assembly having met in the Hall of the House,

On motion,

A call of the members was had, and it appearing that all the members of said Legislative Assembly were present, the call was dispensed with; and

Mr. Benton of the Senate, and Mr. Bowie of the House, were appointed tellers—

The Speaker of the House of Representatives assuming the right to preside over the said joint convention—

The said Legislative Assembly then proceeded to ballot, when, on a call of the members, it appeared that

JONATHAN McCARTY received twenty nine votes ;

THOMAS S. WILSON received twenty-eight votes ; and

G. C. R. MITCHELL received one vote.

Those who voted for Jonathan McCarty were,

Messrs. Anderson, Blair, Bowie, Browne, of Lee, Browning, Clifton, Cochran, Comstock, Conlee, Goodrell, Hebard, Holland, Huner, Jay, King, McManus, McPherin, Morton, Rathbun, Sanford, Sells, Smith, of Mahaska, Springer, Sprott, Steele, Updegraff, Wheeler, Williams, and Wright—29.

Those who voted for Thomas S. Wilson were,

Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Crawford, Day, Davis, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Smyth, of Linn, Whitaker, Whitmore, Willoughby, and Mr. Baker, President—28.

Mr. Fullinwider voted for G. C. R. Mitchell—1.

No one having received a majority of all the votes given, there was no election.

Mr. Bradley moved to adjourn ; and

The yeas and nays being called for, were ordered, and were as follow :

YEAS—Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Crawford, Day, Davis, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Smyth, of Linn, Whitaker, Whitmore, Willoughby, and Mr. Baker, President—28.

NAYS—Messrs. Anderson, Blair, Bowie, Brown, of Lee, Browning, Clifton, Cochran, Comstock, Conlee, Fullinwider, Goodrell, Hebard, Holland, Huner, Jay, King, McManus, McPherin, Morton, Rathbun, Sanford, Sells, Smyth, of Mahaska, Springer, Sprott, Steele, Updegraff, Wheeler, Williams, and Wright—30.

So said Legislative Assembly refused to adjourn.

Mr. Hardy moved to adjourn until the fourth day of January, 1847 ; and

The yeas and nays being called for, were ordered, and were as follow :

**YEAS**—Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Crawford, Day, Davis, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Smyth, of Linn, Whitaker, Whitmore, Willoughby and Mr. Baker, President—28.

**NAYS**—Messrs. Anderson, Blair, Bowie, Browne, of Lee, Browning, Clifton, Cochran, Comstock, Conlee, Fullinwider, Goodrell, Hebard, Holland, Huner, Jay, King, McManus, McPherin, Morton, Rathbun, Sanford, Sells, Smith, of Mahaska, Springer, Sprott, Steele, Updegraff, Wheeler, Williams and Wright—30.

So said Legislative Assembly refused to adjourn until the fourth day of January.

Mr. Bissell moved to adjourn until the 5th January, 1847; and

The yeas and nays being called for, were ordered, and were as follow :

**YEAS**—Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Crawford, Day, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Smyth, of Linn, Whitaker, Whitmore, Willoughby and Mr. Baker, President—27.

**NAYS**—Messrs. Anderson, Blair, Bowie, Browne, of Lee, Browning, Clifton, Cochran, Comstock, Conlee, Fullinwider, Goodrell, Hebard, Holland, Huner, Jay, King, McManus, McPherin, Morton, Rathbun, Sanford, Sells, Smith, of Mahaska, Springer, Sprott, Steele, Updegraff, Wheeler, Williams, and Wright—30.

So said convention of both Houses of the Legislative Assembly refused to adjourn until the fifth day of January, 1847.

Mr. Springer moved that no motion to adjourn shall be in order until after the convention of the two Houses shall ballot again.

Mr. Harbour moved the Senate adjourn.

Mr. Hughes moved to adjourn until ten o'clock to-morrow morning.

The yeas and nays being called for by two members, were ordered, and were as follow :

**YEAS**—Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Crawford, Day, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Whitaker, Whitman, Willoughby and Mr. Baker, President—26.

**NAYS**—Messrs. Anderson, Blair, Bowie, Browne, of Lee, Browning, Clifton, Cochran, Comstock, Conlee, Fullinwider, Goodrell, Hebard, Holland, Huner, Jay, King, McManus, McPherin, Morton, Rathbun, Sanford, Sells, Smith, of Mahaska, Springer, Sprott, Steele, Updegraff, Wheeler, Williams and Wright—30.

So said convention of both Houses of the Legislative Assembly refused to adjourn until 10 o'clock to-morrow.

Mr. Bissell moved the Senate withdraw from the convention.

Mr. Hughes moved to adjourn without day.

And the yeas and nays being called for, were ordered, and were as follow :

**YEAS**—Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Crawford, Day, Davis, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Smyth, of Linn, Whitaker, Whitman, Willoughby and Mr. Baker, President—28.

**NAYS**—Messrs. Anderson, Blair, Bowie, Browne, of Lee, Browning, Clifton, Cochran, Comstock, Conlee, Fullinwider, Goodrell, Hebard, Holland, Huner, Jay King, McManus, McPherin, Morton, Rathbun, Sanford, Sells, Smith, of Mahaska, Springer, Sprott, Steele, Wheeler, Williams and Wright—29.

So said Convention of both Houses refused to adjourn without day.

Mr. Cochran moved the convention of the two Houses of the Legislative Assembly proceed to a second balloting for United States' Senators.

Mr. Davis moved to indefinitely postpone said balloting.

On motion,

A call of the House was had, when it appeared all the members were present, and a further call was dispensed with.

Mr. Bradley moved to adjourn until the 5th of January, 1847.

And the yeas and nays being called for, were ordered, and were as follow :

**YEAS**—Messrs. Bailey, Benton, Bissell, Bonham, Bradley, Brown, of Jefferson, Clifton, Conlee, Crawford, Day, Davis, Green, Harbour, Hardy, Hughes, Kinsman, Leech, Leffingwell, Lyons, Matson, Montague, O'Brien, Olmstead, Reynolds, Selman, Smyth, of Linn, Whitaker, Whitman, Willoughby and Mr. Baker, President—30.

**NAYS**—Messrs. Anderson, Blair, Bowie, Browne, of Lee, Browning, Cochran, Comstock, Fullinwider, Goodrell, Hebard, Holland, Huner, Jay, King, McManus, McPherin, Morton, Rathbun, Sanford, Sells,

Smith, of Mahaska, Springer, Sprott, Steele, Updegraff, Wheeler, Williams and Wright—29.

So said convention of both Houses adjourned until the 5th day of January, 1847.

The Senate returned from the joint convention of the two Houses of the Legislative Assembly at the hour of 2 o'clock, P. M., and,

On motion,

The Senate adjourned until 3 o'clock, P. M.

### THREE O'CLOCK, P. M.

Senate met pursuant to adjournment,

Mr. Selman offered the following :

Resolved, That the attempt on the part of the Speaker of the House of Representatives to be the presiding officer in joint convention, on the 18th instant, to elect United States' Senators, is a gross insult to the Senate.

Mr. Jay offered the following as an amendment to said resolution :

“And that a motion made by any member of the Senate, when in convention, for the Senate to retire to the Senate chamber, was no less an insult to the House of Representatives.”

On motion of Mr. Davis,

Said resolution and amendment were laid on the table.

On motion of Mr. Browning,

Senate file, No. 7: A bill to divide the State into Judicial Districts was taken from the table, and,

On motion of Mr. Hughes,

The Senate resolved itself into a Committee of the Whole Senate on said bill, Mr. Bradley in the chair, and,

After some time spent therein, the committee rose, and reported that they had had said bill under consideration—had made some amendments thereto, and asked leave to sit again,

Which was granted.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 14: A bill to provide for a loan for the purpose of defraying the expenses and paying the creditors of the State, In which the concurrence of the Senate is requested.

Said bill was read a first and second time, and,

On motion,

Amended, by striking out the name of Ezra Bliss, and inserting the name of William F. Coolbaugh.

Mr. Bradley moved to amend by inserting after the word "Legislation," in the 6th line of the 5th section, the following :

"The expenses of the State Government for the present year."

Agreed to, and the bill was so amended.

Mr. Benton moved to amend said bill by inserting after the word "year," in second amendment, "the debt due the Miners' Bank of Dubuque."

Mr. Brown moved to amend by striking out all after the word "act," in 3d line of 5th section.

Mr. Harbour moved to amend said last amendment by striking out all after the word "debt," in 5th line of said section.

Accepted by Mr. Brown, and not agreed to by the Senate.

Mr. Davis moved to amend by adding the 8th as an additional section.

Agreed to.

Mr. Harbour moved to amend the first section by striking out "fifty" and inserting "eighty."

A division of the question was asked and had, and the Senate determined not to strike out.

Mr. Harbour moved to lay said bill on the table.

Lost.

The question recurring on Mr. Benton's amendment,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bradley, Browning, Crawford, Fullinwider, Hughes, Huner, Jay, Springer and Wheeler—11.

**NAYS**—Messrs. Bissell, Brown, Davis, Harbour, Selman, Sanford, Sprott, Whitaker and Mr. President—9.

So said amendment was agreed to.

Mr. Hughes moved to suspend the 13th rule, and read said bill a third time.

On which the yeas and nays were demanded, and being ordered, were as follow :

YEAS—Messrs. Benton, Bradley, Browning, Davis, Fullinwider Hughes, Huner, Sanford, Springer, Sprott, Wheeler and Mr. President—12.

NAYS—Messrs. Brown, Harbour, Jay, Selman and Whitaker—5.

So said rule was suspended, and said bill was read a third time.

The question being, shall said bill pass?

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bradley, Browning, Davis, Fullinwider, Hughes, Sanford, Springer, Sprott, Wheeler and Mr. President—12.

NAYS—Messrs. Brown, Harbour, Jay, Selman and Whitaker—5.

So that said bill was passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion,

The Senate adjourned until 8 o'clock to-morrow morning.

### SATURDAY MORNING, DECEMBER 12, 1846.

Senate met pursuant to adjournment.

On motion of Mr. Hughes,

The vote yesterday on H. R. file, No. 14: A bill to provide for a loan for the purpose of defraying the expenses and paying the creditors of the State,

Was reconsidered, and, on his motion,

The Senate resolved itself into Committee of the Whole on said bill, Mr. Bradley in the chair.

After some time spent therein,

The committee rose, and, by their chairman, reported the same back to the Senate, with amendments.

On motion of Mr. Hughes,

The Senate concurred in the amendments made by the Committee of the Whole, and,

On motion,

The 13th rule was suspended, and the bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House of Representatives have concurred in the amendments made by the Senate to

H. R. file, No. 14: A bill to provide for a loan for the purpose of defraying the expenses and paying the creditors of the State.

On motion,

The Senate adjourned until 2 o'clock, P. M., of Monday, the 4th day of January, 1847.

---

### MONDAY EVENING, JANUARY 4, 1847.

Senate met pursuant to adjournment.

Mr. Browning presented the petition of sundry citizens of Des Moines county, in relation to the sixteenth section.

Which was read, and,

On his motion,

Referred to the Committee on Schools.

Also, the petition of sundry citizens of the same county, praying the passage of a law to prevent the practice of medicine by quacks.

Which was read, and,

On his motion,

Referred to the Committee on the Judiciary.

Mr. Jay presented the petition of twenty-seven citizens of Henry county, praying that the section lines may be kept open.

Which was read, and,

On his motion,

Laid on the table.



Mr. Springer presented the petition of Wm. Thompson and two hundred and twenty-seven others citizens of Louisa county, praying for the location of a State road from Walling's Landing, on the township lines between seventy-four and seventy-five, to Columbus city, and so on west. Which,

On motion,  
Was laid on the table.

Mr. Springer presented the petition of David Humphrey and thirteen others, for a State road from Walling's Landing, via Grandview, Fredonia, and Columbus city, to Crawfordsville. Which,

On motion,  
Was laid on the table.

Mr. Sprott presented the petition of B. F. Messenger and others, praying for a charter to keep a ferry across the Mississippi river at the town of Keokuk, in Lee county.

Which was read, and,

On his motion,  
Referred to the Committee on Incorporations.

Mr. Selman presented the petition of thirty-six citizens of Davis and Van Buren counties, remonstrating against a road therein named.

Which was read, and,

On his motion,  
Referred to the Committee on Roads.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed the following resolution :

Resolved, That the members and officers of the Senate and House of Representatives will testify their respect for the memory of Reuben Conlee, deceased, by wearing the usual badge of mourning on the left arm for thirty days.

In which the concurrence of the Senate is requested.

Which,

On motion of Mr. Mr. Sprott,  
Was taken up and agreed to by the Senate ; and,

On his motion,  
The Senate adjourned till 9 o'clock to-morrow morning.

TUESDAY MORNING, JANUARY 5, 1847.

Senate met pursuant to adjournment.

Mr. Selman presented the petition of William B. Taylor and one hundred and thirty-seven citizens of Davis county, remonstrating against the change of a certain road therein named ; and,

On motion,

Referred to the Committee on Roads.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 9: A bill to provide for vacating town plats ; and

H. R. file, No. 12: A bill to change the name of Prairie La Porte, in the county of Clayton ;

In which the concurrence of the Senate is requested.

The House have also passed, without amendment,

Senate file, No. 3: Joint Resolution accepting the grant of land for the improvement of the navigation of the Des Moines river ;

Senate file, No. 9: Joint Resolution asking a donation of land for the improvement of Muscatine Island, on the Mississippi river ; and

Senate file, No. 11: Joint Resolution asking Congress to establish a mail route from Burlington to Iowa City.

I herewith present for your signature,

Joint Resolution requiring the Auditor to audit and allow the expenses of the late Convention.

The same having been signed by the Speaker of the House.

Mr. Bradley presented the petition of William Bartlett, and thirty-eight other citizens of Jackson county, in relation to limiting the jurisdiction of justices of the peace in civil cases ; which was read, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Crawford presented the petition of Barney D. Springer, and twenty-six other citizens of Buchanan county, praying for the revival of the act of the last Legislative Assembly of the Territory of Iowa, for the location of the county seat of said county ;

Which was read, and,

On motion,

Referred to a Select Committee of three.

Messrs. Crawford, Benton and Wheeler were appointed said committee.

Mr. Jay gave notice that on to-morrow, or some subsequent day, he would introduce

A bill authorizing the holders of school funds to pay over moneys, in certain cases, and for other purposes.

On motion of Mr. Whitaker,

Senate file, No. 10: A bill for an act prescribing the general duties of Treasurer of State,

Was taken from the table, and, on his motion,

The Senate resolved itself into a Committee of the Whole on said bill, Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose and reported, by their chairman, said bill back to the Senate, with sundry amendments,

Which were agreed to, and,

On motion,

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

Message from the House of Representatives by Mr. Hudson, their chief clerk:

*Mr. President—*

I am instructed to inform the Senate that the House have passed the following:

Ordered, That the chief clerk inform the Senate that the House will be prepared to receive them at 2 o'clock, P. M., of this day, according to the adjournment of the joint convention on the 19th ult., and proceed to elect two Senators to the Congress of the United States.

I am also instructed by the House to inform the Senate that the House have passed

A resolution providing for the appointment of a committee of two from each House to draft rules for the government of the two Houses in joint convention, and appointed

Messrs. Hebard and Leffingwell said committee.

In which the concurrence of the Senate is requested.

Mr. Whitaker moved that the Senate adjourn until 2 o'clock, P. M., of this day.

And the yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Bissell, Bradley, Brown, Crawford, Davis, Hughes Selman, Whitaker and Mr. President—8.

**NAYS**—Messrs. Benton, Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Whitaker—7.

So the Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

H. R. file, No. 9: A bill to provide for vacating town plats was taken up and read a first and second time, and

Ordered to a third reading to-morrow.

H. R. file, No. 12: A bill to change the name of Prairie La Porte, in the county of Clayton, was taken up and read a first and second time, and

Ordered to a third reading to-morrow.

The message from the House of Representatives appointing a committee to draft rules for the government of the two Houses when in joint convention, was taken up.

Mr. Davis moved to refer said message to a select committee of two.

And the yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Selman, Whitaker and Mr. President—10.

**NAYS**—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

So said message was referred.

Messrs. Davis and Whitaker were appointed said committee.

Mr. Davis, on leave, introduced

Senate file, No. 14: A bill for an act to grant the right of pre-emption to all settlers within the limits of a donation of lands by Congress to the territory of Iowa for the improvement of the Des Moines river ;

Which was read a first and second time, and,

On motion,

Ordered to be laid on the table and seventy-five copies printed.

Mr. Sanford gave notice that on to-morrow, or some subsequent day, he would introduce

A bill concerning the southern boundary of the State.

On motion of Mr. Davis,

Senate file, No. 8: A bill for an act to divide the State into two Congressional Districts,

Was taken from the table, and,

On motion of Mr. Browning,

Said bill was committed to a select committee of three from each judicial district.

Messrs. Browning, Selman, Davis, Hughes, Springer, Harbour, Benton, Bissell and Wheeler were appointed said committee.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I am instructed by the House to inform the Senate that the House is now ready to meet the Senate in joint convention, for the purpose of electing United States' Senators.

On motion of Mr. Whitaker,

Senate file, No. 13: A bill for an act prescribing the general duties of Secretary of State,

Was taken up, and,

On motion of Mr. Brown,

The Senate resolved itself into Committee of the Whole on said bill, Mr. Benton in the chair, and,

After some time spent therein,

The committee rose, and by their chairman reported said bill back to the Senate, with sundry amendments,

Which were concurred in.

Ordered, That said bill be engrossed, and read a third time on to-morrow.

Mr. Jay moved the Senate repair forthwith to the Hall of the House to elect United States' Senators.

Mr. Davis moved the Senate adjourn until to-morrow morning, 10 o'clock.

And the yeas and nays being demanded, were ordered, and were as follows :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown Crawford, Davis, Harbour, Hughes, Selman, Whitaker and Mr. President—11.

**NAYS**—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

So the Senate adjourned until 10 o'clock to-morrow morning.

---

WEDNESDAY MORNING, JANUARY 6, 1847.

Senate met pursuant to adjournment.

Mr. Whitaker presented the petition of Johnson Meek and five other citizens of Van Buren county, praying the passage of a law to enable Xantyppe Meek and Arramitha Meek, minor heirs of Mary Ann Meek, late of Lee county, Iowa, to convey certain real estate. Which,

On motion,

Was referred to the Committee on the Judiciary:

Mr. Sanford presented the petition and remonstrance of sundry citizens of Farmington township, in Van Buren county, praying for, and remonstrating against, the establishment of an additional election precinct at the town of Farmington, in said township.

Which was read, and,

On motion,

Referred to the Committee on Elections.

Mr. Davis, from the Committee on New Counties, reported Senate file, No. 15, A bill for an act for the organization of the county of Dallas;

Which was read a first and second time, and,

On motion,

Laid on the table and ordered to be printed.

Also, Senate file, No. 16, A bill for an act for the organization of Pottawatamie and other counties;

Which was read a first and second time, and,

On motion,

Laid on the table and ordered to be printed.

Mr. Hughes, from the Committee on Engrossed Bills, reported that they have examined and find correctly engrossed,

Senate file, No. 10, An act prescribing the general duties of Treasurer of State ; also,

Senate file, No. 13, An act prescribing the general duties of Secretary of State.

Mr. Bissell, from the Committee on the Judiciary, to whom was referred the petition of sundry citizens of Des Moines county, praying the passage of a law to prevent the practice of medicine by quacks, asked that said committee be discharged from the further consideration of said petition.

Said committee were discharged, and,

On motion of Mr. Bissell,

Said petition was referred to a select committee of four, composed of Messrs. Davis, Sanford, Fullinwider, and Selman.

The President laid before the Senate a communication from Joseph T. Fales, Auditor of State, in obedience to a resolution of the Senate.

Which was read, and,

On motion of Mr. Jay,

One thousand copies ordered to be printed. [See Appendix.]

On motion of Mr. Browning,

Senate file, No. 12, A bill for an act in relation to clerks and prosecuting Attorneys,

Was taken from the table, and,

On motion of Mr. Jay,

The Senate resolved itself into committee of the whole for the consideration of said bill ; Mr. Bradley in the chair, and,

After some time spent therein, the committee rose, and by their their chairman reported that they had made some progress, and asked and obtained leave to sit again.

On motion,

The Senate adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, JANUARY 7, 1846.

Senate met pursuant to adjournment.

Mr. Sanford presented the petition of James Craig and one hundred and five other citizens of the town of Farmington, in the county of Van Buren, accompanied by a bill, praying for a new charter for the town of Farmington.

Which was read, and,

On motion,

Referred to the Committee on Incorporations.

On motion of Mr. Whitaker,

Resolved, That all laws and parts of laws relating to roads and highways, be referred to the Committee on Roads, with instructions to report a general law at as early a day as practicable.

Mr. Davis, from the select committee to whom was referred the petition of sundry citizens of Des Moines county, in relation to the practice of medicine by quacks, had leave and made the following

#### R E P O R T :

The select committee to whom was referred a petition from sundry citizens of Des Moines county, in relation to quackery in the practice of the medical profession, have had the same under consideration and instructed me to make the following report :

A majority of said committee reside at considerable distance from the scenes of murder and desolation set forth in said petition, and are of opinion that they would be transcending the limits of the constitution of the United States, and the constitution of the State of Iowa, in attempting to legislate upon a subject of such grave importance without coming in possession, personally, of all the facts in relation to matters set forth in the said petition. The committee will say, furthermore, that they deeply sympathise with the citizens of Des Moines county, as a part of the brotherhood of Iowa, and particularly the democratic portion of them, and they are decidedly in favor of seeing some steps taken for their relief; and for this purpose they most respectfully recommend that the petition be referred to the Senators from Des Moines county, who must be better acquainted with all the melancholy circumstances set forth in



said petition, than those who reside at considerable distance from the scenes of desolation set forth in said petition; and that said committee have power to send for persons and papers.

Mr. Harbour moved to lay report said on the table, and that five hundred copies be printed for the use of the General Assembly.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Harbour, and Selman—3.

NAYS—Messrs. Benton, Bradley, Brown, Davis, Hughes, Huner, Sanford, Sprott, Wheeler, Whitaker, and Mr. President—11.

So said report was not laid on the table.

On motion of Mr. Whitaker,  
Said report was indefinitely postponed.

On motion of Mr. Browning,  
The Senate resolved itself into a committee of the whole, and resumed the consideration of

Senate file, No. 12, A bill for an act in relation to clerks and prosecuting attorneys; and,

After some time spent therein,

The committee rose, and by their chairman reported the same back to the Senate with sundry amendments, and requested the concurrence of the Senate.

A message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President :*

I am directed by the House of Representatives to request the Senate to inform the House, by message, whether the Senate have appointed, on their part, a committee to act in conjunction with a similar committee appointed by the House, for the purpose of drafting rules for the government of the two Houses in joint convention.

The question now recurring on the concurrence of the Senate to the amendments made by the committee of the whole, to

Senate file, No. 12, A bill for an act relating to clerks and prosecuting attorneys,

The Senate concurred in all said amendments, except the adding an additional 7th section, which was disagreed to.

Mr. Davis moved to refer said bill to the Committee on the Judiciary.

Lost.

Mr. Benton moved to refer said bill to a select committee of three, with instructions to report to-morrow morning.

Lost.

Mr. Hughes moved to strike out the enacting clause ;

And pending which,

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question at the time of adjournment being on striking out the enacting clause of Senate file, No. 12 ;

On leave,

Mr. Hughes withdrew the motion to strike out.

Mr. Bradley moved its reference to a select committee, with instructions to report on to-morrow.

Agreed to, and

Messrs. Benton, Bradley, and Browning were appointed said committee.

Message from the House of Representative, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed,

H. R. file, No. 9, Joint resolution providing for the election of a Chief Justice and two Associate Justices : and,

H. R. file, No. 10, Joint resolution declaring the vote necessary to elect in joint convention.

In which the concurrence of the Senate is requested.

On motion of Mr. Brown,

Senate file, No. 7, A bill to divide the State into judicial districts ;

Was taken from the table, and,

On motion of Mr. Hughes,

The Senate resolved itself into a committee of the whole for the consideration of said bill, Mr. Bradley in the chair ; and,

After some time spent therein,

The committee rose and by their chairman reported that the committee of the whole Senate have had said bill under consideration, have made very little progress therein, and instructed me to report the same back to the Senate.

On motion of Mr. Whitaker,

Said bill was referred to a select committee of four.

Messrs. Whitaker, Browning, Hughes, and Benton, were appointed said committee.

On motion of Mr. Davis,

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

Messrs. Davis and Bissell were appointed said committee.

H. R. file, No. 9, Joint resolution providing for the election of a Chief Justice and two Associate Justices;

Was read a first time, and,

On motion,

Laid on the table.

H. R. file, No. 10, Joint resolution declaring the vote necessary to elect in joint convention;

Was read a first time, and,

On motion of Mr. Whitaker,

Referred to the select committee to prepare rules for the joint convention.

On motion of Mr. Bradley,

Resolved, That the Secretary of the Territory be requested to furnish the Senate with an official abstract of the returns of the late census.

Mr. Benton, on leave, introduced

Senate file, No. 17, Joint resolution instructing our Representatives in Congress to use their exertions to obtain six month's pay for the volunteer company of cavalry disbanded at Fort Atkinson, on the 5th of Oct., 1846.

Which was read a first and second time.

Mr. Davis moved to lay said resolution on the table.

Lost.

On motion of Mr. Fullinwider,

Said resolution was ordered to be engrossed and read a third time on to-morrow.

Mr. Sanford, in accordance with previous notice, had leave, and introduced

Senate file, No. 18, A bill concerning the southern boundary of Iowa ;

Which was read a first and second time, and,

On motion of Mr. Bissell,

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

Senate file, No. 14, A bill for an act to grant the right of pre-emption to all settlers within the limits of a donation of land by Congress, to the Territory of Iowa, for the improvement of the Des Moines river ;

Was read a second time, and,

On motion of Mr. Bradley,

The third section of said bill was stricken out ; and,

On motion of Mr. Davis,

Said bill was laid on the table.

Senate file, No. 10, An act prescribing the general duties of Treasurer of State ;

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

Senate file, No. 13, An act prescribing the general duties of Secretary of State ;

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

H. R. file, No. 12, A bill to change the name of Prairie La Porte ;

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 9, A bill to provide for vacating town plats ;

Was read a third time, and,

On motion of Mr. Springer,

Referred to the Committee on the Judiciary.

On motion,

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

FRIDAY MORNING, JANUARY 8, 1847.

Senate met pursuant to adjournment.

Mr. Benton presented the petition of Warner Lewis, and two hundred other citizens of Dubuque county, in relation to the settlers on the sixteenth section ;

Which was read, and,

On motion,

Referred to the Committee on Schools.

Mr. Bissell presented the petition of Samuel P. Higginson, and forty-one citizens of Cedar and Muscatine counties, praying for the location of a State road,

Which was read, and,

On motion,

Referred to the Committee on Roads.

Mr. Sanford presented the petition of Thomas Crino, and eleven other citizens of Van Buren county, in relation to grand jurors ;

Which was read, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Jay presented the petition of John McCormack, and eighteen other citizens of Henry county, praying the abolishment of capital punishment ;

Which was read, and,

On his motion,

Laid on the table.

Mr. Benton presented the claims of the Miners' Bank, of Dubuque, against the territory of Iowa ;

Which was read, and,

On his motion,

Referred to a Select Committee of three.

Messrs. Benton, Crawford and Fullinwider were appointed said committee.

On motion of Mr. Browning,

Resolved, That the committee to whom was referred the papers in relation to the debt due the Miners' Bank, of Dubuque, be instructed to procure an account current from the proper officer or officers, agent or

agents, of the whole amount for which lots in Iowa City were sold; the amounts collected, and from whom; the amounts expended, and to whom paid; and all other information in relation thereto, and report the same to the Senate.

Mr. Springer gave notice that he would on to-morrow, or some subsequent day, introduce

A bill to amend an act entitled "An act to provide for the election of justices of the peace, to prescribe their powers and duties, and to regulate their proceedings," approved February 9th, 1843.

Mr. Sanford, from the Committee on Enrolled Bills, reported, as correctly enrolled,

Senate file, No. 3: Joint Resolution accepting the grant of land to aid in the improvement of the Des Moines river;

Senate file, No. 9: Joint Resolution asking a donation of land for the improvement of Muscatine Island;

Senate file, No. 11: Joint Resolution asking Congress to establish a mail route from Burlington to Iowa City.

Mr. Whitaker, from the Select Committee to whom was referred

Senate file, No. 7: A bill to divide the State of Iowa into judicial districts,

Reported a substitute,

Which was read a first and second time.

Mr. Hughes moved to amend said bill by striking out "Marion," in third district, and inserting in "fourth district."

Mr. Bissell moved to amend by striking out "Muscatine," in the second district, and inserting the same in fourth district; and by striking out "Linn," in fourth district, and inserting the same in second district.

Lost.

Mr. Bissell moved to lay said bill on the table.

Lost.

Mr. Benton moved that the Senate resolve itself into a Committee of the Whole, for the consideration of said bill.

Lost.

Mr. Bissell moved that the Senate adjourn until to-morrow morning, 10 o'clock.

Lost.

On motion of Mr. Browning,

The blank in the second section was filled with the following:

"And be it further enacted, That this act shall take effect and be in force from and after its publication in the weekly newspapers printed

in Iowa City; but the territorial judges shall continue to discharge their official duties in the present districts, respectively, until superceded by State judges.

Mr. Benton moved to strike out Washington, in the first district, and insert Muscatine.

A division of the question being demanded, was had, and  
The Senate refused to strike out.

On motion of Mr. Browning,

Said bill was ordered to be engrossed, and read a third time on to-morrow.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 17: Joint Resolution instructing our Representatives in Congress to use their exertions to obtain six months' pay for the volunteer company of cavalry disbanded at Ft. Atkinson on 5th October, 1846;

Senate file, No. 18: An act concerning the southern boundary of Iowa.

On motion of Mr. Benton,

Senate file, No. 6: Joint resolution in relation to the Mexican war,  
Was taken from the table.

And the question being on the adoption of an additional resolution offered by Mr. Sanford,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

NAYS—Messrs. Benton, Bissell, Brown, Crawford, Davis, Harbour, Hughes, Huner, Whitaker and Mr. President—10.

So the Senate refused so to amend.

Mr. Browning moved to send a copy of the rejected resolution, and the vote of the Senate thereon, to Santa Anna.

Mr. Harbour moved that Mr. Browning be a committee of one to convey said resolution, and that the army and navy the State of Iowa form an escort.

Lost.

The question recurring on Mr. Browning's motion to send a copy to Santa Anna,

The yeas and nays being demanded, were ordered, and were as follow:

**AYE**—Mr. Browning—1.

**NAYS**—Messrs. Benton, Bissell, Brown, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Selman, Sanford, Springer, Sprott, Wheeler, Whitaker, and Mr. President—16.

So said motion was decided in the negative.

Mr. Jay moved to strike out the preamble to said resolutions.

Mr. Sanford moved to strike out all after the words "United States," in said preamble; and,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott, and Wheeler—7.

**NAYS**—Messrs. Benton, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker, and Mr. President—10.

So said amendment did not prevail.

Mr. Davis moved a call of the Senate;

Which was had, and

Messrs. Bissell and Bradley were found to be absent.

On motion,

Mr. Bradley was excused, and Mr. Bissell appearing,

On motion,

A further call was dispensed with.

Mr. Hughes moved the Senate adjourn until 10 o'clock to-morrow morning; and,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Bissell, Browning, Crawford, Fullinwider, Harbour, Hughes, Selman, Springer, and Wheeler—9.

**NAYS**—Messrs. Benton, Brown, Davis, Huner, Jay, Sanford, Sprott, Whitaker, and Mr. President—9.

So the Senate refused to adjourn until 10 o'clock.

Mr. Sanford moved to adjourn until 2 o'clock, P. M.; and

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Sanford, Springer and Sprott—3.

**NAYS**—Messrs. Benton, Bissell, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Selman, Wheeler, Whitaker, and Mr. President—15.

So the Senate refused to adjourn until 2 o'clock, P. M.



Mr. Bissell moved the Senate adjourn until 10 o'clock to-morrow morning; and,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Bissell, Browning, Crawford, Fullinwider, Harbour, Huner, Springer and Wheeler—8.

NAYS—Messrs. Benton, Brown, Davis, Hughes, Jay, Selman, Sanford, Sprott, Whitaker, and Mr. President—10.

So the Senate refused to adjourn until 10 o'clock to-morrow morning.

Mr. Springer moved to amend the preamble, by adding the word "President," so as to make it read:

"Whereas, our country is now involved in a war with the Republic of Mexico—a war unjustly forced upon the United States by the President." And,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

NAYS—Messrs. Benton, Bissell, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—11.

So said amendment was not adopted.

Mr. Sanford moved to strike out all after the word "Mexico," in said preamble; and,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Fullinwider, Sanford, Springer, Sprott, and Wheeler—6.

NAYS—Messrs. Benton, Bissell, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—11.

So the Senate refused to adopt said amendment.

Mr. Whitaker moved a call of the previous question; and the question being:

Shall the main question be now put?

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Brown, Browning, Crawford, Ful-

linwider, Harbour, Hughes, Huner, Jay, Selman, Whitaker and Mr. President—13.

**NAYS**—Messrs. Davis, Sanford, Springer, Sprott and Wheeler—5.

So the previous question was ordered; and,

The question recurring on the motion of Mr. Jay, to strike out the preamble;

And the yeas and nays being demanded, were ordered, and were as follow:

**YEAS**—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

**NAYS**—Messrs. Benton, Bissell, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—11.

So the Senate refused to strike out the preamble.

Mr. Jay moved to strike out the "invasion of American soil," in said preamble;

Lost.

Mr. Bissell moved a call of the previous question; and the question being:

Shall the main question be now put?

And the yeas and nays being demanded, were ordered, and were as follow:

**YEAS**—Messrs. Benton, Bissell, Brown, Davis, Harbour, Hughes, Selman, Whitaker and Mr. President—9.

**NAYS**—Messrs. Browning, Crawford, Fullinwider, Huner, Jay, Sanford, Springer, Sprott and Weeler—9.

So the Senate refused to order the main question.

Mr. Springer offered the following as a substitute for said preamble and joint resolutions:

Whereas, our country is now involved in a war with the Republic of Mexico:

Therefore,

Resolved, as the opinion of the General Assembly of the State of Iowa, That a just and honorable peace is only to be obtained by a vigorous prosecution of the war, and for that purpose the proper authorities should call into immediate and active operation all the energies and resources of the United States, that may be deemed necessary to put a speedy and honorable termination to the war.

Resolved, That the thanks of the General Assembly of the State of Iowa, be tendered to the gallant officers and soldiers of the American

Army, for the glorious victories they have achieved, and the imperishable honors they have won, for themselves and their country.

Pending which,

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

---

SATURDAY MORNING, JANUARY 9, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 8: A bill providing for compensation to an agent to select lands for the use and support of a University;

In which the concurrence of the Senate is requested.

I herewith return you

Senate file: Joint resolution accepting the grant of land for the improvement of the navigation of the Des Moines river; and

Senate file: Joint resolution instructing our Representatives in Congress to procure the establishment of a certain mail route;

The same having been signed by the Speaker of the House.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 7: A bill to divide the State into judicial districts;

Senate file, No. 17: Joint Resolution instructing our Representatives in Congress to use their exertions to obtain six months' pay for the volunteer company of cavalry disbanded at Ft. Atkinson on the 5th October, 1846;

Which was read a third time and passed, and title agreed to.

Senate file, No. 18: An act concerning the southern boundary of Iowa;

Read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 6: Joint Resolution relative to the Mexican war

Came up in order, and,

The question being on the adoption of the substitute offered by Mr. Springer,

Mr. Davis moved a call of the previous question ;

And the call having been sustained, by four members rising in their places,

The previous question was ordered.

And the question being, shall the main question be now put ?

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Jay, Selman, Springer, Whitaker and Mr. President—14.

NAYS—Messrs. Browning, Fullinwider, Sanford and Wheeler—4.

The question to be first put was, on the adoption of the substitute offered by Mr. Springer.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—12.

So said substitute was not adopted.

The question now being on ordering the original preamble and joint resolutions—

Which were as follows, to wit :

A Joint Resolution in relation to the Mexican war.

WHEREAS, Our country is involved in a war with the Republic of Mexico—a war unjustly forced upon the United States by innumerable outrages on the part of that republic—by the flagrant violations of the most solemn treaty stipulations—by her perfidious seizures and imprisonment of unoffending citizens of the United States—by her repeated insults to our national honor, and her gross indignities to those whom our Government is bound to protect from injury, and whose wrongs, when forbearance ceases to be a virtue, it is her duty to avenge ; and, finally, by her last crowning act of insolence, in the invasion of American soil and the murder of American citizens, without the intervention even of a formal declaration of war : Therefore,

Resolved, That the General Assembly of the State of Iowa, sensibly alive to the blessings of peace, and anxious for its restoration, upon just and honorable terms, are nevertheless ready, at all times, to encounter

war, with all its privations and horrors, in preference to a sacrifice of national rights or national honor.

Resolved, That the United States, with a degree of forbearance that should always characterize the intercourse of a great and enlightened nation, have twice, since the war commenced, offered to settle the difficulties between the two nations upon the most friendly terms, and that it has been as often unceremoniously rejected by the authorities of the Mexican Republic :

Resolved, (as the opinion of the General Assembly of the State of Iowa,) That a just and honorable peace is only to be obtained by a vigorous prosecution of the war ; and that, for this purpose, the proper authorities should call into immediate and active operation all the energies and resources of the United States that may be deemed necessary to put a speedy and honorable termination to the war.

Resolved, That the thanks of the General Assembly of the State of Iowa be tendered to the gallant officers and soldiers of the American army, for the glorious victories they have achieved, and the imperishable honors they have won for themselves and their country.

Resolved, That the ability and promptitude manifested by James K. Polk and his Cabinet in the prosecution of the existing war with the Mexican Republic, entitles them to the highest confidence and esteem of the people over whose destinies they have been called to preside.

—To be engrossed and read a third time,

A division was asked and allowed, and,

The question recurring on the engrossment of the preamble.

On which the ayes and nays were demanded, and, being ordered, were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—12.

NAYS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

So said preamble was ordered to be engrossed and read a third time.

The question being on ordering the resolutions to be engrossed and third reading,

A division was asked and allowed, and the question was taken on each resolution, separately.

On the engrossment of the first resolution,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Selman, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—19.

**NAYS**—None.

So said resolution was ordered to be engrossed and read a third time.

On the engrossment of the second resolution,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Selman, Sprott, Whitaker and Mr. President—15.

**NAYS**—Messrs. Jay, Sanford, Springer and Wheeler—4.

So said second resolution was ordered to be engrossed and read a third time.

On the engrossment of the third resolution,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Selman, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—18.

**NAY**—Mr. Jay.

So said third resolution was ordered to be engrossed and read a third time.

On the engrossment of the fourth resolution,

The yeas and nays being demanded were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Selman, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—19.

**NAYS**—None.

So said fourth resolution was ordered to be engrossed and read a third time.

On the engrossment of the fifth resolution,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—12.

**NAYS**—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Wheeler—7.

So said fifth resolution was ordered to be engrossed and read a third time.

On motion of Mr. Davis,

The thirteenth rule was suspended, and said preamble and joint resolutions were considered as engrossed, and read a third time now.

And the question being, shall the preamble and joint resolutions pass?

A division was asked and allowed,

And on the question of the passage of said preamble,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—12.

NAYS—Messrs. Browning, Fullinwider, Jay, Springer, Sprott and Wheeler—6.

So said preamble passed.

Mr. Crawford moved a call of the Senate, which was had, and Mr. Sanford found to be absent.

Mr. Sanford appearing in the Senate,

On motion of Mr. Hughes,

The further call of the Senate was dispensed with.

On the question of the passage of the joint resolutions,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Whitaker and Mr. President—12.

NAYS—Messrs. Fullinwider, Jay and Wheeler—3.

On their motion,

Messrs. Springer and Sprott were excused from voting.

So said joint resolutions were passed.

On the question as to the title of said joint resolutions,

Mr. Jay moved to amend so as to make the title read:

“A Joint Resolution in relation to Buncomb.”

And on said amendment,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Jay and Sprott—2.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Craw-

ford, Davis, Fullinwider, Harbour, Hughes, Huner, Selman, Springer, Wheeler, Whitaker and Mr. President—16.

So the title was not amended.

And on the the question, the title to said joint resolutions was agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 7 : A bill to divide the State into judicial districts, Was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Bissell, from the Joint Committee to prepare rules for the government of the two Houses, when in joint convention, asked to be excused from serving on said committee ; and, being excused,

The President appointed Mr. Sanford in his place.

On motion,

The Senate adjourned until Monday morning 10 o'clock.

### MONDAY MORNING, JANUARY 11, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

That the House have passed

H. R. file, No. 24, An act supplementary to an act providing for the stay of the school fund in the hands of the holders thereof ; and,

H. R. file, No. 12, Joint resolution providing for the taking effect of a joint resolution requiring the Auditor of State to audit and allow the expenses of the late convention.

In which the concurrence of the Senate is requested.

Mr. Baker presented the following petitions :

A petition from sundry citizens of Polk and Marion counties, for a State road leading from the house of Grandville Hendrix, in Marion county, to Fort Des Moines, in Polk county.

A petition of sundry citizens of Polk and Dallas counties, asking the



establishment of a State road from the west line of Dallas county to the Missouri river.

A petition of sundry citizens of Polk county, asking the establishment of a State road from Iowa City to Marengo, in Iowa county; thence to Newton City, in Jasper county; thence to Fort Des Moines, in Polk county; thence to the town of Hickory, in Dallas county; thence to the west line of said Dallas county.

Which were,

On his motion,

Referred to the Committee on Roads.

Also, a petition of William Lamb and Thomas Brooks, proprietors of the town of Brooklin, in Polk county, asking the passage of an act to vacate said town;

Which was read, and,

On his motion,

Laid on the table.

Mr. Hughes presented the petition of sundry citizens of Johnson and Iowa counties, praying for a State road to the county seat of Polk county.

Which was read, and,

On his motion,

Referred to the Committee on Roads.

Mr. Browning presented the petition of David Scott, and one hundred and twenty-eight others, praying for an act to open and keep open section lines.

Which was read, and,

On motion,

Referred to the Committee on Roads.

Mr. Baker gave notice that he would, on to-morrow or some subsequent day, ask leave to introduce

A bill to establish the boundaries of Polk county; also,

A bill to establish the boundaries and seat of justice of Marion county.

On motion of Mr. Jay,

Resolved, (the House concurring,) That a committee of two be appointed on the part of the Senate, to act in conjunction with a like committee on the part of the House, to inquire into and report a catalogue of acts necessary to the organization and action of the State government.

Messrs. Benton and Browning were appointed said committee ; Mr. Jay being excused, on his motion.

In accordance with previous notice, and on leave, Mr. Springer introduced

Senate file, No. 19, A bill concerning justices of the peace ;  
Which was read a first and second time, and,

On motion,

Laid on the table, and ordered to be printed.

Mr. Benton, from the select committee to whom was referred  
Senate file, No. 12, A bill concerning clerks and prosecuting attorneys,

Reported the same back to the Senate with amendments, which,

On motion,

Were concurred in.

Mr. Springer moved to add to the end of the fifth section, the following :

“And all vacancies now existing in either of said offices, which have occurred by reason of a failure to elect by the people at the October election, 1846, or otherwise, shall be filled in the same manner.”

Which was agreed to.

Mr. Hughes moved to strike out the enacting clause ;

And the yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Harbour, Hughes and Selman—3.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Davis, Fullinwider, Huner, Jay, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—15.

So said enacting clause was not stricken out ; and,

On motion,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

On motion of Mr. Jay,

H. R. file, No. 24, An act supplemental to an act providing for the stay of the school fund in the hands of the holders thereof ;

Was taken up and read a first and second time, and,

On motion of Mr. Hughes,

Made the special order of the Senate, in committee of the whole Senate, on to-morrow.

On motion of Mr. Baker,

Senate file, No. 15, A bill for an act for the organization of the county of Dallas,

Was taken up and read, and,

On motion of Mr. Baker,

The first blank in the eleventh section was filled with the name of William Ware, of Polk county.

On motion of Mr. Harbour,

The second blank in said section was filled with the name of William Canfield, of Mahaska county.

On motion of Mr. Harbour,

The third blank in said section was filled with the name of L. W. Babbitt, of Marion county.

On motion of Mr. Baker,

The blank in the sixth section was filled with the name of H. H. Lewis, Dallas county.

Mr. Selman moved to strike out, in the eleventh section and insert the following:

“That the qualified electors of said county shall vote for a site for said county seat at their next annual election, and the place having the highest number of votes shall be said seat of justice.”

Not agreed to; and,

On motion of Mr. Browning,

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

On motion,

The Senate adjourned till 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Browning,

The vote on ordering Senate file, No. 12, to be engrossed and read a third time, was reconsidered; and,

On his motion,

The amendment to the fifth section was stricken out,

On motion of Mr. Browning,

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

H. R. file, No. 8, An act to provide compensation to an agent to select lands for the use and support of a University.

Was read a first and second time, and,

On motion of Mr. Bradley,

Referred to the Committee on the Judiciary.

H. R. file, No. 12, Joint resolution providing for the taking effect of joint resolution requiring the Auditor of State to audit and allow the expenses of the late convention,

Was read a first and second time,

Mr. Davis moved to amend by inserting the word "weekly," after the word "the," in the seventh line of said resolution ;

Which was agreed to, and

Said joint resolution was so amended.

On motion of Mr. Brown,

The thirteenth rule was suspended, said resolution read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker, on leave, introduced

Senate file, No. 20, A bill for an act prescribing the general duties of Auditor of State ;

Which was read a first and second time, and,

On motion,

Laid on the table, and ordered to be printed.

Mr. Selman, on leave, introduced

Senate file, No. 21, A bill to indemnify Samuel Riggs, Sheriff of Davis county, for losses and expenses incurred in defending himself against prosecutions commenced against him for exercising his office in the disputed territory between Iowa and Missouri ;

Which was read a first and second time, and,

On motion of Mr. Browning,

Referred to the Committee on Claims.

Mr. Bradley presented the petition of M. H. Clark and forty-one others, upon the subject of education and common schools.

Which was read, and,

On motion,

Referred to the Committee on Schools.

Mr. Benton gave notice that he would, on to-morrow ask leave to introduce

A bill for an act to incorporate and establish the city of Dubuque, in the county of Dubuque.

On motion of Mr. Jay,

The petition of sundry citizens of Henry county, in relation to section lines,

Was taken from the table, and,

On his motion,

Referred to the Committee on Roads.

Mr. Sanford gave notice that he would ask leave, on to-morrow, or some subsequent day, to introduce

A bill to confer authority on the district court to change the names of towns and persons.

Mr. Hughes, from the Committee on Incorporations, to whom was referred the petition of James Craig and one hundred and five other citizens of the town of Farmington, in the county of Van Buren, praying a charter for said town, with an accompanying bill, reported

Senate file, No. 22, A bill for an act for the incorporation of the city of Farmington, in Van Buren county, State of Iowa.

Which was read a first and second time.

Mr. Bissell moved the Senate resolve itself into a Committee of the Whole, for the consideration of said bill.

Lost,

On motion,

So the Senate adjourned until 10 o'clock to-morrow morning.

---

## TUESDAY MORNING, JANUARY 12, 1846.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 13, A bill to establish the time of holding township elections ; and,

H. R. file, No. 8, Joint resolution in relation to obtaining privilege from the State of Missouri to erect dams across the Des Moines river,  
In which the concurrence of the Senate is requested.

The House have also passed without amendment,

Senate resolution relative to the appointment of a joint committee to report a catalogue of acts, and have appointed Messrs. Hebard and Lef-fingwell a committee on the part of the House in compliance with the same.

Mr. Benton presented the petition of sundry citizens of Dubuque county, praying an alteration in the license law, as to the retailing of ardent spirits ; and,

On his motion,

Said petition was referred to a Select Committee, and

Messrs. Crawford, Wheeler and Spratt were appointed said committee ; Mr. Benton, on his request, being excused from serving on said committee.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed,

Senate file, No. 12, A bill for an act in relation to clerks and prosecuting attorneys ; and,

Senate file, No. 15, An act for the organization of the county of Dallas.

Mr. Sanford, from the Committee on Enrolled Bills, reported that they have presented

Senate file, Joint resolution asking a donation of land for the improvement of Muscatine Island, on the Mississippi river ;

Senate file, Joint resolution accepting a grant of land for the improvement of the Des Moines river ; and,

Senate, file, Joint resolution instructing our Representatives in Congress to procure the establishment of a certain mail route ;

To his Excellency for his approval.

Mr. Davis, from the Committee on Internal Improvements, made the following report, accompanied by

Senate file, No. 23, A bill establishing a State board of internal improvements, and providing for the improvement of the navigation of the Des Moines river.

## R E P O R T :

The Committee on Internal Improvements, in obedience to a resolution of the Senate instructing them to inquire into the expediency of creating by law a State Board of Internal Improvements for conducting the improvement of the Des Moines river, and for other purposes; and of empowering said board to proceed and sell a portion of the lands donated by Congress to this State for the purpose of aiding in the prosecution of said work, and to commence operations at as early a day as practicable after said river shall have been ascertained by actual survey to be susceptible of slack-water navigation: also, whether it is expedient to commence said improvement by the erection of one dam in each county along the entire line of the same—have had those subjects under consideration, and instructed me to report:

Your committee have endeavored to devote to the subjects embraced in their instructions, that careful attention which their importance demands. The subject of internal improvement is one which, during the past quarter of a century, has engaged much of the legislative attention of nearly every State in the Union. The systems which have been so successfully prosecuted by many of the older States, have contributed more largely, perhaps, than any other source, as well to our national greatness as to the prosperity of their respective citizens. By facilitating intercourse between remote points—by overcoming distance, and bringing within the reach of producers in the interior country profitable markets for the products of the soil and of their labor—encouragement is offered to honest industry and stimulus to commercial enterprise, which cannot fail to exert a most salutary influence upon the public prosperity. The community of interest thus established between the citizens of different sections, is one of the strongest links in that great chain which constitutes the indissoluble bond of union among the American States.

The Federal Government, rightly appreciating the great advantages flowing from this source, has ever evinced a commendable liberality in making grants of land to the States for the purpose of aiding them in the prosecution of works of internal improvement, and, in pursuance of this wise policy, she has manifested a disposition to extend to Iowa the same aid which has been extended to her elder sisters. The grant of lands for the improvement of the Des Moines river, considered as a first step, and as an earnest of what we may expect in future—if the means thus placed at our disposal are properly improved and faithfully applied to the object for which they were intended—is an act of munificence which does honor to the Government of a free, enlightened and pro-

gressive nation. That those means will be so applied and improved, your committee cannot entertain a doubt; and their labors have, therefore, been directed to the end that such measures may be adopted at the present session of the General Assembly as will secure to the people of the State the full measure of benefit to be derived therefrom, and, at the same time, lay the foundation for a general system of internal improvements—to be prosecuted as additional means for that purpose may be obtained, by grants of land or otherwise.

Since the passage of the act making the grant aforesaid, doubts have been entertained and freely expressed, whether it was the intention of Congress that said grant should be independent of, and in addition to, the grant of 500,000 acres to each State, by the act of September 4, 1841, or whether it did not come within the provisions of the 8th section of said act, which provides that all lands donated to any State for other purposes, shall be deducted from said 500,000 acres, which by our State Constitution, is devoted exclusively to educational purposes. Considering a decision of this question as a pre-requisite to any decided action in the premises, the committee have delayed their report until an opinion upon the subject could be obtained from the proper authority. Our acceptance of the grant, (so called,) under the construction that it is embraced in the proviso of the eighth section of the act of Sept. 4th, 1841, would be simply to assent to a diversion of the means set apart as the permanent basis of a State Common School fund, to the purpose of internal improvements. The General Assembly could not, with fidelity to the constitution, and a due regard for the best interests of the State, take a step which would so seriously impair our prospective Common School fund; and for this reason our acceptance of the grant was made conditional. A recent decision made by the Secretary of the Treasury is in strict accordance with the condition of our acceptance, as will be seen by the following letter from that officer to the acting Commissioner of the General Land Office, which must effectually remove all doubt upon the subject, and put the question as to the character of this grant forever at rest:

TREASURY DEPARTMENT, }  
 DECEMBER 11th, 1846. }

SIR:—I have the honor to acknowledge the receipt of your letter of the 10th ult., with respect to the construction of the act of Congress approved August 8th, 1846, entitled “an act granting certain lands to



the Territory of Iowa, to aid in the improvement of the navigation of the Des Moines river, in said 'Territory,' and to state in reply that in my opinion the grant to Iowa, by the act of August 8th, 1846, above referred to, not being gratuitous, but on conditions, is not embraced within the provisions of the 8th section of the act of Sept. 4th, 1841, so as to constitute a part of the five hundred thousand acres therein referred to, but that it is a grant independent of, and in addition to that in the last named act.

Very respectfully,

Your obd't servant,

R. J. WALKER,

Secretary of the Treasury.

JAMES H. PIPER, Esq.,

Acting Commissioner of the General Land Office.

This grant is in the nature of a *trust* proffered to the State for a specific purpose, the assent of the General Assembly being first required; and the decision of the Secretary of the Treasury, above quoted, being the only condition required by the State, her acceptance of the grant becomes absolute. By this step we have incurred an obligation of no ordinary character, and the method to be chosen for the faithful discharge of that trust, according to the spirit and intent of the act of donation, becomes a question of the most serious import. Believing as we do that the improvement of the Des Moines river in such manner and to such extent as will be justified by the value of the lands granted for that purpose, will not only tend to accelerate the settlement and improvement of a very large region of country contiguous to that river, thus adding very materially to the wealth and resources of the State, but will also yield a large revenue from tolls and the sale of water-power for manufacturing purposes, your committee would respectfully urge the importance of an immediate survey of said river by a competent engineer, with a view to the commencement of said work with as little delay as possible.

The Des Moines valley is much the best timbered portion of the State, and at the same time one of the finest agricultural regions in the known world; the soil being of the richest alluvial character, and admirably adapted to the growth of all the great staples produced in the same latitude. A section of equal extent, containing a smaller proportion of barren or waste lands, cannot be found on the American continent—the whole country, for between thirty and forty miles on each

side of that river, being susceptible of the highest state of cultivation. In addition to these advantages, this region is more abundantly supplied with coal of a superior quality, than any country west of the Alleghany mountains. In view of these facts, no adequate conception can be formed of the amount of surplus products which will seek an egress to market by this thoroughfare, when completed, nor of the extent to which different branches of manufacture will be carried on, by means of the inexhaustible water power which will be created at the dams and locks on said improvement. It would be difficult to make even an approximate estimate of the amount of public revenue which may ultimately be derived from the sale of the water-power, together with the tolls on exports and imports of produce, merchandize, &c. It is a very moderate estimate to assume, that within a very short period after the completion of the contemplated work, the tolls and water-rents on the same may be made to yield a nett income of thirty thousand dollars per annum—a sum sufficient, if devoted to that object, to defray all the ordinary expenses of our State Government. This may be regarded as an important item in enabling the State hereafter to prosecute other works of internal improvement. Each year's delay, therefore, in the prosecution of this important work, the committee can regard in no other light than as a dead loss to the State.

Any further remarks under this head are deemed unnecessary, as it is not to be presumed that the General Assembly are so blind or indifferent to the true interests of the State, as by hesitancy or the adoption of an inefficient policy, to throw away those great advantages which will result, both to the citizens of the section immediately interested and to the people of the State at large, from a prompt commencement and early completion of said improvement. Your committee would, therefore, recommend that such steps be at once taken as are necessary to its commencement and vigorous prosecution at as early a period as practicable during the ensuing spring or summer. The plan which has recommended itself to the committee, as best calculated to secure the object in view, is the establishment of a State Board of Internal Improvement, to consist of three judicious and trust worthy persons, with their duties defined by law, and possessing adequate powers for the prosecution of said improvement to final completion; among the most important of which is that of bringing the lands granted for that purpose immediately into market and directing their sale at such times and in such quantities, during the progress of the work, as the public interest in that behalf may require. The establishment of a

land office for the sale of said lands, will, of course, be necessary as a preliminary step.

As regards the character of the contemplated improvement and the scale upon which the same should be projected, regard should be had to the amount and value of the lands embraced in the grant—and this should constitute the only limit to the extent of the work. The committee are of opinion that the State are entitled, under the act of donation, to each alternate section of land in an area of five miles in width, on each side of the Des Moines river, to its source, or to its intersection with the State boundary—which is a distance of some one hundred and fifty or two hundred miles above the Raccoon Fork.

The following is the first section of said act :

“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, granted to the territory of Iowa, for the purpose of aiding said territory to improve the navigation of the Des Moines river, from its mouth to the Raccoon Fork (so called) in said territory, one equal moiety in alternate sections of the public lands, (remaining unsold and not otherwise disposed of, encumbered or disposed of,) in a strip five miles in width on each side of said river—to be selected within said territory by an agent or agents to be appointed by the Governor thereof, subject to the approval of the Secretary of the Treasury of the United States.”

It will be seen that the grant is not limited to the lands below the Raccoon Fork, the point to which the improvement is to extend, but that it is co-extensive with the length of the river within the State. Had it been the intention of Congress so to limit the grant, the language of the act, in describing it, would have been—“one equal moiety in alternate sections of the public lands, in a strip five miles in width, on each side of said river, *from its mouth to said Raccoon Fork*, to be selected within said territory,” &c. But the words, “*to said Raccoon Fork*,” which would be required to limit the grant to that point, are not contained in the act; consequently, we have a right to the lands to the source of the river, or to our State boundary. Were anything further required explanatory of the intention of Congress, we have such explanation in the phraseology—“to be selected *within said territory*, by an agent or agents.” But for the curtailment of our territorial limits in adopting our State boundaries, we would have been entitled to the lands to the highest source of the Des Moines; for the only limitation to the grant is the above quoted provision, that they shall “be selected

within said territory" of Iowa. Though the letter of the act would still give us the same amount of lands, it is not supposed that the State can hold the lands beyond its limits; and the grant is therefore understood to extend from the mouth of the river to its intersection with the State boundary.

In the late message of his Excellency, Governor Clarke, the lands embraced within this grant, and lying *below* the Raccoon Fork, are estimated at a fraction less than 400,000 acres. In this estimate the Governor has, doubtless, made a very liberal deduction for the lands already disposed of by the general Government. We are led to believe that his estimate is rather below than above the actual amount, and that the lands which we acquire below the Raccoon Fork may be safely set down, in round numbers, at 400,000 acres. Assuming the distance, by the meanderings of the river, from the Raccoon Fork to the boundary of the State, to be only one hundred and seventy-five miles, the amount of land which we acquire between those two points is 560,000 acres—which, added to the former amount, gives 960,000 acres as the total amount of the donation.

Here, then, we have nearly a million of acres of valuable land as the basis of a fund for the contemplated improvement, the value of which will be immeasurably enhanced in view of said improvement. It is by no means extravagant to presume that, with a guaranty on the part of the State for the early completion of said work, every acre of those lands will readily sell at the Government minimum price. It will, at all events, be quite safe to average them at that price in our estimate of the sum total to be realized from the aggregate of their sale. This gives the sum of \$1,200,000 to be devoted to said improvement, should so large a sum be found necessary, besides the income from water rents, during the intermediate stages of the work. But this sum is believed to be more than amply sufficient to make the improvement of such a character as will afford convenient and safe navigation to the largest class of steamboats plying on the Upper Mississippi, during seasons of the year when the water is at a high or medium stage, and to those of a lighter draft during all seasons of the year; and your committee would therefore recommend that said work be commenced and carried forward on such a scale as will secure the ultimate attainment of this object. From the best information that we have been enabled to obtain with reference to the character of the stream to be improved, we conclude that the erection of one dam, say eight feet high, with a lock of suitable dimensions, for every eight miles along the same, will consti-

tute the great bulk—and, indeed, nearly all the expense of putting it in the navigable condition here contemplated. The abundance and superior quality of the stone which can be obtained at all places in the bed and banks of that river, will very materially facilitate the work. Owing to this and other advantages, among which may be mentioned the low price of provisions, and the promixity of excellent timber, it is not anticipated that the prosecution of said work will be attended with a very heavy expense; and it would not be a matter of much surprise to the committee, should the value of the donation be found to exceed by one-third the entire cost of the improvement.

The only obstacle worthy of particular note which will probably be encountered in carrying out this important project, is in a heavy sand-bar at the mouth of the Des Moines, extending some distance out into the Mississippi river. This would render it very difficult, and, perhaps, impossible, to give free access to boats of any considerable draft, except in seasons of high water. But a plan readily suggests itself by which this obstacle can be wholly avoided. It is well known that the confluence of the Des Moines with the Mississippi was originally at a point some four or five miles higher than at present; consequently, a dam of moderate height, thrown across the channel of the Des Moines immediately below where it leaves the old channel, will turn that river into the Mississippi at so short a distance below the lower rapids in the latter, that the accumulation of a sand bar at that point need never be apprehended. In addition to this advantage, the plan here suggested would create at Keokuk such water power as to make that town, in no distant day, an important manufacturing, as well as a commercial city. It is believed that this change in the channel of the Des Moines can be effected at a much less expense than to clear out the sand bar at its mouth; but should it even prove that this conclusion is incorrect, the people of Iowa will feel a pride, and will find their interest in building up a thriving manufacturing and commercial town in their own State, rather than contribute to the growth of a rival town at the mouth of the river on the Missouri side. Should this plan be attended with a cost of fifty thousand dollars over and above the amount required for the necessary improvement at the present mouth of the river, it is believed that, even in that case, the water power and other advantages resulting from it, would in a few years amply repay the additional cost. The above mentioned obstacle is therefore very far from being an insuperable barrier to the improvement.

In the discharge of the duty assigned to the committee, to inquire

into the expediency of commencing the improvement under consideration, by the erection of one dam and lock in each county through which said river passes, they have arrived at the conclusion that such course would probably be both expedient and advisable, as best calculated to promote the interests of the people in its immediate vicinity, and of the State at large. By the erection, at the outset, of one dam for each twenty-five miles, or thereabouts, the people within thirty or forty miles of the river along its whole length, will be very materially benefited, and at the same time the State will realize a handsome revenue from the sale of water power at each of those dams. If, on the contrary, the improvement be commenced at the mouth of the river, and finished as it progresses, it is obvious that the sales of the water power which would thus be created in one neighborhood, could not be made to one-sixth the amount which could be sold by the former plan, and that for a number of years the people of the whole valley of the upper Des Moines would be deprived of the benefits resulting from the mills and machinery of various kinds which will go into operation as fast as the dams are erected.

So soon after the erection of the first set of dams and locks as the money arising from the sale of lands, &c., will warrant, the State may proceed to the erection of as many intermediate ones as may be found necessary; and by this course of procedure, we feel assured that the final completion of the work would be effected at an earlier day, and with less cost, than by confining the operations at first to the lower portion of the river. By the erection of mills at the first set of dams, the necessary lumber would be furnished for the second set at a cheaper rate than it could otherwise be obtained, and the expense of the work will thus be in some measure reduced. This plan would also afford other facilities tending to reduce the aggregate cost, which it is not deemed necessary here to mention. Another strong argument in favor of this plan is, that the erection of dams at the foot of shoals or rapids, at an average distance of twenty-five miles apart, will raise the water, at a medium stage, from three to five feet at the head of each level; thus affording navigation for four or five months in the year throughout the entire length of the river to the Raccoon Fork, so soon as this first stage of the work is completed; whereas, it is at present only navigable for a few weeks together in the early part of the spring, and even then the navigation is quite difficult and hazardous.

It may be urged as an objection to the plan here proposed, that in case the donation should prove insufficient to improve the whole river,

the funds would be expended without securing the benefits of uninterrupted and convenient navigation on any portion of the river. To this objection the committee would reply, first; that they can see no good reason for apprehending such a contingency; and secondly, that should the lands be exhausted before the improvement is fully completed, the course hitherto pursued by the General Government towards the States, warrants us in the confident belief that, if the grant already made be applied in good faith, she will make up the deficiency by an additional grant. It is presumed that, whether such a contingency shall arise or not, Congress will respond to our memorial by permitting us to select other lands in lieu of those already sold within the limits of the grant. In the case of Indiana, Congress has added donation to donation, until that State has received almost two millions and a half of acres of land, to aid her in constructing works of internal improvement. Being aware of the diversity of opinion entertained upon this subject, the committee will not urge the unconditional adoption of the plan here proposed, but would recommend that it be left discretionary with the Board of Internal Improvement, who will be better qualified to judge of its expediency to adopt that plan, if in their judgment it will be the most effectual in securing the ultimate attainment of the object for which the grant was made.

Acting from the conviction that the General Government will continue to be guided by the same liberal and enlightened policy which has hitherto characterized her course in extending aid to other States in similar undertakings—believing that she has no intention of stinting Iowa upon this grant for the improvement of the Des Moines river, but that she will readily accede to our reasonable request for grants of land to improve some one or more of the other rivers in this State, which are susceptible of improvement—that she will continue her liberality towards our young State, until she has received a portion equal to that given to her elder sisters—your committee, in drafting the bill which accompanies this report, has not confined the powers and duties of the Board of Internal Improvements therein provided for, to the prosecution of the work now under consideration; but have provided, prospectively, for general powers and duties in that Board, looking to all public works that may hereafter be undertaken or projected by the State. We would recommend that provision be made for the payment of such salaries to the Commissioners of said Board, as will secure the services of competent men with the necessary enterprise, energy and business capacities; which, together with all other incidental expenses

incurred in the prosecution of the Des Moines river improvement, should be paid out of the proceeds of the sales of the lands appropriated for that purpose.

The means now placed at our disposal, if properly husbanded and discreetly managed, will form the nucleus of a general system of internal improvements, the beneficial and invigorating influence of which will, ere many years, be felt in every portion of the State. Having, in another part of this report, alluded to the extensive scale upon which the internal improvements of many of the older States have been conducted, we would here express the hope that Iowa may reap all the benefits, with none of the evils which those States have experienced from this source—that her career may be as prosperous in all respects as theirs, while she avoids the rock on which they split. It is a source of profound satisfaction to the citizens of our State, that their fundamental law presents such a complete barrier against the contracting of a heavy debt, as will effectually protect them against the ruinous policy which has paralyzed the energies of those States and mortgaged the farms of their citizens. However we may be disappointed in the beneficial results expected to flow from a general system of internal improvements, it cannot prove very disastrous to the public interest, inasmuch as no system can be devised under our constitution, which can make our people feel the crushing weight of debt and taxation.

Your committee have embodied the substance of the principal recommendations herein made, in a bill which they herewith present and respectfully recommend its passage.

JAS. DAVIS, Chairman.

Which was read, and,

On motion of Mr. Browning,

Laid on the table.

Mr. Benton, in accordance with notice and leave, introduced Senate file, No. 24, A bill for an act to incorporate and establish the city of Dubuque, in the county of Dubuque;

Which was read a first and second time, and,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Jay, in accordance with notice and leave obtained, introduced Senate file, No. 25, A bill for an act assuming the Territorial debts, authorizing the Auditor of State to collect debts due the Territory;

Which was read a first and second time, and,

On motion of Mr. Sprott,



Made the special order of the day for the thirteenth of January, instant.

Senate file, No. 22, An act for the incorporation of the city of Farmington, in the county of Van Buren, in the State of Iowa;

Was read a second time.

Mr. Browning moved that said bill be laid on the table, and made the special order of the Senate for Friday next.

Mr. Whitaker moved to lay said bill on the table.

Agreed to.

Senate file, No. 12, An act in relation to clerks and prosecuting attorneys,

Was read a third time, and,

On the question, shall said bill pass?

Was decided in the affirmative, by yeas 13, nays 6.

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Brown, Browning, Davis, Fullinwider, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Whitaker—13.

NAYS—Messrs. Bradley, Crawford, Harbour, Hughes, Selman, and Mr. President—6.

Title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 15, An act for the organization of the county of Dallas,

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 24, An act supplemental to an act providing for the stay of the school fund in the hands of the holders thereof,

Being the order of the day, was considered in Committee of the Whole, Mr. Browning in the chair; and,

After some time spent therein,

The committee rose, and reported the same back to the Senate, without amendment, and,

On motion of Mr. Hughes,

Said bill was referred to the Committee on Schools.

On motion,

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

WEDNESDAY MORNING, JANUARY 13, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 23, A bill for an act to provide for the taking an enumeration of the white inhabitants of the State of Iowa,

H. R. file, No. 26, A bill for an act to change the name of Chaldea, in Appanoose county,

H. R. file, No. 1, Memorial to Congress relative to pay of disbanded dragoons, and

H. R. file, No. 11, Joint resolution providing for a mail route from Dubuque to Fort Atkinson,

In which the concurrence of the Senate is requested.

Mr. Wheeler presented the petition of sundry citizens of the State of Iowa in relation to grocery license ;

Which was read, and,

On motion,

Referred to the select committee to whom similar petitions were referred.

Mr. Browning presented the petition of sundry citizens of Des Moines county, in relation to the 16th section ; which,

On his motion,

Was referred to the Committee on Schools.

Mr. Brown, from the Committee on Elections, to whom was referred the petition and remonstrances of citizens of Farmington township, Van Buren county, in relation to the establishment of an additional election precinct, have instructed me to report the following bill,

Senate file, No. 27, A bill for an act to establish an election precinct at the town of Farmington, Van Buren county, Iowa ;

Which was read a first and second time, and,

On motion of Mr. Browning,

Referred to the Committee of the Whole, and made the special order of the day for Friday next.

Mr. Browning, in accordance with notice and leave, introduced

Senate file, N. 28, A bill in relation to collectors', sheriffs' and coroners' deeds ;

Which was read a first and second time, and,

On his motion,

Laid on the table.

H. R. file, No. 8, Joint resolution in relation to obtaining the privilege from the State of Missouri to erect dams across the Des Moines river,

Was read a first and second time, and,

Ordered to a third reading to-morrow.

H. R. file, No. 13, A bill to establish the time of holding township elections ;

Which was read a first and second time, and,

On motion of Mr. Browning,

Referred to the Committee on Elections.

H. R. file, No. 23, A bill to provide for taking an enumeration of the white inhabitants of the State of Iowa ;

Was read a first and second time, and,

On motion of Mr. Sanford,

Referred to a Select Committee.

Messrs. Sanford, Selman and Hughes, were appointed said committee.

H. R. file, No. 26, An act to change the name of Chaldea, in Appanoose county ;

Was read a first and second time, and,

On motion of Mr. Sanford,

Ordered to a third reading to-morrow.

H. R. file, No. 1, Memorial to Congress relative to pay of disbanded dragoons ;

Was read a first and second time, and,

On motion of Mr. Browning,

Referred to the Committee on Military Affairs.

H. R. file, No. 11, Joint resolution providing for a mail route from Dubuque to Fort Atkinson ;

Was read a first and second time, and,

On motion of Mr. Mr. Sprott,

Laid on the table.

On motion of Mr. Hughes,

The report of the Committee on Internal Improvements, in relation

to the improvement of the navigation of the Des Moines river, with Senate file, No. 22,

Was taken up and read a second time, and,

On motion of Mr. Harbour,

Said bill and report was recommitted to said Committee on Internal Improvements.

On motion of Mr. Harbour,

The Senate adjourned till 10 o'clock to-morrow morning.

---

THURSDAY MORNING, JANUARY 14, 1846.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 13: Relative to the Printing of Laws.

In which the concurrence of the Senate is requested.

The House have also passed, without amendment,

Senate file No. 17: Joint Resolution instructing our Representatives in Congress to use their exertions to obtain six months' pay for the volunteer company of cavalry disbanded at Fort Atkinson;

Senate file, No. 18: An act concerning the southern boundary of Iowa.

Also, with amendments,

Senate file, No. 2: A bill to amend an act entitled "An act for the organization of townships," approved February 17, 1842;

Senate file, No. 10: An act prescribing the general duties of Treasurer of State;

Senate file, No. 13: An act prescribing the duties of Secretary of State;

In which the concurrence of the Senate is requested.

I am also directed to inform the Senate that the House have concurred in the amendments made by the Senate to

H. R. file, No. 12: Joint Resolution providing for the taking effect

of joint resolution requiring the Auditor of State to audit and allow the expenses of the late Convention.

Mr. Davis presented the petition of sundry citizens of Wapello county, praying the passage of an act for the location of a State road from the county seat of Keokuk county to Ottumwa, in Wapello county, which,

On his motion,

Was referred to the Committee on Roads.

Mr. Browning, from the Select Committee to whom was referred Senate file, No. 8: A bill for an act to divide the State into Congressional Districts,

Reported the same back to the Senate, with amendments.

Mr. Bradley moved that the Senate disagree to the amendments made by said committee; and,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Huner, Selman, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer, Sprott and Whitaker—7.

Mr. Harbour moved to strike out Keokuk, from the second district, and insert the same in first district.

Agreed to.

Mr. Benton moved to amend by striking out Des Moines, from the second district, and inserting Mahaska, Jasper and Polk.

The yeas and nays being demanded were ordered, and were as follow:

YEAS—Messrs. Benton, Crawford and Sprott—3.

NAYS—Messrs. Bissell, Bradley, Brown, Browning, Davis, Fullinwider, Harbour, Huner, Jay, Selman, Sanford, Springer, Wheeler, Whitaker and Mr. President—14.

So said amendment was not adopted.

Mr. Springer moved to reconsider the vote just taken on Mr. Benton's amendment.

Lost.

Mr. Bradley moved to engross and read said bill a third time on Saturday, the 16th.

The yeas and nays being demanded, were ordered, and were as follow:

**YEAS**—Messrs. Bissell, Bradley, Brown, Crawford, Davis, Harbour, Huner, Selman, Sanford, Whitaker and Mr. President—11.

**NAYS**—Messrs. Benton, Browning, Fullinwider, Jay, Springer, Sprott and Wheeler—7.

So said bill was ordered to be engrossed and read a third time on Saturday, the 16th.

Mr. Benton, from the Joint Committee appointed to report the number of acts necessary to be passed at the present session of the General Assembly for the organization of the State Government, made the following report :

Senate—An act concerning Justices of the Peace ;

“ An act to provide for an enumeration of the inhabitants of the State ;

Senate—An act concerning the Des Moines river grant ;

“ An act to divide the State into Judicial Districts ;

“ An act providing for the election of certain officers ;

“ An act providing for the public printing ;

“ An act providing for the organization, practice, costs, fees, &c., of courts ;

Senate—An act for the sale of certain school lands ;

“ An act for the appointment of commissioners to revise and and report a Code of Laws ,

House—A Revenue Law ;

“ A General School Law ;

“ A General incorporation Law ;

“ An act designating the time of holding courts ;

“ An act fixing the salaries of different officers, and fees of same ;

House—An act for the appointment of commissioners to locate the 500,000 acre grant of land.

Which was adopted.

Mr. Davis, on leave, introduced

Senate file, No. 29: A bill regulating practice in the courts of Iowa.

Which was read a first and second time, and,

On his motion,

Referred to the Committee on the Judiciary.

The President announced a communication from the Secretary of State. [See Appendix.]

Which was read, and,

On motion,

Referred to the Committee on Internal improvements.

Mr. Benton gave notice that he would, at some early day, ask leave to introduce

A bill providing for the sale of certain school lands.

Mr. Sanford gave notice that, on next Monday, he would introduce

A bill prescribing the mode of choosing electors to vote for President and Vice President of the United States.

Senate file, No. 25: A bill for an act assuming the territorial debts, and authorizing the Auditor of State to collect debts due the territory,

Was considered in Committee of the Whole, Mr. Crawford in the chair, and,

After some time spent therein,

The committee rose and reported, by their chairman, said bill back to the Senate, without amendment, and,

On motion,

Said bill was laid on the table and ordered to be printed.

H. R. file, No. 8, Joint resolution in relation to obtaining privilege from the State of Missouri to erect dams across the Des Moines river ;

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

Ordered, That the Secretary notify the House accordingly.

Mr. Jay offered the following :

Resolved, That the Committee on the Judiciary be instructed to bring in a bill, at as early a day as practicable, regulating the times of holding the several district courts in this State ; which,

On motion of Mr. Benton,

Was laid on the table.

H. R. file, No. 26, An act to change the name of Chaldea, in Appanoose county ;

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

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 26, A bill to establish an election precinct at the town of Farmington, Van Buren county, Iowa ; was,

On motion of Mr. Brown,

Referred to a Select Committee composed of the Senators from Van Buren county.

Mr. Brown moved the Senate adjourn until two o'clock, P. M.

Mr. Benton moved to amend, by adjourning until ten o'clock, A. M., to-morrow ; and,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bradley, Crawford, Hughes, and Jay—5.

NAYS—Messrs. Bissell, Brown, Browning, Davis, Fullinwider, Harbour, Selman, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—13.

So the Senate refused to adjourn until ten o'clock to-morrow morning, and,

Mr. Brown, on leave, withdrew his motion to adjourn until two o'clock, P. M.

H. R. file, No. 13, Joint resolution relative to the printing the laws

Was read a first and second time, and,

On motion of Mr. Hughes,

The thirteenth rule was suspended, said joint resolution was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Whitaker,

The Senate concurred in the amendments made by the House to Senate file, No. 10, An act prescribing the general duties of Treasurer of State.

Senate file, No. 13, An act prescribing the general duties of Secretary of State,

Coming up as amended by the House,

On motion of Mr. Sprott,

The Senate concurred in said amendment.

On motion of Mr. Hughes,

Senate adjourned until 10 o'clock to-morrow morning.

---

FRIDAY MORNING, JANUARY 15, 1847.

Senate met pursuant to adjournment.

Mr. Springer presented the petition of J. P. Vandevend and twenty-four others, citizens of Louisa county, praying the establishment of a State road from Walling's Landing, in said county, to Crawfordsville, in Washington county, and west as far as expedient; which was,

On his motion,



Referred to the Committee on Roads.

Also, all the petitions now on the table in relation to said road, were referred to said committee.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 32, A bill for an act prescribing the the time, manner and place of holding elections for Senators to Congress ;

H. R. file, No. 36, A bill for an act to revive and relocate a portion of the Territorial road from Rockingham to Iowa City ;

In which the concurrence of the Senate is requested.

The House have also passed the following resolution :

Resolved, That a committee of two be appointed on the part of the House, to act in conjunction with a similar committee on the part of the Senate, to ascertain and report on what day the present session can be brought to a close without detriment to the public interest,

And have appointed Messrs. Olmstead and Sells on the part of the House, in compliance therewith.

In which the concurrence of the Senate is requested.

Mr. Selman, on leave, introduced

Senate file, No. 30, Joint resolution providing for a mail route from Fairfield to Bloomfield ;

Which was read a first and second time, and,

On motion of Mr. Brown,

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

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled,

Senate file, No. 18, An act concerning the southern boundary of Iowa ; and,

Senate file, No. 17, Joint resolution instructing our Representatives in Congress to use their exertions to obtain six months pay for the volunteer company of cavalry disbanded at Fort Atchinson, on the 5th of Oct., 1846.

Mr. Brown, from the Committee on Elections, reported

Senate file, No. 31, A bill regulating the election of judges ;

Which was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table, and ordered to be printed.

Mr. Browning, on leave, introduced

Senate file, No. 32, An act fixing the punishment for the crime of murder ;

Which was read a first and second time, and,

On motion of Mr. Sanford,

Laid on the table and ordered to be printed.

Mr. Sanford, in accordance with previous notice and leave obtained, introduced

Senate file, No. 33, An act to confer the authority of changing the names of persons, towns and villages upon the district courts ;

Which was read a first and second time, and,

On motion of Mr. Browning,

Laid on the table and ordered to be printed.

Senate file, No. 27, A bill for an act to establish an election precinct at the town of Farmington, Van Buren county, Iowa ;

Having been made the special order of the day, was considered in Committee of the Whole, Mr. Hughes in the chair, and,

After some time spent therein,

The committee rose and reported, by their chairman, said bill back with a substitute ; which was,

On motion,

Referred to a select committee composed of the Senators from the county of Van Buren.

Mr. Davis, from the Committee on Internal Improvement, reported back to the Senate the original report of said committee on the subject of the improvement of the Des Moines river, with

Senate file, No. 23, A bill establishing a State board of internal improvement and providing for the improvement of the navigation of the Des Moines river.

Mr. Bradley moved that said report and bill be laid on the table and printed.

Mr. Springer asked a division of the question, which was allowed, and the question being on laying said bill on the table, it was decided in the affirmative,

So said bill was laid on the table.

The question then being on printing the report,

Mr. Harbour moved to amend by ordering five hundred copies ; and

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Brown, Browning, Crawford, Ful-

linwider, Harbour, Hughes, Jay, Selman, Sprott, Wheeler, and Mr. President—13.

NAYS—Messrs. Benton, Huner, Sanford, Springer, and Whitaker—5,

Mr. Davis being excused from voting.

So five hundred copies of said report were ordered to be printed.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed

Senate file, No. 8, An act to divide the State into two Congressional districts.

Senate file, No. 2: A bill to amend an act entitled "An act for the organization of townships," approved February 17, 1842,

Coming up as amended by the House, the Senate,

On motion,

Concurred in said amendment.

H. R. file, No. 32, A bill prescribing the time, manner and place of holding election for Senators to Congress ;

Was read a first and second time, and,

On motion of Mr. Springer,

Referred to the Committee on the Judiciary.

H. R. file, No. 36, A bill for an act to revive and relocate a portion of the Territorial road from Rockingham to Iowa City,

Was read a first and second time, and,

On motion of Mr. Wheeler,

Ordered to a third reading to-morrow.

Mr. Sanford presented the claim of Howell & Cowles, for printing, which was,

On his motion,

Referred to the Committee on Claims.

On motion of Mr. Springer,

Senate file, No. 19, A bill concerning Justices of the Peace ;

Was taken from the table, and,

On his motion,

Made the special order of the day for Saturday next.

Mr. Benton presented the claim of George Greene, for printing, which was,

On his motion,

Referred to the Committee on Claims.

On motion of Mr. Whitaker,

Senate file, No. 20, A bill for an act prescribing the general duties of the Auditor of State,

Was taken from the table, and,

On motion of Mr. Jay,

The Senate proceeded to consider said bill in Committee of the Whole, Mr. Jay in the chair, and, after some time spent therein,

The committee rose, and by their chairman, reported that said committee had had said bill under consideration, and made some progress therein, and asked leave to sit again.

And the question being, shall the committee have leave? it was granted, and

Said bill was made the special order of the day on Tuesday next, 19th inst.

A message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President:*

I herewith return you

Senate file, An act concerning the southern boundary of Iowa.

Senate file, Joint Resolution instructing our Representatives in Congress to use their exertions to obtain six months' pay for the volunteer company of cavalry disbanded at Fort Atkinson the 5th October, 1846.

The same having been signed by the Speaker of the House.

On motion of Mr. Bradley,

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

SATURDAY MORNING, JANUARY 16, 1847.

Senate met pursuant to adjournment.

Mr. Bissell presented the petition of sundry citizens of Benton and Linn counties, praying the location of a State road from Cedar Rapids, in Linn county, to the county seat of Benton county; which was,

On his motion,

Referred to the Committee on Roads.

Mr. Davis, from the Committee on Internal Improvement, reported

Senate file, No. 34 : An act to establish a land office for the sale of the lands donated by Congress to the territory of Iowa for the improvement of the navigation of the Des Moines river ;

Which was read a first and second time, and,

On motion of Mr. Springer,

Laid on the table and ordered to be printed.

Mr. Bissell, from the Judiciary Committee, to whom was referred

H. R. file, No. 32 : A bill prescribing the time, manner and place of holding elections for Senators to Congress,

Reported a substitute ;

Which was read a first and second time, and,

On motion of Mr. Benton,

Laid on the table.

Mr. Davis, on leave, introduced

Senate file, No. 35 : A bill relative to State seals ;

Which was read a first and second time, and,

On motion of Mr. Davis,

The 13th rule was suspended, and the bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Benton, in accordance with previous notice and leave obtained, introduced

Senate file, No. 36 : A bill for an act providing for the appointment of an Attorney General of State, and to define his duties ;

Which was read a first and second time, and,

On motion of Mr. Browning,

Laid on the table, and ordered to be printed.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 8 : A bill for an act to divide the State into two Congressional Districts.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they have presented to his Excellency, for his approval,

Joint Resolution instructing our Representatives in Congress to use their exertions to obtain six months' pay for the volunteer company of cavalry disbanded at Fort Atkinson on the 5th day of October, 1846 ; and

An act concerning the southern boundary of Iowa.

Mr. Sanford, from the Select Committee to whom was referred

Senate file, No. 27: A bill establishing an additional election precinct in Farmington township, Van Buren county,

Reported the same back, with an amendment, which,

On motion,

Was concurred in, and ordered to be engrossed and read a third time on Monday next.

On motion of Mr. Springer,

The Senate proceeded to consider the message of the House of Representatives in relation to a joint committee to ascertain and report on what day the present session of the General Assembly can be brought to a close, which was agreed to,

Messrs. Browning and Hughes were appointed a committee on the part of the Senate.

The Senate proceeded to consider, in Committee of the Whole, as the as the special order of the day,

Senate file, No. 19: A bill concerning justices of the peace, Mr. Sprott in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported said bill back to the Senate, with amendments, which,

On motion,

Were concurred in, and,

On motion of Mr. Hughes,

Was laid on the table.

Senate file, No. 8: A bill for an act to divide the State into two Congressional Districts,

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

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 30: Joint Resolution providing for a mail route from Fairfield to Bloomfield,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Wheeler, on leave presented

The petition of two hundred citizens of Davenport, praying for a repeal of the charter of said town; which was,

On his motion,

Referred to the Committee on Incorporations.

On motion of Mr. Whitaker,

The report of the Joint Committee as to the number of acts to be passed at this session,

Was taken from the table, and

On motion of Mr. Hughes,

The Senate resolved itself into Committee of the Whole for the consideration of said report, Mr. Wheeler in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported the same back to the Senate—and that said committee had referred said report to the appropriate committee; and,

On motion,

The Senate concurred in said report.

On motion of Mr. Hughes,

Senate file, No. 19: A bill concerning justices of the peace;

Was taken from the table, and,

Referred to the Committee on the Judiciary.

Mr. Sanford, from the Select Committee to whom was referred,

H. R. file, No. 23, A bill for an act to provide for the taking an enumeration of the white inhabitants of the State of Iowa,

Reported the same back to the Senate without amendment.

H. R. file, No. 36, A bill for an act to revive and relocate a portion of the Territorial road from Rockingham to Iowa City;

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

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Sprott,

Senate adjourned until 10 o'clock Monday morning.

---

MONDAY MORNING, JANUARY 18, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

I herewith present, for your signature,

H. R. file, No. 8, Joint resolution in relation to obtaining the privi-

lege from the State of Missouri to erect dams across the Des Moines river,

H. R. file, No. 13, Joint resolution relative to the printing the laws ;

H. R. file, No. 26, An act to change the name of Chaldea, in Appanoose county ;

The same having been signed by the Speaker of the House.

Also,

H. R. file, An act to change the name of Prairie La Porte, in the county of Clayton.

Mr. Benton, from the Committee on Schools, to whom was referred

H. R. file, No. 24, An act supplemental to an act providing for the stay of the school fund in the hands of the holders thereof,

Reported the same back with a substitute therefor, and,

On motion,

The report of the committee was concurred in, and,

On motion of Mr. Bradley,

Said bill was laid on the table.

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled;

Senate file, No. 2, A bill to amend the act of the Territorial Legislature, entitled "An act for the organization of townships," approved 17th February, 1842,

Senate file, No. 10: An act prescribing the general duties of Treasurer of State ; and

Senate file, No. 13: An act prescribing the duties of Secretary of State.

Mr. Hughes, from the Committee on Incorporations, to whom was referred the petition of two hundred citizens of Davenport, praying a repeal of the charter of said town, reported

Senate file, No. 36, A bill to repeal the charter of the town of Davenport ;

Which was read a first and second time, and,

On motion of Mr. Badley,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed,

Senate file, No. 27, A bill to establish an election precinct at the town of Farmington, Van Buren county, Iowa ; and said bill

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



Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 23, A bill to provide for taking an enumeration of the white inhabitants of the State of Iowa ;

Was read a second time, and,

On motion of Mr. Fullinwider,

Ordered to a third reading to-morrow.

On motion of Mr. Bradley,

H. R. file, No. 24, A bill for an act supplemental to an act providing for the stay of the school fund in the hands of the holders thereof,

Was taken from the table, and,

On motion of Mr. Jay,

The Senate resolved itself into a Committee of the Whole, for the consideration of said bill, Mr. Whitaker in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported said bill back to the Senate with several amendments ; and,

On motion,

The Senate concurred in the amendments made by the committee of the whole, and

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

On motion of Mr. Davis,

Resolved, That Messrs. Browning, Selman, Springer and Brown, be added to the Committee on Internal Improvements.

On motion of Mr. Hughes,

Senate file, No. 16, A bill for an act for the organization of Pottawatamie and other counties,

Was taken up, and,

On motion of Mr. Springer,

The Senate resolved itself into Committee of the Whole on said bill, Mr. Benton in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported said bill back to the Senate with amendments, which,

On motion of Mr. Browning,

Were concurred in.

On motion of Mr. Davis,

Said bill was ordered to be engrossed, and read a third time on to-morrow.

On motion of Mr. Browning,

Senate file, No. 28, A bill in relation to collectors', sheriffs' and coroners' deeds ;

Was taken from the table, and,

On motion of Mr. Benton,

Said bill was amended by striking out all after the words "Iowa City," in said bill, and,

On motion,

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

On motion of Mr. Jay,

Senate file, No. 25: A bill for an act assuming the territorial debts, and authorizing the Auditor of State to collect debts due the territory,

Was taken from the table, and,

On his motion,

Made the special order of the day, in committee of the whole Senate, for to-morrow.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Bissell,

The Senate reconsidered the vote taken on Saturday last, on agreeing to the amendment made by the House of Representatives to

Senate file, No. 13, An act prescribing the general duties of Secretary of State, and,

On motion,

The Senate disagreed to the House amendment.

On motion of Mr. Hughes,

The Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY MORNING, JANUARY 19, 1846.

Senate met pursuant to adjournment.

Mr. Springer presented the petition of Peter De Mott and thirteen other citizens of Louisa county, praying for the establishment of a State road from Walling's landing on the Mississippi river, by way of Grandview, Fredonia and Columbus City, to Crawfordsville, in Washington county, and west as far as expedient ; which was,

On his motion,

Referred to the Committee on Roads.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 25, An act to amend an act for the organization of townships, approved Feb. 17, 1842.

H. R. file, No. 29, A bill for an act providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for the retailing of intoxicating liquors in said township or not.

H. R. file, No. 14, Joint resolution instructing our Representatives in Congress to procure the establishment of a certain mail route.

In which the concurrence of the Senate is requested.

I herewith return you

Senate file, No. 12, A bill in relation to clerks and prosecuting attorneys.

The same same having passed the House without amendment.

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

Senate file, No. 29: A bill regulating practice in the courts of Iowa, Reported that they have had the same under consideration, and report the same back to the Senate without amendment, and respectfully recommend that the further consideration of said bill be indefinitely postponed ; and,

On motion,

The report was concurred in and said bill postponed.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. R. file, No. 24, A bill concerning school moneys.

Senate file, No. 16, A bill for an act for the organization of Pottawamie and other counties.

Senate file, No. 28, A bill in relation to collector's, sheriff's, and coroner's deeds.

Which were severally read a third time and passed, title agreed to.

Senate file, No. 36, A bill to repeal the charter of the town of Davenport,

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

H. R. file, No. 23, A bill to provide for the taking an enumeration of the white inhabitants of the State of Iowa ;

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

Ordered, That the Secretary notify the House accordingly.

On motion,

The message from the House was taken up.

H. R. file, No. 25, A bill to amend an act for the organization of townships ;

Was read a first and second time, and,

On motion of Mr. Bradley,

Referred to the Committee on Elections.

H. R. file, No. 29, A bill providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for retailing intoxicating liquors in said township or not ;

Was read a first and second time, and,

On motion of Mr. Jay,

Made the special order of the day for to-morrow at two o'clock, p.m.

H. R. file, No. 14, Joint resolution instructing our Representatives in Congress to procure the establishment of a certain mail route ;

Was read a first and second time, and,

On motion of Mr. Davis,

The thirteenth rule was suspended, said joint resolution was read a third time and passed ; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Hughes, on leave, introduced

Senate file, No. 37, Joint resolution relating to a mail route from Iowa City, in the State of Iowa, to Albany, in the State of Illinois ;

Which was read a first and second time, and,

On motion,

The thirteenth rule was suspended, said resolution read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Jay, on leave, introduced

Senate file, No. 38, A memorial to Congress for a grant of land upon which to locate the seat of State government;

Which was read a first and second time.

Mr. Hughes moved to lay said memorial on the table.

Lost.

On motion of Mr. Browning,

The Senate resolved itself into a Committee of the Whole, for the consideration of said memorial, Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported the same back to the Senate with one amendment, and,

On motion of Mr. Springer,

Said memorial, with the pending amendment, was referred to a Select Committee, with instructions to report the same back on to-morrow; and,

Messrs. Springer, Jay, and Selman were appointed said committee.

On motion of Mr. Whitaker,

The Senate postponed the consideration of Senate file, No. 20, A bill to prescribe the general duties of the Auditor of State,

Until Tuesday next, the twenty-first.

Senate file, No. 25, A bill assuming the Territorial debts, and authorizing the Auditor of State to collect debts due the Territory,

Being the special order of the day, the Senate proceeded to consider the same in Committee of the Whole. Mr. Bradley in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported the same back to the Senate with one amendment; and,

On motion of Mr. Sanford,

Said bill, with the pending amendment, was referred to a Select Committee.

Messrs. Sanford, Springer and Hughes, were appointed said committee.

On motion of Mr. Sprott,

The Senate adjourned till 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sprott, from the Joint Committee to examine the Penitentiary, made the following report, [See Appendix] and,

On his motion,

Said report and accompanying documents were referred to the Committee on Public Buildings.

On motion of Mr. Whitaker,

Senate file, No. 23, A bill to establish a State Board of Internal Improvement, and providing for the improvement of the navigation of the Des Moines river,

Was taken from the table, and,

On motion of Mr. Jay,

Referred to the Committee on Internal Improvements.

On motion of Mr. Bradley,

Senate file, No. 22, A bill for the incorporation of the city of Farmington, Van Buren county, in the State of Iowa,

Was taken from the table, and,

On motion of Mr. Hughes,

The Senate resolved itself into a Committee of the Whole, for the consideration of said bill, Mr. Brown in the chair, and,

After some time spent therein,

The committee rose, and by their chairman reported said bill back to the Senate with amendments; and,

On motion,

The Senate concurred in the amendments made by the committee, and

On motion of Mr. Whitaker,

Said bill was indefinitely postponed.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed the substitute of the Senate to

H. R. file, No. 24, A bill for an act concerning the distribution of school funds.

On motion of Mr. Brown,

The Senate adjourned until to-morrow morning 1 o'clock.

WEDNESDAY MORNING, JANUARY 20, 1847.

Senate met pursuant to adjournment.

Mr. Springer presented the petition of J. W. Brookbank, and twenty-six other citizens of Louisa county, praying the location of a State road from Walling's Landing, in said county, to Washington county; and said petition was,

On his motion,

Referred to the Committee on Roads.

Mr. Bissell, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom was referred the petition of Johnson Meek, and others, for a law authorizing Xantippe Meek and Aramintha Meek, minor heirs of Mary Ann Meek, late of Lee county, Iowa, to convey certain real estate, situated in the State of Ohio, have had the same under consideration, and respectfully beg leave to report, it is the opinion of your committee that no enactment of the General Assembly of the State of Iowa can authorize such minors to convey or make legal titles to any real estate situated in another State.

Which, on motion, was concurred in.

Mr. Brown, from the Committee on Elections, to whom was referred H. R. file, No. 25: An act to amend an act for the organization of townships, approved February 17th, 1842,

Reported the same back to the Senate, with a recommendation that said bill do not pass.

On motion of Mr. Mr. Sprott,

Said bill was laid on the table.

The President laid before the Senate a memorial of the "Iowa Anti-Capital Punishment and Prison Discipline Society," asking the abolition of the death penalty in the State of Iowa;

Which was read, and,

On motion of Mr. Davis,

Was referred to the Committee on the Judiciary, with instructions to inquire into the expediency of reporting a bill in accordance with said memorial.

Message from the House of Representative, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

Senate file, No. 40 : A bill for an act to prevent the commissioners from locating any of the school, university, or library lands on the odd sections, within five miles of the Des Moines river ; and

H. R. file, No. 41 : A bill for an act to change the name of " Newton City " to that of " Newton ;"

In which the concurrence of the Senate is requested.

I herewith present for your signature,

H. R. file, act concerning the distribution of the school fund ;

H. R. file, an act to provide for the taking an enumeration of the white inhabitants of the State of Iowa ;

H. R. file, An act to review and relocate a portion of the territorial road from Rockingham to Iowa City ;

H. R. file, Joint resolution requesting our Representatives in Congress to procure the establishment of certain mail routes ;

The same having been signed by the Speaker of the House.

I herewith return

Senate file, An act prescribing the general duties of Treasurer of State ;

The same having been signed by the Speaker of the House.

On motion,

Said message was taken up and considered.

H. R. file, No. 40 : An act to prevent the commissioners from locating any of the school, university or library lands on the odd sections, within five miles of the Des Moines river,

Was read a first and second time, and,

On motion of Mr. Bissell,

Was referred to the Committee on Schools.

H. R. file, No. 41 : An act to change the name of Newton City to that of Newton,

Was read a first and second time, and,

On motion of Mr. Springer,

Ordered to be read a third time on to-morrow.

Mr. Hughes, on leave, introduce

Senate file, No. 39 : Joint Resolution for a military road from Iowa City, via of Fort Des Moines, in Polk county, to some point on the Missouri river ;



Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended and said joint resolution was read a third time and passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

Mr. Whitaker, on leave, introduced

Senate file, No. 40: A bill prescribing the general duties of the Governor;

Which was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table and ordered to be printed.

On motion of Mr. Browning,

Senate file, No. 32: A bill fixing the punishment for the crime of murder,

Was taken from the table, and

On his motion,

Made the special order of the day for Saturday next, in Committee of the Whole.

On motion of Mr. Brown,

Senate file, No. 31: A bill regulating the election of district judges,

Was taken from the table, and,

On motion of Mr. Harbour,

The Senate proceeded to consider the same in Committee of the Whole, Mr. Crawford in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported said bill back to the Senate, with an amendment, and,

On motion of Mr. Sprott,

The bill, with the pending amendment, was referred to the Committee on the Judiciary, with instructions to report the same back to the Senate to-morrow.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported, as correctly enrolled,

Senate file, An act in relation to clerks and prosecuting attorneys.

On motion of Mr. Jay,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Bissell moved a call of the Senate, which was had, and it appeared that Messrs. Jay, Sanford, Selman, Springer and Wheeler were absent.

Messrs. Jay, Sanford, Selman and Wheeler appearing,

On motion of Mr. Davis,

A further call of the Senate was dispensed with.

Mr. Browning asked and obtained leave of absence for Mr. Springer until Monday next.

Mr. Sanford, in accordance with previous notice and leave obtained, introduced

Senate file, No. 41: A bill to provide for the election of electors for President and Vice President of the United States;

Which was read a first and second time, and,

On motion of Mr. Bissell,

Laid on the table, and ordered to be printed.

Mr. Brown, from the Committee on Elections, to whom was referred

H. R. file, No. 13: A bill to establish the time of holding township elections,

Reported a substitute therefor, and,

On motion,

The report of the committee was concurred in, and,

On motion of Mr. Hughes,

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 29, A bill providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for retailing intoxicating liquors in said township or not;

Being the special order of the day for to-day at two o'clock, and the hour having arrived,

The Senate resolved itself into Committee of the Whole on said bill, Mr. Bradley in the chair, and,

After some time spent therein.

The committee rose, and, by their chairman, reported said bill back to the Senate, with an amendment.

And the question being on the concurrence of the Senate in said amendment,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Hughes and Selman—7.

NAYS—Messrs. Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Sprott, Wheeler, Whitaker and Mr. President—10.

So said amendment was not concurred in.

Mr. Harbour moved to indefinitely postpone said bill.

Pending which,

Mr. Jay moved a call of the Senate.

Mr. Davis moved the Senate do now adjourn until to-morrow, 9 o'clock.

Lost.

Mr. Bissell moved the Senate adjourn until until to-morrow morning, 10 o'clock.

On which the ayes and nays were demanded, and, being ordered, were as follow :

YEAS—Messrs. Bissell, Bradley, Davis and Hughes—4.

NAYS—Messrs. Benton, Browning, Crawford, Fullinwider, Harbour, Huner, Jay, Sanford, Selman, Sprott, Wheeler, Whitaker and Mr. President—13.

So the Senate refused to adjourn until 10 o'clock to-morrow morning.

Mr. Bissell moved to adjourn until 11 o'clock to-morrow morning.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Davis, Fullinwider, Hughes, Huner and Jay—7.

YEAS—Messrs. Benton, Browning, Crawford, Harbour, Sanford, Selman, Sprott, Wheeler, Whitaker and Mr. President—10.

So the Senate refused to adjourn until 11 o'clock to-morrow morning.

Mr. Sanford moved to adjourn until 9 o'clock to-morrow morning.

Lost.

On motion of Mr. Bissell,

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

THURSDAY MORNING, JANUARY 21, 1846.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I herewith return

Senate file, No. 2, A bill to amend the act of the Territorial Legislature, entitled "An act for the organization of townships," approved 17th February, 1842,

The same having been signed by the Speaker of the House.

Mr. Davis, from the Committee on Internal Improvements, made the following report :

The Committee on Internal Improvements to whom was referred Senate file, No. 23, A bill to establish a State Board of Internal Improvement, and providing for the improvement of the navigation of the Des Moines river,

Have had the same under consideration, and instructed me to report the same back to the Senate, with a request that said bill be referred to the committee of the whole Senate, and made the order of the day for each afternoon, from day to day, until finally disposed of.

On motion,

Said report was concurred in, and said bill was made the special order of the day for each afternoon, from day to day, until disposed of by the Senate.

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

Senate file, No. 31, A bill regulating the election of judges ;

Reported the same back to the Senate with amendments, and,

On his motion,

Said bill and amendments were laid on the table, subject to the order of the Senate.

Mr. Crawford, from the Committee on Claims, to whom was referred

Senate file, No. 21, A bill to indemnify Samuel Riggs, sheriff of Davis county, for losses and expenses incurred in defending himself against prosecutions commenced against him for exercising his office in the disputed territory between Iowa and Missouri,

Reported the same back without amendment and recommended its passage.

On motion of Mr. Hughes,

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

H. R. file, No. 41 : A bill for an act to change the name of "Newton City" to that of "Newton ;"

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 29, A bill for an act providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for the retailing of intoxicating liquors in said township or not, was taken up.

Mr. Bissell moved to refer said bill to the Committee on Schools.

Lost.

Mr. Bissell moved to amend said bill by striking out "township" and "several townships," wherever they occur in said bill, and insert "State ;" and,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Davis, Harbour, Hughes, Sanford, Sprott, Whitaker and Mr. President—10.

NAYS—Messrs. Brown, Browning, Crawford, Fullinwider, Huner, Jay and wheeler—7.

So said bill was so amended.

Mr. Jay offered the following amendment :

"Provided that the county of Henry shall be governed by the votes of the several townships, as provided in the third section of this act."

Mr. Crawford moved to strike out all after the enacting clause ;

And the yeas and nays being demanded, were ordered, and were as follows :

AYE—Mr. Crawford—1.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Sanford, Sprott, Wheeler, Whitaker and Mr. President—16.

So the amendment was not agreed to.

On motion of Mr. Hughes,

Said bill was referred to a select committee, with instructions to make it conform to the amendment of Mr. Bissell, and report the same back to the Senate on Tuesday next.

Message from the House of Representatives by Mr. Porter, their assistant clerk :

*Mr. President—*

I am directed to inform the Senate that the House of Representatives have passed,

H. R. file, No. 48, A bill for an act to authorize Isaac A. Lefevre, his heirs and assigns, to keep a ferry across the Mississippi river at Montrose, in Lee county.

In which the concurrence of the Senate is requested.

Mr. Sanford, from the Committee on Enrolled Bills, reported that they have presented to his Excellency, for his approval,

An act to amend an act of the Territorial Legislature entitled "An act for the organization of townships," approved 17th Feb., 1842.

An act prescribing the general duties of Treasurer of State ;

An act in relation to clerks and prosecuting attorneys.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Senate file, No. 20, A bill to prescribe the general duties of the Auditor of State,

Being the special order of the day, was considered in Committee of the Whole, Mr. Davis in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported the same back to the Senate, and asked leave to sit again, which was granted.

Mr. Bradley presented the petition of sundry citizens of Jackson county, praying the passage of a law to enable Robert Reed to collect the revenue of said county ; which,

On his motion,

Was referred to a Select Committee.

Messrs. Bradley, Wheeler and Crawford, were appointed said committee.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 21, An act to indemnify Samuel Riggs, &c.

Senate file, No. 23, A bill establishing a State board of internal improvement and providing for the improvement of the navigation of the Des Moines river.

Being the special order of the day for this afternoon, the Senate proceeded to the consideration of the same in Committee of the Whole, Mr. Fullinwider in the chair, and,

After some time spent therein,

The committee rose, and by their chairman reported that the Committee of the Whole have, according to order, had under consideration Senate file, No. 23, have made some progress therein, and ask leave to sit again, which was granted.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

I am directed by the House to inform the Senate that the House have receded from that portion of their amendment which conflicts with the 9th section of Senate file, An act prescribing the general duties of the Secretary of State.

On motion,

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

---

FRIDAY MORNING, JANUARY 22, 1847.

Senate met pursuant to adjournment.

Mr. Bradley presented the petition of George S. Duel and one hundred and seventeen others, praying for the establishment of certain State roads therein mentioned, which,

On his motion,

Was referred to the Committee on Roads.

Mr. Whitaker presented the petition and remonstrance of sundry

citizens of Van Buren county in relation to a State road therein mentioned, which was,

On his motion,

Referred to the Senators from Van Buren county.

Mr. Benton presented the petition of P. B. Cook, and thirty-seven other citizens of Dubuque county, in relation to the granting license to retail intoxicating liquors, which,

On motion of Mr. Browning,

Was referred to the Select Committee to whom was referred

H. R. file, No. 29: A bill providing that the legal voters in each township may determine whether the county commission shall grant license for retailing intoxicating liquors, or not.

Mr. Hughes presented the petition of E. E. Fay and one hundred and nine other citizens of Muscatine county, in relation to granting license to retail intoxicating liquors, which,

On motion of Mr. Browning,

Was referred to the Select Committee to whom was referred

Senate file, No. 29: A bill providing that the legal voters in each township may determine whether the county commissioneas shall grant license for retailing intoxicating liquors, or not.

Senate file, No. 21: A bill for an act to indemnify Samuel Riggs, &c.,

Was read a third time, and

On motion of Mr. Bissell,

Laid on the table.

H. R. file, No. 48: An act to authorize Isaac A. Lefevre, his heirs and assigns, to establish and keep a ferry across the Mississippi river, at Montrose, in Lee county,

Was read a first and second time, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, and said bill was read a third time now, and, on the question,

Shall the bill pass?

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Bissell, Browning, Crawford, Fullinwider, Harbour, Huner, Jay, Sanford, Sprott and Wheeler—10.

NAYS--Messrs. Bradley, Hughes, Whitaker and Mr. President—4.  
So said bill was passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion,



The Senate concurred in the amendment made by the House to Senate file, An act prescribing the general duties of Secretary of State.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 37: A bill for an act to provide for the management of the State Library, and the election of a Librarian ;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 37: Joint Resolution for a mail Route ;

Senate file, No. 35: A bill for an an act relative to State seals ;

Senate file, No. 39: Preamble and joint resolution for a military road from Iowa City, via of Fort Des Moines, in Polk county, to a point on the Missouri river.

Mr. Harbour, on leave, introduced

Senate file, No. 42: Joint resolution providing for a mail route from Fairfield to Oskaloosa ;

Which was read a first and second time,

Mr. Sprott moved to amend said resolution by inserting "Senators."

Lost.

On motion of Mr. Harbour,

The thirteenth rule was suspended, said resolution read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Hughes, on leave, introduced

Senate file, No. 43: Preamble and Joint resolution relative to the improvement of the Iowa river ;

Which was read a first and second time, and,

On motion of Mr. Benton,

Said resolution was amended by inserting "Cedar river."

On motion of Mr. Harbour,

The vote taken on the amendment made on the motion of Mr. Benton, was reconsidered, and,

On motion of Mr. Whitaker,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 37, A bill for an act to provide for the management of the State Library and the election of a Librarian ;

Was read a first and second time, and,

On motion of Mr. Bissell,

Laid on the table.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

I herewith present, for your signature,

H. R. file, An act to authorize Isaac A. Lefevre, his heirs and assigns, to establish and keep a ferry across the Mississippi river, in Lee county.

The same having been signed by the Speaker of the House.

On motion of Mr. Whitaker,

Senate file, No. 36 : A bill for an act providing for the appointment of an Attorney General of State, and to define his duties ;

Was taken from the table, and,

On motion of Mr. Browning,

The Senate resolved itself into Committee of the Whole, for the consideration of said bill, Mr. Hughes in the chair, and,

After some time spent therein,

The committee rose, and by their chairman reported said bill back to the Senate with several amendments.

On motion,

The first amendment made by the Committee of the Whole was disagreed to.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Fullinwider, Huner and Jay—4.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Sanford, Sprott, Wheeler, Whitaker, and Mr. President—13.

On motion,

The other amendments made by the committee were concurred in.

Mr. Sauford moved to strike out "by the Governor," in the first section, and insert "by the qualified voters at the township elections."

Mr. Davis moved to amend by inserting "August election," and

Mr. Bradley moved to amend by inserting the following :

"Elected by the qualified electors of this State at the first township

election after the passage of this act, and at every general election thereafter for State officers.”

Which last amendment was adopted and said bill was so amended, and

On motion of Mr. Whitaker,

Said bill was ordered to be engrossed and read a third time on Monday next.

On motion of Mr. Bradley,

The Senate adjourned until Monday morning 10 o'clock.

### MONDAY MORNING, JANUARY 25, 1847.

Senate met pursuant to adjournment.

Mr. Sprott presented the petition of N. Munger, and one hundred citizens of Lee county, praying the passage of a law to regulate the practice of medicine; which,

On his motion,

Was referred to a Select Committee.

Messrs. Sprott, Sanford and Fullinwider, were appointed said committee.

Mr. Hughes presented the following protest of himself, Baker, Whitaker, Brown, Selman, and Bradley:

The undersigned, members of the Senate, in the exercise of a constitutional right, do hereby protest against the action of a majority of the Senate, of Friday the 22d instant, in the passage of An act granting to Isaac A. Lefevre, his heirs and assigns, the exclusive privilege to establish and keep a ferry across the Mississippi river at the town of Montrose, in Lee county, for the term of twelve years.

We protest against the passage of said act, as being at utter variance with both the spirit and letter of the constitution. It grants to the said Lefevre, his *heirs* and *assigns*, the *exclusive* privilege of a ferry landing for four miles along the bank of the Mississippi river—a right which was before common to all—and therefore, in the opinion of the undersigned, is as full an act of incorporation, for the purposes granted, as any act could be for the purpose of carrying on any other branch of business.

It grants to him the exclusive right of landing upon the bank of the Mississippi river for four miles, and thereby vests in him all the *property* necessary to carry on his business, except the necessary boats used in transporting passengers across said river.

The constitution provides that "corporations shall not be created in this State, by special laws, except for political or municipal purposes," and the undersigned believe the passage of the act above referred to is in direct violation of the above quoted provision of the constitution, as they look upon the law conferring upon Lefevre the exclusive privilege of ferrying across the Mississippi river as complete a charter as if a dozen other persons were incorporated with him, as it grants him all the privileges and *property* in the land necessary to carry on his business, and that to the exclusion of the rest of the community.

This is a special privilege granted to Lefevre, his *heirs* and *assigns*;—a special privilege for a ferry is the same in principle as that required to make a rail road, canal, or for any other purpose. Suppose a charter be granted to Lefevre for either of the purposes aforesaid, or for a right of way, as many might be pleased to call it, and he immediately after receiving said grant should assign the same to a number of other persons, we ask what would prevent this from constituting, in point of principle and fact, a special privilege, or charter, to such company? and upon the same principle would be a special privilege or charter to the said Lefevre, his heirs and assigns. And as the undersigned believe that any privilege granted to any man or set of men, to the exclusion of others, is a charter within the meaning of the constitution, they therefore do hereby solemnly protest against the passage of said act, and ask that this their protest be spread upon the Journals of the Senate,

THOMAS HUGHES,  
 THOMAS BAKER,  
 JOHN M. WHITAKER,  
 ROBERT BROWN,  
 JOHN J. SELMAN,  
 PHILIP B. BRADLEY.

Iowa City, January 25, 1847.

Mr. Browning made the following report :

The Joint Committee appointed on the part of the Senate, to act in conjunction with a similar committee on the part of the House, to inquire into and report when the present session of the Legislature can be brought to a close without detriment to the public interest, have considered the same and would report that in view of the many important

bills which have yet to be introduced and acted upon by the present session, we are of the opinion that the present session cannot be brought to a close before the 5th day of March, and would recommend that day as the day of our adjournment.

M. D. BROWNING,  
Chairman of Joint Committee.

Mr. Jay moved to amend said report by striking out 5th March, and inserting the 20th of February.

On motion of Mr. Mr. Sprott,  
Said report was laid on the table.

Mr. Browning from the Committee on the Judiciary, reported Senate file, No. 44, A bill to provide for the appointment of commissioners to draft, revise, and arrange a code of laws ;

Which was read a first and second time, and,

On motion,  
Laid on the table and ordered to be printed.

Mr. Benton from the Committee on Schools, made the following report :

The Standing Committee on Schools to whom was referred

H. R. file, No. 40, A bill to prevent the commissioners from locating any of the school, university and library lands on the odd sections within four miles of the Des Moines river,

Have instructed me to report the same back to the Senate without amendment, and recommend that the further consideration of the same be indefinitely postponed.

On motion,

The report was concurred in, and said bill was indefinitely postponed.

Mr. Baker, on leave, introduced

Senate file, No. 45, A bill establishing the boundaries of Polk county;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Baker, on leave, introduced

Senate file, No. 46: A bill to establish the boundaries and seat of justice of Marion county ;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Baker, on leave, introduced

Senate file, No. 47: A bill to vacate the town of Brooklin, in P. county;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Browning,

The Senate resolved itself into Committee of the Whole for the consideration of Senate, No. 32: A bill fixing the punishment for the crime of murder, and,

After some time spent therein,

The committee rose, and asked leave to sit again, which was granted and said committee was to sit again this afternoon.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Porter, assistant clerk:

*Mr. President—*

The House have passed

Senate file, No. 46: A bill to establish the boundaries and seat of justice of the county of Marion.\*

On motion,

The Senate resumed the consideration of

Senate file, No. 32: A bill fixing the punishment for the crime of murder, Mr. Jay in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported said bill back to the Senate, without amendment.

On motion,

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

---

TUESDAY MORNING, JANUARY 26, 1846.

Senate met pursuant to adjournment.

Message from the House of Representative, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 46: A bill for an act to locate a State road from Canton, in Jackson county, to Pioneer Grove, in Cedar county;

H. R. file, No. 47: A bill for an act to relocate a State road therein mentioned;

In which the concurrence of the Senate is requested.

I herewith return

Senate file, No. 30: Joint Resolution providing for a mail route from Fairfield to Bloomfield;

Senate file, No. 45: A bill for an act establishing the boundaries of Polk county;

The same having passed the House, without amendment.

I herewith return

Senate file: Preamble and joint resolution for a military road from Iowa City, via of Fort Des moines, in Polk county, to some point on the Missouri river;

The same having been signed by the Speaker of the House.

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

Senate file, No. 19: A bill concerning justices of the peace;

Reported the same back to the Senate, with amendments, and,

On motion of Mr. Sanford,

Laid on the table.

Mr. Sanford, from the Committee on Enrolled Bills, reported, as correctly enrolled,

An act prescribing the general duties of Secretary of State;

An act to establish the boundaries and seat of justice of Marion county;

An act relative to State seals;

Joint resolution providing for a mail route from Fairfield to Oskaloosa; and

Joint Resolution relative to a mail route from Iowa City, in the State of Iowa, to Albany, in the State of Illinois.

Mr. Benton made the following report, accompanied by

Senate file, No. 48: A bill to provide for the payment of the debt due the Miners' Bank, of Dubuque.

The Select Committee to whom was referred documents No. 1, 2, 3, 4 and 5, in relation to the debt due the Miners' Bank, of Dubuque, with instructions to obtain from the Secretary of the Treasury a statement of the sale of lots in Iowa City pledged for the redemption of the same, have instructed me to

#### R E P O R T :

That the territorial agent, by "An act authorizing a loan of money to be expended on the capitol," approved January 15th, 1841, was authorized to negotiate a loan, at a rate of interest not exceeding ten per cent., "not exceeding the sum of twenty thousand dollars, and not less than five thousand dollars, to be expended upon the capitol at Iowa City," and to pledge the unsold lots of Iowa City for the redemption of the same. Acting under this authority, Jesse Williams, Esq., territorial agent, made an exhibit of the available assets of the territory, on the 14th day of May, 1841, which was as follows:

"Notes on individuals which were given in payment for lots heretofore sold, and which are yet unpaid,	\$15,101 22
Lots in Iowa City which are yet owned by the Territory, and which are valued at the minimum price, as appraised by the commissioners appointed for that purpose under the 9th section of the act providing for the appointment of a Superintendent of Public Buildings,	114,774 00
Total amount, - - - - -	<u>\$129,875 22"</u>

On the 28th day of June, 1841, he effected a loan of *five thousand dol-*



lars, at the rate of seven per cent. interest per annum, of the "President, Directors, and Company of the Miners' Bank of Dubuque," for which he executed his notes, as Territorial Agent, as follows: "One note for five thousand dollars, dated June 28th, 1841, payable eighteen months after date, at the Bank of America, in the City of New York; and six several notes for \$87 50 each, bearing date as above, and payable at three, six, nine, twelve, and eighteen months after date, at the Bank of the State of Missouri, in the city of St. Louis, the six last mentioned notes being for interest on the loan," and pledged "the remaining unsold lots in Iowa City, together with the proceeds of the sales of said lots, and the good faith of the Territory of Iowa," for the redemption of the same. On the 30th of September, 1841, he effected another loan of *five hundred dollars*, at the rate of seven per cent. interest per annum, of the "President, Directors, and Company of the Miners' Bank of Dubuque," for which he executed his notes, as Territorial Agent, as follows: "One note for five hundred dollars, dated September 30th, 1841, payable nine months after date at the Bank of the State of Missouri, in the city of St. Louis, and three several notes for, \$8 75 each, bearing date as above, and payable at three, six, and nine months after date at the Bank of the State of Missouri, in the city of St. Louis, the three last mentioned notes being for interest on the loan," and pledged "the unsold in Iowa City, together with so much of the proceeds of the sales of said lots as will fully pay said notes at maturity, and the good faith of the Territory of Iowa," for the redemption of the same. Your committee learn further, that by "an act authorizing the reduction of the unsold lots in Iowa City, and their sale for work and materials, and for other purposes," approved February 17th, 1842, it was made the duty of the Territorial Agent "to reduce the minimum price of the unsold lots in Iowa City, and of any and all lots in said city which may have been, or may hereafter become forfeited, fifty per centum below the prices fixed thereon under the existing valuations," and "to sell any of the unsold and forfeited lots in Iowa City, to any person or persons applying for the same, for work to be done on the capital, or for necessary materials furnished therefor, at the reduced minimum price." The provisions of this act, conferring the authority above alluded to, were to be and continue in force for six months from and after the 1st day of May, 1842.

By the provisions of "An act to define the duties of territorial agent, and for other purposes," approved February 13th, 1843, it was made the duty of the territorial agent, in conjunction with two commissioners, to be appointed by the Governor, "to revalue all the unsold lots, out-

lots and forfeited lots in Iowa City, and to affix on the lots an average minimum price of *eighty dollars*; and on the out-lots a price corresponding with the price of lots aforesaid," previous to the 1st day of May, 1843. It was further made his duty, after the valuation as required above was completed, to give notice that a *public* sale of lots would be held in Iowa City in the month of May, 1843; the day of sale to be designated by the agent in the said notice, at which time and place he was to "offer at public sale, to the highest bidder, all the unsold lots, out-lots and forfeited lots in Iowa City." The conditions of the foregoing sale were to be "not less than one-fourth in cash, to be paid, one-half of the said fourth in advance, and the other half of the said fourth in six months from the day of sale, and the remainder to be paid in labor or materials on the capitol." After all the unsold lots had been thus offered at public sale, he was authorized to sell those remaining unsold, on the same conditions, at private sale. It was further made his duty by this act to set apart the proceeds of the sales of lots of 1840 and 1841, together with the proceeds of the cash sales made subsequent to the 1st day of May, 1843, or so much thereof as might be sufficient for that purpose, and faithfully to apply the same to the redemption of the scrip issued by the territorial agent in 1841, and to conduct the business of his office in such manner as to settle and pay the debt or debts contracted with the Miners' Bank, of Dubuque, with the least possible delay. Under the provisions of these several acts, your committee learn from the books of the territorial treasury that the agent proceeded to advertise and sell lots included in the exhibit of the agent dated May 14th, 1841, to the amount of \$33,481 66, and applied the proceeds to the payment of claims presented against the territory for labor performed and materials furnished for the erection of the capitol. Prior to this time, the notes held by the Miners' Bank were forwarded to the respective places at which they were made payable, and returned protested for non-payment—no provision having been made for their settlement by the territory. It further appears, by "An act to provide for the payment of the debt due the Miners' Bank, of Dubuque," approved June 16th, 1845, that the territorial treasurer was required to give notice that a sale of the lots belonging to the territory would take place on the first Monday of May, 1846, and that on that day he should offer at public sale, on a credit of six months, to the highest bidder, a sufficient number of lots to pay the debt due the Miners' Bank, of Dubuque; and upon all such sales the purchaser was required to execute to the territorial treasurer, for the use of the territory, his bond, with

sufficient sureties, for the payment of the same at maturity; and upon the payment of the same the treasurer was required to make, execute and deliver to the said purchaser a good and sufficient title in fee simple, and to apply the proceeds to the payment of the debt, principal and interest, due the Miners' Bank, of Dubuque, contracted under the provisions of the act of January 15th, 1841. He was also required to resell lots sold prior to the 28th of June, 1841, and subsequently forfeited to the territory in consequence of non-payment for the same, on the same terms, and to apply the proceeds to the liquidation of debts contracted by the territorial agent for the erection of the capitol at Iowa City, exclusive of the debt now due the Miners' Bank, of Dubuque.

By "An act to provide for the payment of the claims of the creditors of the territory," approved January 17th, 1846, supplemental to the foregoing, it was declared "that all *bona fide* creditors of the territory of Iowa, whose claims were contracted in the erection of the capitol at Iowa City, and who may purchase lots at the sale authorized by the act to which this is supplemental, shall have the right to offset the claims, so far as they may extend, against any debts they may contract in the purchase of said lots." In accordance with the foregoing instructions, he proceeded to sell lots, as shown by a statement furnished the committee from his books, to the amount of \$3,084 75—of which amount the sum of \$1,639 88 was applied in the settlement of claims against the capitol, leaving a balance of \$1,444 87 in notes to apply on the bank debt, and to pay the expenses of the sale. Of this amount he has collected and applied on the bank debt, on the 5th of December, 1846, the sum of \$218 14, leaving a balance of \$1,226 73 still in his possession. He estimates the expenses of the sale at about \$200, leaving a net balance of \$1,026 73 in notes—being the entire amount of available assets left in his hands after the sale of all the lots designated by the exhibit of the territorial agent of the 14th of May, 1841, and pledged by him for the redemption of the loan obtained of the Miners' Bank, and amounting, as shown by said exhibit, according to a minimum valuation authorized by law, to the sum of \$114,774. In view of these facts, your committee have instructed me to report a bill for the assumption of this debt, principal and interest, by the State.

Said report, on motion, was adopted, and said bill

Was read a first and second time, and

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

On motion,

Mr. Browning was added to said committee, and said committee were instructed to continue their duties and examine the matter of the sale of lots, and the expenditure for the erection of the capitol, from the commencement up to the present time.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed

Senate file, No. 36: An to provide for the appointment of an Attorney General of State, and to define his duties.

Senate file, No. 32, An act fixing the punishment for the crime of murder ;

Being in order,

Mr. Bissell moved to amend by striking out all after the first section.

Mr. Sanford offered the following :

“And also stating under oath before said court, the circumstances upon which such belief is based. If the circumstances set forth are sufficient to warrant such proceedings.”

Which last amendment was adopted.

Mr. Bradley moved to amend second section by adding after the word “the,” in the second line, “district ;” and after the word “court,” in third line, same section, the words “of the district.”

Which was adopted.

And on the question of the adoption of the amendment offered by Mr. Bissell,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Crawford, Fullinwider, Selman, Springer, and Sprott—7.

NAYS—Messrs. Bradley, Brown, Browning, Davis, Harbour, Jay, Sanford, Wheeler, Whitaker, and Mr. President—11.

So said amendment was not adopted.

Mr. Springer moved to amend by adding an additional section, as follows :

“This act shall take effect and be in force whenever the State Penitentiary shall, in the opinion of the Governor, have been so far completed as to render the confinement of prisoners secure, in which event it is hereby made the duty of the Governor to announce, by proclamation, the taking effect of this act.”

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Brown, Fullinwider, Harbour, Springer, and Sprott—7.

NAYS—Messrs. Bradley, Browning, Davis, Hughes, Jay, Sanford, Selman, Wheeler, Whitaker, and Mr. President—10.

So said amendment was not adopted.

Mr. Hughes moved said bill be engrossed and read a third time tomorrow; upon which,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bradley, Browning, Davis, Hughes, Jay, Sanford, Selman, Wheeler, Whitaker, and Mr. President—10.

NAYS—Messrs. Benton, Bissell, Brown, Fullinwider, Harbour, Springer, and Sprott—7.

So said bill was ordered to be engrossed and read a third time tomorrow.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I herewith return you

Senate file, An act to establish the boundaries and seat of justice of the county of Polk;

Senate file, Joint resolution relating to a mail route from Iowa City, in the State of Iowa, to Albany, in the State of Illinois;

Senate file, An act relative to State seals; and,

Senate file, An act prescribing the general duties of Secretary of State;

The same having been signed by the Speaker of the House.

The House have passed

H. R. file, No. 50, A bill for an act to provide for the location of the county seat in the county of Jones;

H. R. file, No. 53, A bill for an act to locate and establish a State road from Fairview, in Jones county, to Pioneer Grove, in Cedar county;

H. R. file, No. 54, A bill for an act to locate a State road therein named; and,

H. R. file, No. 16, Joint resolution relative to the improvement of Cedar river;

In which the concurrence of the Senate is requested.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The Senate, according to order, resumed the consideration of Senate file, No. 23, A bill establishing a State Board of Internal Improvement, and providing for the improvement of the navigation of the Des Moines river,

Mr. Fullinwider in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported progress and asked leave to sit again.

Which was granted.

On motion of Mr. Hughes,

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

---

WEDNESDAY MORNING, JANUARY 27, 1847.

Senate met pursuant to adjournment.

Mr. Bissell presented the petition of Cyrus Richards and forty others, praying the passage of a law in relation to licencing groceries;

Which was read, and,

Laid on the table.

Mr. Browning presented the petition of the Mayor and Alderman of the city of Burlington, praying an amendment of the city charter, accompanied by

Senate file, No. 50, A bill to amend the present charter of the city of Burlington;

Which was read a first and second time, and,

On his motion,

Laid on the table.

Mr. Harbour presented the petition of Nelson Thayer and sixty-four

others, citizens of Mahaska and Marion counties, paying the location of a State road therein named ;

Which was,

On his motion,

Referred to the Committee on Roads.

Mr. Harbour presented the petition of Elijah Hamner and twenty-three other citizens, praying a charter for the incorporation of the town of Richland, in Keokuk county ;

Which was,

On his motion,

Referred to the Committee on Incorporations.

Mr. Harbour presented the petition and remonstrance of sundry citizens of Mahaska and Wapello counties, praying for, and remonstrating against, the establishment of a State road therein named ;

Which was,

On his motion,

Referred to the Committee on Roads.

Mr. Hughes, from the Committee on Engrossed Bills, reported as correctly engrossed,

Senate file, No. 32 : A bill fixing the punishment for the crime of murder.

Mr. Hughes, from the select committee to whom was referred

H. R. file, No. 29 : A bill providing that the legal voters in each township may determine whether the county commission shall grant license for retailing intoxicating liquors, or not,

Reported the same back with sundry amendments, and,

On motion of Mr. Browning,

Said bill and pending amendments were laid on the table.

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled,

Senate file, No. 30 : Joint Resolution providing for a mail route from Fairfield to Bloomfield ;

Senate file, No. 45 : A bill for an act establishing the boundaries of Polk county ;

Senate file, No. 47, An act to vacate the town of Brooklin, in Polk county.

Mr. Springer, on leave, introduced

Senate file, No. 51, A bill to tax attorneys and to increase the law department of the State Library ;

Which was read a first and second time, and,

On motion;

Laid on the table and ordered to be printed.

Mr. Springer also, on leave, introduced

Senate file, No. 52, A bill to amend an act entitled "An act to regulate the admission of attorneys," approved January 16th, 1840;

Which was read a first and second time, and,

On motion,

Laid on the table, and ordered to be printed.

Senate file, No. 32: A bill fixing the punishment for the crime of murder,

Was read a third time, and,

The question being on the passage of said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bradley, Browning, Davis, Hughes, Jay, Sanford, Selman, Wheeler, Whitaker, and Mr. President—10.

NAYS—Messrs. Benton, Bissell, Brown, Crawford, Fullinwider, Harbour, Huner, Springer, and Sprott—9.

So said bill passed.

Mr. Benton moved to amend the title to said bill so as to read, "An act to prevent the punishment of the crime of murder."

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Brown, Crawford, Fullinwider, Huner, Springer, and Mr. Sprott—8.

NAYS—Messrs. Bradley, Browning, Davis, Harbour, Hughes, Jay, Sanford, Selman, Wheeler, Whitaker and Mr. President—11.

So said amendment was not adopted.

And the question being on agreeing to the title to said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bradley, Browning, Davis, Harbour, Hughes, Jay, Sanford, Selman, Wheeler, Whitaker, and Mr. President—11.

NAYS—Messrs. Benton, Bissell, Brown, Crawford, Fullinwider, Huner, Springer, and Sprott—8.

So said title was agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Sanford,

Senate file, No. 21, A bill to indemnify Samuel Riggs, sheriff of Davis county, for losses and expenses incurred in defending himself against



prosecutions commenced against him for exercising his office in the disputed territory between Iowa and Missouri,

Was taken from the table, and,

On his motion,

Referred to a Select Committee.

Messrs. Selman, Sanford, and Whitaker, were appointed said committee.

Senate file, No. 31: A bill for an act providing for the election of an Attorney General of State, and to define his duties;

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

Senate file, No. 48: A bill to provide for the payment of the debt due the Miners' Bank, of Dubuque.

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 16: Joint resolution relative to the improvement of Cedar river,

Was read a first and second time, and,

On motion of Mr. Whitaker,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 46: A bill for an act to locate a State road from Canton, in Jackson county, to Pioneer Grove, in Cedar county,

Which was read a first and second time, and,

On motion of Mr. Bissell,

Laid on the table.

H. R. file, No. 47: A bill for an act to relocate a State road therein named,

Was read a first and second time, and

Ordered to be read a third time on to-morrow.

H. R. file, No. 50: A bill to provide for the location of the county seat in the county of Jones,

Was read a first and second time, and

On motion of Mr. Bradley,

Laid on the table.

H. R. file, No. 53: A bill to locate and establish a State road from Fairview, in Jones county, to Pioneer Grove, in Cedar county,

Was read a first and second time, and,

On motion,

Laid on the table.

H. R. file, No. 54: A bill to locate a State road therein named,  
Was read a first and second time, and,

On motion of Mr. Springer,

The last section was amended by striking out the words, "the publication thereof," and inserting the words "its passage," and,

On motion of Mr. Selman,

Laid on the table.

On motion of Mr. Whitaker,

The Senate resumed the consideration of  
Senate file, No. 20, A bill to prescribe the general duties of the Auditor of State, Mr. Jay in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported said bill back to the Senate, with several amendments, which,

On motion of Mr. Bradley,

Were concurred in.

On motion of Mr. Bradley,

The 16th section of said bill was amended by striking out "bills," and inserting "warrants."

Mr. Springer moved to amend the 11th section of said bill by striking out said section.

And the yeas and nays being demanded, were ordered, and were as follows:

YEAS—Messrs. Browning, Springer, Sprott and Wheeler—4.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Sanford, Selman, Whitaker and Mr. President—16.

So said section was not stricken out.

On motion of Mr. Hughes,

Said bill was ordered to be engrossed and read a third time on tomorrow.

Mr. Whitaker, from the Committee on Roads, had leave and reported Senate file, No. 53: A bill to locate a State road from Walling's Landing to Crawfordsville; and

Senate file, No. 54: A bill to locate a State road from Walling's Landing to Columbus City;

Which were severally read a first and second time, and,

On motion of Mr. Springer,

Ordered to be considered as engrossed, and read a third time on to-morrow.

On motion,  
The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representative, by Mr. Hudson, chief clerk :

*Mr. President—*

I herewith present, for your signature,

Senate file: An act establishing the boundaries of Polk county ;

Senate file: An act to vacate the town of Brooklin, in Polk county ;

and

Senate file: Joint resolution providing for a mail route from Fairfield to Bloomfield,

The same having been signed by the Speaker of the House.

Mr. Selman, from the Select Committee to whom was referred

Senate file, No. 21: A bill to indemnify Samuel Riggs, sheriff of Davis county, &c.,

Reported the same back, with an amendment, which was concurred in, and,

On motion,

Said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

The Senate, according to order, resumed the consideration of

Senate file, No. 23, A bill to establish a State Board of Internal Improvement, and providing for the improvement of the navigation of the Des Moines river,

to Committee of the Whole, Mr. Fullinwider in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported the same back, with several amendments, and,

On motion of Mr. Harbour,

The bill, with the pending amendments, were recommitted to the Committee on Internal Improvements, with instructions to report the same back on Monday next.

Mr. Harbour moved that Mr. Bissell be added to said committee.

Lost.

Mr. Jay presented the petition of sundry citizens of Henry county, in relation to grocery license,

Which was read, and

Laid on the table.

On motion,

The Senate adjourned until 9 o'clock to-morrow morning.

---

THURSDAY MORNING, JANUARY 28, 1846.

Senate met pursuant to adjournment.

Mr. Sanford, from the Committee on Enrolled Bills, reported that they had presented to the Governor for his approval,

An act prescribing the general duties of Secretary of State ;

An an act relative to State seals ;

Joint resolution relating to a mail route from Iowa City, in the State of Iowa, to Albany, in the State of Illinois ;

Preamble and joint resolution for a military road from Iowa City, via of Fort Des Moines, in Polk county, to some point on the Missouri river ; and,

An act to establish the boundaries and seat of justice of the county of Marion.

H. R. file, No. 47, A bill to relocate a State road therein named ;

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

Senate file, No. 53, A bill to locate a State road from Walling's landing to Crawfordsville,

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

Senate file, No. 54, A bill to locate a State road from Walling's landing to Columbus City,

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

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Bissell,

H. R. file, No. 46, A bill to locate a State road from Canton, in Jackson county, to Pioneer Grove, in Cedar county,

Was taken from the table, and,

On his motion,

Amended by adding the following to the third section of said bill:

"Provided, that no part of such expenses shall be paid by either the county of Cedar or Jackson;" and,

On motion,

Was ordered to be engrossed and read a third time on to-morrow.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 20: An act prescribing the general duties of the Auditor of State.

On motion of Mr. Sanford,

Senate file, No. 41: A bill to provide for the election of electors for President and Vice President of the United States;

Was taken from the table, and

Referred to the Committee on Elections.

On motion of Mr. Benton,

H. R. file, No. 32: A bill prescribing the time, manner and place of holding elections for Senators to Congress,

Was taken from the table, and

Referred to the Committee on elections.

Mr. Browning moved to take from the table

H. R. file, No. 29, A bill providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for retailing intoxicating liquors in said townships, or not.

Agreed to.

On motion of Mr. Fullinwider,

Senate file, No. 19: A bill concerning justices of the peace,

Was taken from the table, and,

On motion,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Sanford in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported the same back, with sundry amendments, and,

On motion,

The first amendment was agreed to.

And the question being on agreeing to the second amendment made by the Committee of the Whole,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Brown, Browning, Davis, Fullinwider, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Whitaker—11.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Harbour, Hughes, Selman and Mr. President—8.

So said amendment was agreed to, and,

On motion,

The balance of the amendment, made by the committee of the Whole was agreed to.

And the question being on ordering said bill to be engrossed and read a third time on to-morrow,

The yeas and nays being demanded were ordered, and were as follow :

YEAS—Messrs. Bissell, Brown, Browning, Davis, Fullinwider, Hughes, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Whitaker—13.

YEAS—Messrs. Benton, Bradley, Crawford, Harbour, Selman and Mr. President—6.

So said bill was ordered to be engrossed and read a third time on to-morrow.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 21 : A bill for an act to define the duties of prosecuting attorneys, and to provide compensation for their services; and

H. R. file, No. 57 : A bill for an act to define the boundaries of the counties of Clayton and Fayette;

In which the concurrence of the Senate is requested.

I herewith return

Senate file, No. 43 : Preamble and Joint resolution relative to the improvement of the Iowa river;

The same having passed the House, without amendment.

Senate file, No. 20 : An act prescribing the general duties of Auditor of State;

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

Ordered that the Secretary notify the House accordingly.

H. R. file, No. 50: An act to provide for the location of the county seat of the county of Jones,

On motion of Mr. Bradley,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Benton offered the following protest, which was, as provided in the constitution, spread upon the journals:

We, the undersigned, avail ourselves of the privilege guarantied to members of the General Assembly by the 11th section of the 4th Article of the Constitution of this State, of entering our protest against the action of a majority of the Senate, on the 27th inst., in the passage of "An act fixing the punishment for the crime of murder," and of having our reasons for doing so placed upon the journals of the Senate.

Said act virtually abolishes capital punishment in this State, which we believe to be premature and inexpedient, and calculated to increase rather than to diminish the crime of murder.

It vests a dangerous discretionary power in a jury, which will tend to frustrate the equitable administration of the laws, and will jeopardize, rather than guard, the welfare of the community at large.

It grants the criminal certain ex-parte privileges, which will lead to a system of corrupt and protracted litigation that will almost invariably result in his final acquittal.

Instead of being an additional safeguard to life and property, it will render both less secure; and, instead of deterring the assassin, it will encourage and protect him in the commission of crime.

Its natural operation will be to shield the wealthy and influential criminal, and makes ample provision for his ultimate acquittal, while it extends no additional relief to the poor and friendless.

In view of these facts, we hereby enter our solemn protest against the passage of said act.

THOMAS H. BENTON, JR.,  
T. CRAWFORD,  
ROBERT BROWN,  
SAMUEL FULLINWIDER,  
R. R. HARBOUR,  
JAMES SPROTT,  
FRANCIS SPRINGER,

Iowa City, January 28th, 1847.

On motion of Mr. Harbour,  
The Senate adjourned until 10 o'clock to-morrow morning.

---

FRIDAY MORNING, JANUARY 29, 1847.

Senate met pursuant to adjournment.

Mr. Crawford presented the petition of A. J. Sherman and fifty-eight other citizens of Dubuque, Jones and Jackson counties, praying the location of State road from Cascade to Geer's Ferry; also,

A petition of James E. Anderson and thirty-four other citizens of Jones and Delavan counties, praying for the location of a road therein mentioned; which,

On his motion,

Referred to the Committee on Roads.

Mr. Harbour, on leave, introduced

Senate file, No. 55: Joint Resolution for a mail route from Keokuk, via of Oskaloosa to Fort Des Moines, in Polk county;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Hughes,

Resolved, That the Committee on Public Buildings be instructed to inquire into the expediency of reporting a bill for the effectual government of the penitentiary: also, of making an appropriation towards the completion of said penitentiary.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to the Governor, for his approval

An act establishing the boundaries of Polk county;

An act to vacate the town of Brooklin, in Polk county; and

Joint resolution providing for a mail route from Fairfield to Bloomfield.

Mr. Springer, from the Select Committee to whom was referred



Senate file, No. 38: A memorial to Congress for a grant of land upon which to locate the seat of State Government,

Reported a substitute therefor.

Mr. Hughes moved the Senate concur in the report of the committee.

Mr. Jay moved a call of the Senate,

Which was had, when it appeared that

Messrs. Browning, Huner and Sprott were absent.

On motion of Mr. Fullinwider,

Mr. Browning had leave of absence.

On motion of Mr. Crawford,

Messrs. Huner and Sprott were excused; and,

On motion,

The further call of the Senate was dispensed with.

On motion of Mr. Selman,

Said memorial was laid on the table.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 58: A bill for an act to locate and establish a State road from West Point, in Lee county, to Bonaparte, in Van Buren county;

H. R. file, No. 66: A bill for an act to change the name of "Knoxville," to that of "Osceola;"

H. R. file, No. 19: An act fixing the salaries of certain officers therein named, and providing for their payment;

H. R. file, No. 19: Joint resolution requesting our Representatives in Congress to procure the establishment of certain mail routes; and

H. R. file, No. 20: Joint resolution instructing our Representatives in Congress to procure the establishment of certain mail routes;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 42: Joint resolution providing for a mail route from Fairfield to Oskaloosa;

Also, with one amendment,

Senate file, No. 9: A bill for an act to divide the State into judicial districts;

In which the concurrence of the Senate is requested.

H. R. file, No. 46: A bill for an act to locate a State road from Canton, in Jackson county, to Pioneer Grove, in Cedar county,  
Was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 21: A bill for an act to define the duties of prosecuting attorneys, and to provide compensation for their services;

Which was read a first and second time, and,

On motion of Mr. Sanford,

Referred to the Committee on the Judiciary.

H. R. file, No. 57: A bill to define the boundaries of the counties of Clayton and Fayette,

Was read a first and second time, and,

On motion of Mr. Crawford,

Referred to a Select Committee of three.

Messrs. Crawford, Benton and Wheeler were appointed said committee.

H. R. file, No. 58: A bill to locate a State road from West Point to Bonaparte, in Van Buren county,

Was read a first and second time, and,

On motion of Mr. Sanford,

Referred to the Committee on Roads, together with a remonstrance on that subject.

H. R. file, No. 19: A bill fixing the salaries of certain officers therein named, and providing for their payment,

Was read a first and second time, and,

On motion of Mr. Springer,

Referred to the Committee of the Whole, and made the special order of the day for Monday, the 1st day of February next.

H. R. file, No. 19: Joint resolution requesting our Representatives in Congress to procure the establishment of certain mail routes,

Was read a first and second time, and,

On motion of Mr. Jay,

The thirteenth rule was suspended, said resolution read a third time, passed, and title agreed to.

H. R. file, No. 20: Joint resolution instructing our Representatives in Congress to procure the establishment of a certain mail route,

Was read a first and second time, and,

On motion of Mr. Bradley,

Amended by striking out the word "instructed," and inserting "requested."

On motion of Mr. Fullinwider,

The thirteenth rule was suspended and said joint resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 7: A bill to divide the State into judicial districts,

Coming up, as amended by the House,

The Senate concurred in in said amendment.

H. R. file, No. 66: A bill to change the name of "Knoxville," to that of "Osceola,"

Was read a first and second time, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, and said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Sanford,

Senate file, No. 33: An act to confer the authority of changing the names of persons, towns and villages upon the district courts;

Was taken from the table, and

Ordered to be engrossed for a third reading on to-morrow.

Mr. Jay moved to take up

H. R. file, No. 29, A bill providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for retailing intoxicating liquors in said townships, or not. Lost.

Mr. Springer gave notice that he would, on some future day, ask leave to introduce a bill to provide means for the completion of the penitentiary.

H. R. file, No. 54: A bill to locate a State road therein named,

On motion of Mr. Selman.

Was taken from the table, and,

On his motion,

Amended, and ordered to be read a third time on to-morrow:

Mr. Springer moved to adjourn until 10 o'clock to-morrow morning.

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Bissell, Bradley, Crawford, Harbour, Hughes, Springer, Wheeler and Mr. President—8.

NAYS—Messrs. Benton, Brown, Davis, Fullinwider, Jay, Sanford, Selman and Whitaker—8.

So the Senata refused to adjourn until 10 o'clock to-morrow morning.  
 On motion of Mr. Crawford,  
 The Senate adjourned until 9½ o'clock to-morrow morning.

---

SATURDAY MORNING, JANUARY 30, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 43: An act creating a board of public works, and providing for the improvement of the Des Moines river;

H. R. file, No. 34; An act to incorporate the town of Fairfield;

H. R. file, No. 56: An act to amend an act regulating mill and millers, and for other purposes, approved February 3d, 1843;

In which the concurrence of the Senate is requested.

Mr. Benton, on leave, introduced

Senate file, No. 56: Joint resolution relative to the removal of the Winnebago Indians;

Which was read a first and second time, and,

On motion of Mr. Harbour,

Said resolution was amended by striking "Governor Briggs," and inserting "the Secretary of State."

On motion of Mr. Benton,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker, from the Select Committee to whom was referred

H. R. file, No. 58: A bill for a road from West Point, in Lee county, to Bonaparte, in Van Buren county,

Together with a remonstrance, have had the same under consideration, and report that they find the petitions for said road more numer-

ously signed than the remonstrance, and directed me to report the same back to the Senate, and recommend its passage; which,

On motion,

Was concurred in.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 19: A bill concerning justices of the peace.

Mr. Harbour, from the Committee on Roads, reported

Senate file, No. 57: A bill for laying out and establishing certain State roads therein named;

Which was read a first and second time, and,

On his motion,

Laid on the table.

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

H. R. file, No. 21: A bill to define the duties of prosecuting attorneys, and provide compensation for their services,

Reported said bill back, without amendments, and said bill was ordered to be read a third time on Monday next.

Mr. Crawford, from the Select Committee to whom was referred

H. R. file, No. 57: A bill to define the boundaries of the counties of Clayton and Fayette,

Reported the same back, without amendment, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker, from the Committee on Roads, to whom was referred the petition of sundry citizens of Clinton county, praying the passage of a law for the opening of section lines,

Have had the same under consideration, and instructed me to report, that the law for the organization of townships makes provisions for laying out township roads and cart-ways, which supercedes the necessity of a law for opening section lines—your committee deem it inexpert to grant the passage of said petitioners, and ask to be discharged from the consideration of the subject.

Agreed to.

Senate file, No. 33: A bill to confer the authority of changing the names of persons, towns and villages upon the district courts,

On motion of Mr. Sanford,

Was amended by striking out that portion which requires written notices, and adding "or nearest county."

Said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 54: A bill to locate a State road therein named,

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

Senate file, No. 19: A bill concerning justices of the peace,

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

Ordered that the Secretary notify the House accordingly.

H. R. file, No. 56: A bill to regulate an act to regulate mills and millers, and for other purposes, approved February 3d, 1843,

Was read a first and second time, and,

On motion of Mr. Bissell,

Referred to the Committee on the Judiciary.

H. R. file, No. 34: A bill to incorporate the town of Fairfield, in Jefferson county,

Was read a first and second time, and,

On motion of Mr. Brown,

Referred to the Committee of the Whole,

And made the special order of the day for Wednesday next.

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Was read a first and second time, and

On motion of Mr. Whitaker,

Referred to the Committee of the Whole,

And made the special order of the day for this afternoon.

Mr. Jay gave notice that on Monday next, or some subsequent day, he would introduce

A bill to provide for the permanent location of the seat of Government for the State of Iowa.

Mr. Sanford, from the Committee on Enrolled Bills, reported, as correctly enrolled,

Senate file, No. 43: Preamble and joint resolution relative to the improvement of the Iowa river.

On motion of Mr. Benton,

Resolved, That the Committee on Public Buildings, in addition to their instructions relative to the government and completion of the penitentiary, be instructed to inquire into the expediency of memorializing Congress for a grant of land for its completion.

Mr. Hughes presented the petition of Ferdinand Haberstraw and

eight others, praying for the passage of a law defining the number of feet in a perch of mason work; which was,

On his motion,

Referred to a Select Committee.

And Messrs. Hughes, Selman and Harbour were appointed said committee.

On motion of Mr. Harbour,

Senate file, No. 38: A memorial to Congress for a grant of land upon which to locate the seat of Government,

Was taken from the table, and,

The question being on the adoption the substitute reported by the committee,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Crawford, Hughes, Huner, Springer, Sprott and Wheeler—9.

NAYS—Messrs. Brown, Davis, Fullinwider, Harbour, Jay, Selman, Sanford, Whitaker and Mr. President—9.

So said substitute was not adopted.

Mr. Davis moved to reconsider the vote just taken on the substitute.

And the yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Jay, Springer, Wheeler, Whitaker and Mr. President—12.

NAYS—Messrs. Fullinwider, Harbour, Huner, Selman, Sanford and Sprott—6.

So said resolution was reconsidered,

And the question recurring on the adoption of the substitute,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Springer, Wheeler, Whitaker and Mr. President—11.

NAYS—Messrs. Fullinwider, Harbour, Huner, Jay, Sanford, Selman and Sprott—7.

Mr. Benton moved to amend by striking out the 5th section, and inserting 8th.

Not agreed to.

Said memorial was ordered to be engrossed and read a third time on Monday next.

Mr. Hughes moved to adjourn until to-morrow morning, 10 o'clock.

Lost.

On motion of Mr. Harbour,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Being in order,

Was considered in Committee of the Whole, Mr. Benton in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported the same back to the Senate, without amendment, and,

On motion of Mr. Bissell,

Referred to the Committee on Internal Improvements.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I am directed by the House to inform the Senate that the House have concurred in the amendment made by the Senate to

H. R. file, No. 50: A bill for an act to provide for the location of the county seat of the county of Jones.

The House have passed

H. R. file, No. 64: A bill for an act to lay out and establish a State road from Knoxville to the town of Newton, in Jasper county;

Also, with amendment,

Senate file, No. 27: A bill for an act to to establish an additional precinct in Farmington township, Van Buren county, Iowa;

In which the concurrence of the Senate is requested.

H. R. file, No. 64: A bill to lay out and establish a State road from Knoxville to to the town of Newton, in Jasper county,



Was read a first and second time, and

On motion of Mr. Hughes,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 27: A bill to establish an additional precinct in Farmington township, Van Buren county, Iowa,

Coming up, as amended by the House,

Was concurred in.

On motion,

Senate adjourned until 10 o'clock, Monday morning.

MONDAY MORNING, FEBRUARY 1, 1847.

Senate met pursuant to adjournment.

Mr. Bradley presented the petition of sundry citizens of Dubuque, Jones and Jackson counties, praying for the location of a State road from Cascade, in the county of Dubuque, to Geer's Ferry; which,

On his motion,

Was laid on the table.

H. R. file, No. 58: A bill to locate and establish a State road from West Point, in Lee county, to Bonaparte, in Van Buren county,

Was ordered to be engrossed and read a third time on to-morrow.

H. R. file, No. 21: A bill to define the duties of prosecuting attorneys, and provide compensation for their services,

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

Senate file, No. 38: A memorial to Congress for a grant of land upon which to locate the seat of Government for the State of Iowa,

Was read a third time, passed, and title amended, and,

On motion of Mr. Sanford,

Agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 10: An act fixing the salaries of certain officers therein named, and providing for their payment,

Being the order of the day for to-day, and the hour having arrived,  
The Senate resolved itself into a Committee of the Whole, Mr. Springer in the chair, for the consideration of said bill, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with sundry amendments ;

And the question being on concurring in the first amendment made by the Committee of the Whole—which was

To strike out “one thousand dollars,” and insert “eight hundred,” as salaries for Supreme Judges :

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Fullinwider, Harbour, Sanford and Selman—4.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Hughes, Huner, Jay, Springer, Sprott, Wheeler, Whitaker and Mr. President—13.

So said amendment was not concurred in ; and,

On motion,

The balance of the amendments made by the committee were concurred in,

And said bill was ordered to be read a third time now, which was done, and

The bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Benton presented the claim of Thurston & Tizzard, for printing, which was,

On his motion,

Referred to the Committee on Claims.

Mr. Sanford gave notice that on to-morrow, or some subsequent day, he would introduce

A bill to provide for the regulation of ferries.

Mr. Baker, on leave, introduced

Senate file, No. 58: A bill to amend an act entitled “An act to locate a territorial road therein named,” approved January 17th, 1846,

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives by Mr. Porter, their assistant clerk :

*Mr. President—*

I herewith present for your signature,

An act to establish an additional precinct in Farmington township, Van Buren county, Iowa ;

Joint resolution providing for a mail route from Fairfield to Oskaloosa ; and

Preamble and joint resolution relative to the improvement of the Iowa river ;

The same having been signed by the Speaker of the House.

I also return to the Senate

An act to indemnify Samuel Riggs, &c.

The same having been signed by the Speaker of the House.

On motion of Mr. Hughes,

Senate file, No. 40 : A bill prescribing the general duties of the Governor ;

Was taken from the table, and,

On his motion,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Wheeler in the chair, and,

After some time spent therein,

The committee rose and reporten said bill back to the Senate, with sundry amendments, which,

On motion,

Were concurred in, and

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

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Bradley moved to take from the table

Senate file, No. 57: A bill for laying out an establishing certain State roads therein named.

Agreed to.

On his motion,

Referred to the Committee on Roads.

On motion of Mr. Sprott,

The report of the joint committee on adjournment,

Was taken from the table, and,

Mr. Whitaker moved to amend said report by striking out "5th of March," and inserting the "16th February."

Mr. Benton moved to amend by inserting "22d February."

Lost.

Mr. Sanford moved to amend by inserting "25th February, 1847."

Lost.

And the question recurring on Mr. Whitaker's motion to insert "16th,"

The same was agreed to.

Mr. Hughes moved to lay said report on the table.

Lost.

Mr. Bissell moved to reconsider the vote just taken on inserting the "22d."

Agreed to.

Mr. Jay moved to lay said report on the table.

Lost.

On motion,

Said report was concurred in.

Senate file, No. 59: Joint resolution relative to the adjournment of the present session of the General Assembly;

Was read a first and second time.

Mr. Jay moved to amend said resolution by striking out "22d," and inserting "16th February."

Lost.

On motion of Mr. Benton,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

I herewith present, for your signature,

And act to indemnify Samuel Riggs for losses and expenses incurred in defending himself against prosecutions commenced against him by the authorities of Missouri ;

The same having been signed by the Speaker of the House.

Mr. Hughes moved to take from the table

Senate file, No. 31 : A bill regulating the election of district judges.

Not agreed to.

Mr. Brown, on leave, introduced

Senate file, No. 60 : A bill to establish a State road therein named ;

Which was read a first and second time, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representative, by Mr. Hudson, chief clerk :

*Mr. President—*

I am directed to inform the Senate that the House of Representatives have concurred in the amendments made by the Senate to

H. R. file, No. 46, A bill to locate a State road from Canton, in Jackson county, to Pioneer Grove, in Cedar county ;

H. R. file, No. 20: Joint resolution instructing our Representatives in Congress to procure the establishment of certain mail routes ;

H. R. file, No. 19 ; An act fixing the salaries of certain officers therein named, and providing for their payment ; and

H. R. file, No. 54, A bill for an act to locate a State road therein named.

On motion of Mr. Sprött,

The Senate adjourned until 9½ o'clock to-morrow morning.

---

TUESDAY MORNING, FEBRUARY 2, 1846.

Senate met pursuant to adjournment.

Mr. Brown presented the petition of J. T. Hardin and thirty other

citizens of the county of Jefferson, praying for the passage of a law to legalize the acts of Enoch Forager, a justice of the peace for said county ; which,

On his motion,

Was referred to the Committee on the Judiciary.

Mr. Harbour, from the Committee on County Boundaries, reported Senate file, No. 61: A bill authorizing county commissioners to lay off their counties into county commissioners' districts ;

Which was read a first and second time, and

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

Mr. Whitaker, from the Committee on Internal Improvement, to whom was referred

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Reported said bill back to the Senate, and recommend that it be made the order of the day for to-day.

Said report was concurred in.

Mr. Hughes, from the Select Committee to whom was referred the petition of Ferdinand Habershaw and eight other citizens of Johnson county, in relation to a perch of mason work, reported

Senate file, No. 62: A bill to repeal an act to define a perch of mason work in Iowa Territory, approved January 17th, 1846 ;

Which was read a first and second time, and,

On motion of Mr. Sanford,

Laid on the table.

Mr. Brown, from the Committee on Elections, to whom was referred H. R. file, No. 32: A bill prescribing the time, manner and place of holding elections for Senators to Congress,

Reported a substitute ;

Which was read and concurred in, and,

On motion of Mr. Hughes,

Laid on the table and ordered to be printed.

Mr. Sanford, from the Committee on Enrolled Bills, reported that they have presented to the Governor, for his approval,

An act to establish an additional precinct in Farmington township, in Van Buren county, Iowa ;

Preamble and joint resolution relative to the improvement of the Iowa river ;

Joint resolution providing for a mail route from Fairfield to Oskaloosa. and

An act to indemnify Samuel Riggs, sheriff of Davis county, for losses sustained in defending himself against prosecutions commenced against him for exercising his office in the disputed territory between Iowa and Missouri.

H. R. file, No. 58 : A bill to locate and establish a State road from West Point, in Lee county, to Bonaparte, in Van Buren county,  
Was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Davis,  
The Senate resolved itself into Committee of the Whole, on  
H. R. file, No. 43 : A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,  
Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose and reported said bill back to the Senate, with several amendments, and asked and obtained leave to sit again this afternoon.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

I herewith present, for your signature,

An act to lay out and establish a State road from Knoxville, in Marion county, to Newton, in Jasper county ;

An act to change the name of " Newton City," to that of " Newton ;"

An act to define the boundaries of the counties of Clayton and Fayette ;

An act to provide for the location of the county seat of the county of Iowa ;

An act to change the name of the town of Knoxville to that of Osceola.

An act to locate a State road from Canton, in Jackson county, to Pioneer Grove, in Cedar county ;

An act to relocate a State road therein named ;

Preamble and joint resolution relative to the improvement of Cedar river ;

Joint resolution requesting our Representatives in Congress to procure the establishment of a certain mail route ;

Joint resolution requesting our Representatives in Congress to procure the establishment of certain mail routes ;

The same having been signed by the Speaker of the House.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 40: An act prescribing the general duties of the Governor;

Senate file, No. 61: A bill authorizing county commissioners to lay off their counties into county commissioners' districts.

Mr. Sanford, from the Committee on Enrolled Bills, reported, as correctly enrolled,

Senate file, No. 7: An act to divide the State into judicial districts.

Senate file, No. 40: An act prescribing the general duties of the Governor.

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

Ordered, That the Secretary notify the House accordingly.

The hour having arrived, the Senate resumed the consideration of H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

In Committee of the Whole, Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose and reported said bill back to the Senate, with sundry amendments, and,

On motion of Mr. Bissell,

Said bill and pending amendments were laid on the table, and made the order of the day for to-morrow.

Mr. Jay, on leave, introduced

Senate file, No. 63: A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings;

Which was read a first and second time, and,

On motion of Mr. Whitaker,



Laid on the table and ordered to be printed.

On motion of Mr. Hughes,  
The Senate adjourned until 10 o'clock to-morrow morning.

---

WEDNESDAY MORNING, FEBRUARY 3, 1847.

Senate met pursuant to adjournment.

Mr. Davis, on leave, introduced

Senate file, No. 64: Preamble and joint resolution of the State of Iowa asking a donation of land for a military road from the Mississippi to the Missouri river;

Was read a first and second time, and,

On motion of Mr. Mr. Sprott,

Amended by striking out "Fort Madison," and inserting "Keokuk."

On motion,

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

Mr. Whitaker presented the memorial of sundry citizens of Van Buren county in relation to legislation,

Which was read, and,

On motion of Mr. Sprott,

Referred to the Committee on the Judiciary.

Mr. Jay presented the petition of sundry citizens of Henry county, praying an alteration of the territorial road from Fort Madison to Mount Pleasant; which was,

On his motion,

Laid on the table.

Senate file, No. 61: A bill authorizing county commissioners to lay off their counties into county commissioners' districts,

Was read a third time and passed.

H. R. file, No. 34: A bill to incorporate the town of Fairfield, in Jefferson county,

Being the order of the day,

Was considered in Committee of the Whole, Mr. Whitaker in the chair, and,

After some time spent therein,

The committee rose and reported said bill back to the Senate, with an amendment,

Which was concurred in, and.

On motion of Mr. Brown,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representative, by Mr. Hudson, chief clerk:

*Mr. President—*

I herewith return

An act to divide the State of Iowa into judicial districts;

The same having been signed by the Speaker of the House.

I herewith present, for your signature,

An act to define the duties of prosecuting attorneys, and to provide compensation for their services;

An act fixing the salaries of certain officers, and providing for their payment;

An act to locate a State road therein named; and

An act to locate and establish a State road from West Point, in Lee county, to Bonaparte, in Van Buren county;

The same having been signed by the Speaker of the House.

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Being the order of the day,

Was considered in Committee of the Whole, Mr. Bissell in the chair, and.

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with sundry amendments.

Mr. Sanford moved to amend the first section of said bill, as follows:

“Who shall be appointed by joint resolution of the General Assembly for two years, and every two years thereafter by the qualified electors of the State, to serve until their successors are elected and qualified,”

As a substitute for the amendment made by the committee.

On which the ayes and nays were demanded, and, being ordered, were as follow:

YEAS—Messrs. Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—8.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman, Whitaker and Mr. President—10.

So said amendment was not agreed to.

The question being on the adoption of the first amendment made by the Committee of the Whole, which was,

To strike out, in the first section, and insert the following :

“ Who shall be elected by the qualified voters of this State, at the township elections, on the first Monday in the month of April next, and every two years thereafter.”

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman, Whitaker and Mr. President—10.

NAYS—Messrs. Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—8.

So said amendment was agreed to, and,

On motion,

The balance of the amendments made by the Committee of the Whole were concurred in.

Mr. Davis moved to strike out “ eighty-five,” and insert “ ninety.” Not agreed to.

On motion of Mr. Sprott,

The 17th section was amended by inserting the following :

17th section, 4th line, strike out “ Mississippi river,” and insert therein, “ mouth of the Nassau slough, on the Mississippi river ; thence up said slough to the Des Moines river : Provided the board of public works shall consider this plan best calculated to advance the interest of the State.”

Mr. Benton offered the following amendment :

“ Nothing in this act contained shall be so construed as to prohibit steamboats of ordinary tonnage from navigating the the Mississippi river above the place where it runs into the Des Moines river.”

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bradley, Crawford, Davis, Hughes, Selman and Whitaker—7.

NAYS—Messrs. Bissell, Brown, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Mr. President—11.

So said amendment was not agreed to.

On motion of Mr. Hughes,

Said bill was ordered to be read a third time on to-morrow.

On motion of Mr. Sprott,

The Senate adjourned until 2 o'clock, P. M.

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Whitaker, from the Committee on Roads, reported

Senate file, No. 65: A bill to locate and establish a State road from Iowa City to the west line of Dallas county;

Which was read, a first and second time, and,

On motion of Mr. Jay,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker, from the Committee on Roads, to whom was referred Senate file, No. 57: A bill for laying out and establishing certain State roads therein named;

Reported the same back, with several amendments,

Which were concurred in.

On motion of Mr. Bissell,

The blanks in the ——— section were filled with the names of James Leverich Charles Cantenwine and William Hunt.

Mr. Hughes moved to strike out the name of "William Hunt," and insert the name of "Delavan Bratt, of Muscatine county."

Not agreed to.

On motion,

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

On motion of Mr. Hughes,

Senate file, No. 31: A bill regulating the election of district judges, Was taken from the table, and,

On motion,

Considered in Committee of the Whole, Mr. Bradley in the chair, and,  
After some time spent therein,

The committee rose, and reported said bill back, with sundry amendments,

Which were concurred in, and,

On motion,

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

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I am directed by the House to inform the Senate that the House have indefinitely postponed the consideration of

Senate file, No. 56: Joint resolution relative to the removal of the Winnebago Indians.

On motion of Mr. Hughes,

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

---

THURSDAY MORNING, FEBRUARY 4, 1847.

Senate met pursuant to adjournment.

On motion of Mr. Jay,

Resolved, That there be a committee of two appointed, on the part of the Senate, to act with a like committee on the part of the House, to inquire into the expediency of draughting a probate law at as early a day as practicable; and

Messrs. Springer and Bissell were appointed said committee—Mr. Jay, at his own request, being excused.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 31: An act regulating the election of district judges;

Senate file, No. 57: A bill for laying out an establishing certain State roads therein named;

Senate file, No. 64: A preamble and joint resolution of the General

Assembly of the State of Iowa, asking a donation of land for a military road from the Mississippi to the Missouri river,

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

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Was read a third time, and,

On motion of Mr. Fullinwider,

Referred to a Select Committee, with instructions to report on the amount of salaries of the commissioners; and

Messrs. Fullinwider, Bradley and Whitaker were appointed said committee.

Mr. Fullinwider, from said committee, reported said bill back, with an amendment to the 5th section, which was,

To strike out "five hundred," and insert "one thousand eight hundred."

Mr. Harbour moved to amend the report of the committee by striking out "one thousand," and inserting "eight hundred," and by striking out "eight hundred," and inserting "six hundred."

Mr. Springer asked and obtained a division of the question; and the question being on amending the report of the committee by striking out "one thousand," and inserting "eight hundred,"

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Brown, Harbour, Sanford, Springer, Wheeler and Mr. President—6.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Fullinwider, Hughes, Huner, Jay, Sprott and Whitaker—11.

So said amendment was not agreed to.

On the question of striking out "eight hundred," and inserting "six hundred."

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Brown, Harbour and Sanford—3.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Fullinwider, Hughes, Huner, Jay, Springer, Sprott, Wheeler, Whitaker and Mr. President—14.

So said amendment was not agreed to.

The question recurring on agreeing to the report of the Select Committee,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Fullinwider, Hughes, Huner, Jay, Sprott, Whitaker and Mr. President—12.

NAYS—Messrs. Brown, Harbour, Sanford, Springer and Wheeler—5.

So said amendment was concurred in.

Mr. Fullinwider moved to suspend the 13th rule of the Senate, and that said bill be read a third time now.

Agreed to.

And the question being on the passage of said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Springer, Sprott, Wheeler, Whitaker and Mr. President—16.

NAYS—None.

So said bill was passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 17 : Joint resolution to pay Charles A. Robbins for a set of seals ;

H. R. file, No. 49 : A bill for an act to authorize general incorporations ; and

H. R. file, No. 66 : A bill for an act to locate a State road from Oskaloosa, in Mahaska county, to Knoxville, in Marion county ;

In which the concurrence of the Senate is requested.

Senate file, No. 57 : An act for laying out and establishing certain State roads therein named,

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

Senate file, No. 31 : An act regulating district judges,

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 17 : Joint resolution to pay Charles A. Robbins for a set of seals,

Was read a first and second time, and,

On motion of Mr. Harbour,  
Referred to the Committee on Claims.

On motion of Mr. Hughes,  
The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

H. R. file, No. 49: A bill for an act to authorize general incorporations,

Was read a first and second time, and,

On motion of Mr. Sprott,

Referred to the Committee on Incorporations.

H. R. file, No. 69: A bill to locate a State road from Oskaloosa, in Mahaska county, to Knoxville, in Marion county,

Was read a first and second time, and,

On motion of Mr. Harbour,

Referred to a Select Committee.

Messrs. Harbour, Brown and Whitaker were appointed said committee.

Mr. Fullinwider, in accordance with notice and leave obtained, introduced

Senate file, No. 66: A bill for an act supplemental and amendatory to an act to establish common schools;

Which was read a first and second time, and

Laid on the table and ordered to be printed.

Message from the House of Representatives, by Mr. Porter, assistant clerk:

*Mr. President—*

I am directed by the House to inform the Senate that the House have passed, without amendment,

Senate file, No. 48: A bill to provide for the payment of the debt due the Miners' Bank of Dubuque;



Senate file, No. 58: A bill to amend an act entitled "An act to locate a territorial road therein named," approved Jan. 17th, 1846;

Senate file, No. 38: A memorial to Congress for a grant of land upon which to locate the seat of Government for the State of Iowa;

Senate file, No. 33: An act to confer the authority of changing the names of persons, towns and villages upon the district courts.

Also, without amendments,

Senate file, No. 53, A bill to locate a State road from Walling's landing to Crawfordsville;

Senate file, No. 55: Joint resolution providing for a mail route from Keokuk, via of Oskaloosa, to Fort Des Moines, in Polk county.

In which the concurrence of the Senate is requested.

H. R. file, No. 47: A bill for an act for the management of the State library and the election of a librarian,

On motion of Mr. Whitaker,

Was taken from the table, and

On motion of Mr. Hughes,

The Senate resolved itself into a Committee of the Whole, Mr. Davis, in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with several amendments, and had leave to sit again to-morrow afternoon.

On motion of Mr. Brown,

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

---

#### FRIDAY MORNING, FEBRUARY 5, 1847.

Senate met pursuant to adjournment.

Mr. Browning presented the petition of William F. Coolbaugh and one hundred and fifty-four other citizens of Des Moines county, praying the repeal of the usury laws,

Which was read, and

Referred to a Select Committee.

Messrs. Browning, Whitaker and Bissell were appointed said committee.

Mr. Whitaker presented the petition of H. P. Marlow and forty-four other citizens of Van Buren county, praying the extension of the jurisdiction of justices and constables; which was,

On his motion,

Referred to the Committee on the Judiciary.

Mr. Harbour, from the Select Committee to whom was referred H. R. file, No. 69: A bill to locate a State road from Oskaloosa, in Mahaska county, to Knoxville, in Marion county,

Reported the same back to the Senate, without amendment, and recommended its passage.

Said report was concurred in, and said bill was

Ordered to be read a third time on to-morrow.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to his Excellency, for his approval,

An act to divide the State of Iowa into judicial districts.

Senate file, No. 53: A bill to locate a State road from Walling's Landing to Washington,

Coming up, as amended, was,

On motion,

Concurred in.

Senate file, No. 55: Joint resolution providing for a mail route from Keokuk, via of Oskaloosa, to Fort Des Moines, in Polk county,

Coming up, as amended by the House,

The Senate disagreed to said amendment.

Ordered, That the Secretary notify the House accordingly.

Mr. Browning, from the Select Committee to whom was referred the petitions of Wm. F. Coolbaugh and one hundred and fifty-four other citizens of Des Moines county, praying a repeal of the usury laws, reported

Senate file, No. 67: A bill to repeal all laws in relation to usury,

Which was read a first and second time, and,

On motion of Mr. Springer,

Referred to the Committee on the Judiciary.

On motion of Mr. Browning,

H. R. file, No. 29: A bill providing that the legal voters in each township may determine whether the county commission shall grant license for retailing intoxicating liquors, or not,

Was taken from the table, and,

On motion of Mr. Harbour,

The Senate resolved itself into a Committee of the Whole, Mr. Harbour in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, without amendment.

And the question being on concurring in the report of the Select Committee to whom said bill had been referred,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Sanford, Springer, Sprott and Mr. President  
-13.

NAYS—Messrs. Browning, Fullinwider, Jay, Wheeler and Whitaker  
-5.

So said report was concurred in.

Mr. Browning moved to refer said bill to a Select Committee ;

Pending which,

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

H. R. file, No. 29, A bill for an act providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for the retailing of intoxicating liquors in said township, or not,

Being under consideration,

And the question, at the time of the adjournment, being on committing said bill to a Select Committee, with instructions to report such a modification of the bill as to permit each organized county to vote upon the question of "license," or "no license,"

Said bill was referred, and

Messrs. Browning, Sanford and Benton were appointed said committee.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I am directed by the House to inform the Senate, that the House have passed

H. R. file, No. 72: A bill for an act to amend an act defining crimes and punishments; and

H. R. file, No. 55: Joint resolution for a mail route from Keokuk to Fairfield.

Also, with amendments,

Senate file, No. 16: An act for the organization of Ray and other counties;

Senate file, No. 1: An act for the organization of the county of Dallas;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 40: An act prescribing the general duties of the Governor;

Senate file, No. 60: A bill to establish a State road therein named.

Also—

That the House have indefinitely postponed the consideration of Senate file, No. 32, An act fixing the punishment for the crime of murder.

H. R. file, No. 37: A bill to provide for the management of the State library and the election of a librarian,

Being the order of the day for two o'clock this afternoon, and the hour having arrived,

The Senate resolved itself into a Committee of the Whole, Mr. Hughes in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back, with sundry amendments.

The first, second, third, fifth, seventh, eighth and ninth amendments made by the Committee of the Whole were concurred in; and

The sixth amendment disagreed to.

Mr. Fullinwider offered the following as an amendment to the 10th section:

“That the librarian be chosen by appointment of the Governor and

confirmation of the Senate, and shall hold his office for two years, and until his successor is chosen and qualified."

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Brown, Crawford, Davis, Fullinwider and Mr. President—7.

NAYS—Messrs. Benton, Browning, Harbour, Hughes, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Whitaker—11.

So said amendment was agreed to.

Mr. Whitaker moved to amend by striking out the 10th section, and inserting the following :

"That Lemuel B. Patterson be, and is, hereby appointed librarian—who shall hold his office for the term of two years, and until his successor is appointed and qualified."

And the yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Benton, Bissell, Browning, Davis, Hughes, Huner, Jay, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—13.

NAYS—Messrs. Bradley, Brown, Crawford, Fullinwider and Harbour—5.

So said amendment was agreed to, and said bill, as amended, was

Ordered to be read a third time on to-morrow.

H. R. file, No. 72: A bill to amend "An act defining crimes and punishment,"

Was read a first and second time, and,

On motion of Mr. Jay,

Laid on the table.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

Mr. President—

I am directed to inform the Senate that the House have concurred in the amendments made by the Senate to sections five, eleven, and seventeen, of

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

And have disagreed to all other amendments made by the Senate to said bill.

Mr. Browning, from the Select Committee to whom was referred

H. R. file, No. 29, A bill providing that the legal voters in each

township determine, at the township elections, whether the county commissioners shall grant license for retailing intoxicating liquors in said townships, or not,

Reported the same back, with the amendment, in accordance with instructions;

And the question being on agreeing to the report of said committee,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Brown, Browning, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Whitaker—12.

NAYS—Messrs. Benton, Bradley and Crawford—3.

So said report was agreed to.

On motion of Mr. Springer,

The last section of said bill was so amended as to make it take effect after its publication in the weekly newspapers in Iowa City.

On motion of Mr. Browning,

The thirteenth rule was suspended, said bill was read a third time now, and,

The question being on the passage of said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Brown, Browning, Davis, Fullinwider, Huner, Jay, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—12.

NAYS—Messrs. Benton, Bradley and Hughes—3.

So said amendment was passed, and,

On motion of Mr. Browning,

The title to said bill was amended by striking out "townships," and inserting "respective counties," and agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion,

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

SATURDAY MORNING, FEBRUARY 6, 1847.

Senate met pursuant to adjournment.

Mr. Benton presented the petition of F. K. O'Farrell and one hundred and nineteen other citizens of Dubuque, praying the passage of a law establishing a system of common schools; which was,

On his motion,

Referred to the Committee on Schools.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported, as correctly enrolled,

An act to provide for the payment of the debt due the Miners' Bank of Dubuque;

An act to confer the authority of changing the names of persons, towns and villages on the district courts;

An act to establish a State road therein named;

A memorial to Congress for a grant of land upon which to locate the Seat of Government for the State of Iowa;

An act to locate a State road from Walling's Landing to Washington;

An act to amend an act entitled "An act to locate a territorial road therein named," approved Jan. 1846.

Senate file, No. 15: An act for the organization of the county of Dallas,

Coming up, as amended by the House,

On motion of Mr. Baker,

The first amendment was concurred in, and the second amendment was disagreed to.

Senate file, No. 16: An act for the organization of Pottawatamie and other counties,

Coming up, as amended by the House,

On motion of Mr. Baker,

The Senate disagreed to the House amendment.

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Coming up, as disagreed to by the House,

On motion of Mr. Bradley,

Laid on the table, and made the special order of the day for Monday next, at 10 o'clock, A. M.

H. R. file, No. — ; Joint resolution for a mail route from Keokuk to Fairfield,

Was read a first and second time, and

Ordered to be read a third time on Monday next.

H. R. file, No. 37 : A bill for an act to provide for the management of the State library and the election of a librarian,

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

H. R. file, No. 69 : A bill to locate a State road from Oskaloosa, in Macaska county, to Knoxville, in Marion county,

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

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

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

H. R. file, No. 85 : An act to provide for a loan for the purpose of defraying the expenses and paying the creditors of the State ;

In which the concurrence of the Senate is requested.

Said bill was read a first and second time, and,

On motion of Mr. Benton,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Jay in the chair, and,

After some time spent therein,

The committee rose and reported said bill back to the Senate, without amendment, and,

On motion of Mr. Bradley,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 63 : A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings ;

On motion of Mr. Jay,

Was taken from the table, and referred to the Committee of the Whole, and made the special order of the day for Monday next, at two o'clock, P. M.

H. R. file, No. 72 : A bill for an act to amend an act defining crimes and punishments,

On motion of Mr. Jay,



Was taken from the table, and  
Referred to the Committee on the Judiciary.

On motion,  
The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Fullinwider,

Resolved, That the Committee on Federal Relations be instructed to inquire into the expediency of repealing "An act to regulate blacks and mulattoes," approved January 21, 1839, and report by bill or otherwise.

Mr. Jay presented the petition of Catharine D. Huggins and eleven other females, in relation to people of color; which,

On his motion,

Was referred to the Committee on Federal Relations.

Mr. Bradley, from the Committee on Federal Relations, had leave and reported:

The Committee on Federal Relations, to whom was referred a resolution to inquire into the expediency of repealing "An act regulating blacks and mulattoes," have had the same under consideration, and instructed me to report, that they do not deem any change or alteration of the present law expedient or necessary; which,

On motion,

Was concurred in.

On motion,

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

MONDAY MORNING, FEBRUARY 8, 1847.

Senate met pursuant to adjournment.

Mr. Browning presented the remonstrance of James W. Grimes and sixty-four other citizens, against giving the mayor of Burlington judicial powers; which,

On his motion,

Was referred to the Senators from Des Moines county.

Mr. Browning presented the petition of J. P. Crothers and seventy-four other citizens of Des Moines county, praying the repeal of the law regulating blacks and mulattoes.

Which was read.

Mr. Browning moved to refer said petition to the Committee on Federal Relations.

Mr. Jay moved to instruct said committee to report a law to repeal the "Act regulating blacks and mulattoes," approved January 21st, 1839.

And the question being on referring said petition with instructions,

The yeas and nays being demanded were ordered, and were as follow:

YEAS—Messrs. Fullinwider, Jay, Springer, and Sprott—4.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Davis, Harbour, Hughes, Huner, Sanford, Wheeler, Whitaker, and Mr. President—13.

So said petition and instructions were not referred.

And the question being on referring said petition without instructions,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Fullinwider, Jay, Springer, Sprott, and Wheeler—6.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Davis, Harbour, Hughes, Huner, Sanford, Whitaker and Mr. President—11.

So said petition was not referred.

Mr. Sanford moved to refer said petition to a select committee.

Mr. Benton moved to lay said petition on the table; and

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bradley, Browning, Davis, Fullinwider, Harbour, Huner, Jay, and Wheeler—9.

NAYS—Messrs. Bissell, Brown, Hughes, Sanford, Springer, Sprott, Whitaker, and Mr. President—8.

So said petition was laid on the table.

Mr. Davis presented the petition of C. Spurlock, and fifty-one other citizens of the State of Iowa, in relation to the license law ; which was,

On his motion,

Laid on the table.

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

Senate file, No. 67 : A bill to repeal all laws in relation to usury,

Reported the same back without amendment and recommend that said bill be indefinitely postponed.

Said report was concurred in, and said bill indefinitely postponed.

Message from the House of Representatives by Mr. Porter, their assistant clerk :

*Mr. President—*

The House have passed

H. R. file, No. 81 : An act to establish a State road therein named, and

H. R. file, No. 75 : An act to establish new counties and define their boundaries,

In which the concurrence of the Senate is requested.

I herewith return

An act prescribing the general duties of the Governor,  
The same having been signed by the Speaker of the House.

I herewith present, for your signature,

An act incorporating the town of Fairfield, and

An act providing for a loan for the purpose of defraying the expenses and paying the creditors of the State,

The same having been signed by the Speaker of the House.

I herewith return you

An act to amend an act entitled "An act to locate a Territorial road therein named," approved January 17, 1844.

An act to provide for the payment of the debt due the Miners' Bank of Dubuque ; and

A memorial to Congress for a grant of land upon which to locate the seat of government for the State of Iowa ;

An act to confer the authority of changing the names of persons, towns and villages upon the district courts;

An act to locate a State road from Walling's landing to Washington;

An act to establish a State road therein named;

The same being signed by the Speaker of the House.

H. R. file, No. 21: Joint resolution for a mail route from Keokuk to Fairfield,

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

Ordered, That the Secreraty notify he House accordingly.

H. R. file, No. 81: An act to establish a State road therein named,

Was read a first and second time, and,

On motion of Mr. Springer,

Laid on the table.

H. R. file, No. 75: An act to establish new counties and define their boundaries in the late session from the Winnebago Indians,

Was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table.

On motion of Mr. Hughes,

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Was laid on the table.

On motion of Mr. Benton,

Senate file, No. 32: A bill to provide for the election of United States' Senators,

Was taken from the table, and,

On motion of Mr. Sanford,

The Senate resolved itself into a Committee of the Whole, Mr. Sanford in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported said bill back to the Senate with several amendments.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Browning,

Senate file, No. 50, A bill to amend the present charter of the city of Burlington;

Was taken from the table, and,

On his motion,

Referred to the Senators from the county of Des Moines.

Senate file, No. 32: A bill to provide for the election of United States' Senators,

Coming up, as amended by the Committee of the Whole,

Said amendments were concurred in, and

Said bill was ordered to be engrossed and read a third time on tomorrow.

Senate file, No. 63: A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings;

Being the order of the day for two o'clock this afternoon, and the hour having arrived,

The Senate resolved itself into a Committee of the Whole, Mr. Springer in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with several amendments, and had leave to sit again.

Which was not granted.

Mr. Sanford moved to refer said bill to a select committee.

Agreed to.

Messrs. Benton and Jay were appointed said committee—Mr. Sanford being excused on his motion.

Mr. Benton had leave and introduced

Senate file, No. 68: Joint resolution relative to the enrollment and return of the militia of Iowa to the commander-in-chief;

Which was read, a first and second time, and,

On motion of Mr. Browning,

The Senate resolved itself into a Committee of the Whole, Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose, reported progress, and asked and obtained leave to sit again.

On motion,

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

TUESDAY MORNING, FEBRUARY 9, 1846.

Senate met pursuant to adjournment.

Mr. Bradley, from the Select Committee to whom was referred the petition of sundry citizens of Jackson county in relation to the collection of county revenue, reported

Senate file, No. 69: An act authorizing Robert Reed or his successor in office to collect the delinquent tax of T. J. Pearce, late collector of taxes, and John Calvin, deceased, late treasurer and collector of Jackson county, for A. D, 1846;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was considered as engrossed, and read a third time now and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported, as correctly enrolled,

An act prescribing the general duties of the Governor;

An act to confer the authority of changing the names of persons, towns and villages upon the district courts;

An act to locate a State road from Walling's Landing to Washington;

An act to establish a State road therein named;

An act to amend "An act to locate a territorial road therein named," approved Jan. 17, 1846;

An act to provide for the payment of the debt due the Miners' Bank of Dubuque; and

A memorial to Congress for a grant of land upon which to locate the seat of Government for the State of Iowa.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

H. R. file, No. 32: A bill to provide for the election of United States' Senators,

Being a substitute for H. R. file; and said bill

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

On motion of Mr. Browning,

The title to said bill was amended by adding "and other officers," and, as amended, agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Sanford had leave and introduced

Senate file, No. 70: An act to incorporate the city of Farmington, Van Buren county, Iowa;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was considered as engrossed and read a third time now, and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

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

Senate file, No. 24: A bill to incorporate and establish the city of Dubuque, in the county of Dubuque, reported the same back,

With one amendment, and said report was concurred in; and,

On motion of Mr. Benton,

Referred to a Select Committee.

Messrs. Benton, Crawford and Bradley were appointed said committee.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 71: An act to lay out and establish a State road in Washington and Jefferson counties;

H. R. file, No. 22: Joint resolution relative to the election of judges;

H. R. file, No. 27: An act to provide for the navigation of the Skunk river;

H. R. file, No. 68: An act to continue a territorial road from De Witt to Lyons, across an out-lot in the town of Lyons;

H. R. file, No. 78: An act to provide for finishing the public buildings in Washington county;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 31: An act regulating the election of district judges;

Senate file, No. 54: An act to locate a State road from Walling's Landing to Columbus City;

Senate file, No. 65: An act to locate and establish a State road from Iowa City to the west line of Dallas county;

Senate file, No. 64: Joint resolution of the General Assembly asking a donation of land, &c.

I herewith present, for your signature,

Joint resolution for a mail route from Keokuk to Fairfield;

An act to locate a State road from Oskaloosa to Knoxville;

The same having been signed by the Speaker of the House.

H. R. file, No. 71: An act to lay out and establish a State road in Washington and Jefferson counties,

Was read a first and second time, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, said resolution read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 22: Joint resolution relative to the election of judges,

Was read a first and second time, and,

On motion of Mr. Harbour,

Laid on the table.

H. R. file, No. 27: An act to provide for the navigation of Skunk river,

Was read a first and second time, and,

On motion of Mr. Browning,

Made the special order of the day, in Committee of the Whole, for this afternoon, at two o'clock.

H. R. file, No. 68: An act to continue a territorial road from De Witt to Lyons, across an out-lot in the town of Lyons,

Was read a first and second time, and,

On motion of Mr. Bradley,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 78: An act to provide for furnishing the public buildings in Washington county,

Was read a first and second time, and,



On motion of Mr. Springer,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Browning,

Senate file, No. 66: An act supplemental and amendatory to an act to establish common schools,

Was taken from the table, and,

On his motion,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Wheeler in the chair, and,

After some time spent therein,

The committee rose, and reported that they had made some progress, and asked and had leave to sit again.

On motion,

The Senate adjourned until 2 o'clock, P. M.

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

H. R. file, No. 27: An act to provide for the navigation of Skunk river,

Being the special order of the day for this afternoon, and the hour having arrived,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Bradley in the chair, and,

After some time spent therein,

The committee rose and reported said bill back to the Senate, with sundry amendments,

Which were concurred in.

Mr. Jay moved to strike out all after the word "slope," in the second section of said bill.

Not agreed to.

On motion of Mr. Bradley,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Harbour,

Senate file, No. 44: A bill to provide for the appointment of commissioners to draught, revise and arrange a code of laws,

Was taken from the table, and read.

Mr. Bissell moved that it be made the special order of the day for Thursday next, at two o'clock, P. M.

Agreed to.

On motion of Mr. Bradley,

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

### WEDNESDAY MORNING, FEBRUARY 10, 1847.

Senate met pursuant to adjournment.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported, as correctly enrolled,

An act to establish a State road from Iowa City to the west line of Dallas county;

An act to locate a State road from Walling's Landing to Columbus City;

Preamble and Joint resolution of the General Assembly of the State of Iowa, asking a donation of lands for a military road from the Mississippi to the Missouri river.

Mr. Davis, from the Select Committee to whom was referred,

Senate file, No. 63: A bill to provide for the location of the Seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in the erection of public buildings,

Reported the same back with one amendment, to the 9th section:

"The said commissioners shall not lay out more than one section of land in town lots, nor sell more than two lots in one block, within the first two years."

Which was concurred in.

On motion of Mr. Browning,

The eighth section of said bill was amended by striking out one, two and three, and the word annually, and insert two, four and six, and by striking out one-fifth and inserting one-fourth.

On motion of Mr. Whitaker,

Washington was stricken out and Henry inserted in the first section.

Mr. Harbour moved that the Senate resolve itself into a Committee of the Whole for the consideration of said bill.

Not agreed to.

On motion of Mr. Bradley,

Dubuque was stricken out and Jones inserted in the first section, and,

On his motion,

The blank in said section was filled with the name of John Taylor.

On motion of Mr. Sanford,

The blank in said section was filled with the name of John Brown, of Lee county.

On motion of Mr. Jay,

The second blank was filled with the name of Joseph D. Hoag; and

On the question of engrossing for a third reading to-morrow,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bradley, Brown, Browning, Davis, Harbour, Huner, Jay, Sanford, Sprott, Wheeler, Whitaker, and Mr. President—12.

NAYS—Messrs. Benton, Bissell, Fullinwider, Hughee, and Springer—5.

So said bill was ordered to be engrossed and read a third time to-morrow.

Mr. Benton, from the Select Committee to whom was referred,

Senate file, No. 24: A bill to incorporate and establish the city of Dubuque, in the county of Dubuque,

Reported the same back without amendment, and,

On motion,

Said bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Springer, on leave, introduced

Senate file, No. 71: Joint resolution concerning the taking effect of acts public and private;

Which was read a first and second time, and,

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

Message from the House of Representatives, by Mr. Porter, assistant clerk:

*Mr. President—*

The House have passed

H. R. file, No. 80: An act dispensing with proof in certain cases; and

H. R. file, No. 92: An act to relocate a part of a Territorial road leading from Fairfield to the Indian boundary;

In which the concurrence of the Senate is requested.

The House have agreed to Senate amendments to

H. R. file, No. 37: A bill to provide for the management of the State library and the election of a librarian.

The House have receded from their amendments to

Senate file, No. 15: An act for the organization of the county of Dallas,

The House refuse to recede from their amendments to

Senate file, No. 16: An act for the organization of Pottawatamie and other counties, and

Senate file, No. 55: Joint resolution providing for a mail route from Keokuk, via of Oskaloosa, to Fort Des Moines, in Polk county.

Mr. Browning, on leave, introduced

Senate file, No. 72: A bill to authorize the county commissioners' court of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county;

Which was read a first and second time, and,

On his motion,

Laid on the table.

Mr. Browning, on leave, introduced

Senate file, No. 73: A bill in relation to the sale of lands under execution;

Which was read a first and second time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Sanford gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill to organize, discipline and govern the militia of this State.

H. R. file, No. 80. An act dispensing with proof in certain cases,

Was read a first and second time, and,

On motion,

Referred to the Committee on the Judiciary.

H. R. file, No. 92: A bill to relocate a part of the territorial road from airfield to the Indian boundary,

Was read a first and second time, and

Ordered to be read a third time on to-morrow.

Senate file, No. 16: An act for the organization of Pottawatamie and her counties,

Coming up, as adhered to by the House,

On motion of Mr. Sanford,

Messrs. Sanford and Bradley were appointed a Committee of Conference on the part of the Senate.

Senate file, No. 55: Joint resolution providing for a mail route from Leokuk, via of Oskaloosa, to Fort Des Moines, in Polk county,

Coming up, as adhered to by the House, was,

On motion of Mr. Harbour,

Laid on the table.

Mr. Browning had leave and introduced

Senate file, No. 74: A bill authorizing the county commissioners to employ additional counsel,

Was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

Mr. President—

The House have passed

H. R. file, No. 23: Joint resolution relative to the adjournment of the General Assembly.

Also, without amendment,

Senate file, No. 19; an act concerning justices of the peace;

Senate file, No. 59: An act for laying out and establishing certain State roads therein named;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 69: An act authorizing Robert Reed or his successors in office to collect certain delinquent taxes;

And have concurred in the amendments made by the Senate to

H. R. file, No. 29, A bill for an act providing that the legal voters in each township determine, at the township elections, whether the county commissioners shall grant license for the retailing of intoxicating liquors in said township, or not,

I herewith present, for your signature,

An act for finishing the public buildings in Washington county;

An act to lay out a State road in the counties of Washington and Jefferson;

An act to continue the territorial road from De Witt to Lyons, across an out-lot in the town of Lyons;

The same having been signed by the Speaker of the House.

I herewith return

An act to locate a State road from Walling's Landing to Columbus City;

An act to locate a State road from Iowa City to the west line of Dallas county;

Joint resolution asking a donation of land for a military road from the Mississippi river to the Missouri river;

The same having been signed by the Speaker of the House.

On motion of Mr. Browning,

Senate file, No. 72: A bill authorizing the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county,

Was taken from the table, and,

On his motion,

Referred to the Senators from the county of Des Moines.

H. R. file, No. 23: Joint resolution relative to the adjournment of the General Assembly,

Was read a first and second time,

Mr. Davis moved to indefinitely postpone said resolution.

Mr. Hughes moved a call of the House,

Which was had—when it appeared that

Messrs. Benton, Bradley, Crawford and Selman were absent.

On motion,

Messrs. Crawford and Selman were excused.

Mr. Browning moved to suspend the further call of the Senate.

Not agreed to.

Messrs. Benton and Bradley appearing,

On motion,

The further call of the Senate was dispensed with.

And the question being on the indefinite postponement of said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Davis, Harbour, Hughes, Sanford, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Huner, Jay, Springer, Sprott and Wheeler—7.

So said resolution was indefinitely postponed.

Senate file, No. 19 : An act concerning justices of the peace,

Coming up, as amended by the House,

On motion of Mr. Sprott,

The Senate refused to concur in said amendment.

Senate file, No. 57 : An act for laying out and establishing certain State roads therein named,

Coming up, as amended by the House,

The Senate disagreed to the first amendment, and agreed to the second amendment.

Mr. Harbour offered the following :

Resolved, That, after the 18th of the present month, no bill shall be introduced in the Senate.

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bradley, Brown, Davis, Harbour, Wheeler and Whitaker—7.

NAYS—Messrs. Bissell, Browning, Fullinwider, Hughes, Huner, Jay, Sanford, Springer, Sprott and Mr. President—10.

So said resolution was not adopted.

Mr. Jay moved to reconsider the vote taken on ordering to be engrossed

Senate file, No. 63 : A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings ;

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Browning, Davis, Fullinwider, Huner, Jay, Springer, Sprott and Wheeler—11.

NAYS—Messrs. Brown, Harbour, Hughes, Sanford, Whitaker and Mr. President—6.

So said vote was reconsidered.

Mr. Jay moved to reconsider the vote on striking out "Washington," and inserting "Henry."

Agreed to.

And the question recurring on striking out "Washington" and inserting "Henry,"

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Brown, Harbour, Jay, Sanford, Whitaker and Mr. President—6.

NAYS—Messrs. Benton, Bissell, Bradley, Browning, Davis, Fullinwider, Huner, Springer, Sprott and Wheeler—10.

So Washington was not stricken out.

On motion of Mr. Springer,

The blank was filled with Ansel Moore.

On motion of Mr. Springer,

The vote on striking out "Dubuque" and inserting "Jones," was reconsidered.

And the question recurring on striking out "Dubuque" and inserting "Jones,"

Was decided in the negative.

On motion,

The blank was filled with the name of John H. Anderson.

Mr. Jay moved to engross and read said bill a third time on tomorrow.

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Brown, Browning, Davis, Fullinwider, Harbour, Huner, Jay, Sanford, Sprott, Wheeler, Whitaker and Mr. President—12.

NAYS—Messrs. Benton, Bissell, Bradley, Hughes and Springer—5.

Said bill was ordered to be engrossed and read a third time on tomorrow.

On motion of Mr. Browning,



The Senate resolved itself into a Committee of the Whole for the consideration of

Senate file, No. 66: A bill for an act supplemental and amendatory to "An act to establish common schools," approved Jan. 16, 1840,

Mr. Wheeler in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported progress, and asked and had leave to sit again.

Mr. Davis had leave and introduced

Senate file, No. 75: A bill regulating the election of Representatives in Congress;

Which was read a first and second time, and

Referred to the Committee on the Judiciary.

Mr. Browning, from the Select Committee to whom was referred

Senate file, No. 50: A bill to amend the present charter of the city of Burlington,

Reported said bill back, without amendment, and recommended that it be indefinitely postponed.

Concurred in.

On motion,

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

---

#### THURSDAY MORNING, FEBRUARY 11, 1847.

Senate met pursuant to adjournment.

Mr. Bissell, from the committee to whom was referred

H. R. file. No. 80: An act dispensing with proof in certain cases,

Reported the same back, without amendment, and recommended its indefinite postponement, which was agreed to.

Mr. Springer, from the Judiciary Committee, to whom was referred

Senate file, No. 75: A bill providing for the election of Representatives in Congress,

Reported a substitute therefor,

Which was read a first and second time, and,

On motion of Mr. Bradley,

Laid on the table.

Mr. Benton, from the Select Committee to whom was referred

Senate file, No. 41 : A bill to provide for the election of electors for President and Vice President of the United States,

Reported a substitute therefor, which

Was read a first and second time, and,

On motion of Mr. Sanford,

Laid on the table.

Senate file, No. 24 : A bill to incorporate and establish the city of Dubuque,

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

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 71 : Joint resolution concerning the taking effect of acts, public and private,

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 92 : A bill to relocate a part of a territorial road from Fairfield to the Indian boundary,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Harbour moved to reconsider the vote taken yesterday in ordering to be engrossed and read a third time on the 11th,

Senate file, No. 66 : A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings ;

And the yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Davis, Fullinwider, Harbour, Huner, Jay, Sanford, Selman, Springer, Sprott, Wheeler, Whitaker and Mr. President—17.

NAYS—Mr. Hughes—1.

So said vote was reconsidered.

Mr. Bradley moved that the Senate resolve itself into a Committee of the Whole for the consideration of said bill.

Not agreed to.

On motion of Mr. Harbour,

Said bill was referred to a Select Committee, with instructions to report said bill back to the Senate this afternoon.

Messrs. Whitaker, Sprott and Wheeler were appointed said committee—Mr. Harbour, at his own request, being excused.

Mr. Browning, from the Select Committee to whom was referred

Senate file, No. 72: A bill to authorize the county commissioners' court of Des Moines county to purchase land upon which to locate a farm for the use of the poor of said county,

Reported the same back, with two amendments,

Which was concurred in, and said bill was

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

On motion of Mr. Davis,

Senate file, No. 43: An act creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Was taken from the table, and,

On his motion,

Said bill was again laid upon the table.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Whitaker, from the Select Committee to whom was referred

Senate file, No. 63: A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings,

Reported the same back, with two amendments, which were:

By striking out, in the first section of said bill, "Ansel More, of Washington," and inserting "Joseph D. Hoag;" and by striking out "John H. Anderson, of Dubuque," and inserting "John Taylor, of Jones,"

And the question being on concurring in the report of the committee,

The yeas and nays being demanded, were ordered, and were as follow:

**YEAS**—Messrs. Browning, Davis, Fullinwider, Harbour, Huner, Jay, Sanford, Sprott, Whitaker and Mr. President—10.

**NAYS**—Messrs. Benton, Bissell, Bradley, Brown, Hughes, Springer and Wheeler—7.

So said report was concurred in.

And the question being on ordering said bill to be engrossed and read a third time on to-morrow,

The yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Browning, Davis, Fullinwider, Harbour, Huner, Jay, Sanford, Sprott, Whitaker and Mr. President—10.

**NAYS**—Messrs. Benton, Bissell, Bradley, Brown, Hughes, Selman, Springer and Wheeler—8.

So said bill was ordered to be engrossed and read a third time on to-morrow.

Senate file, No. 44 : A bill to provide for the appointment of commissioners to draught, revise and arrange a code of laws,

Being the special order of the day for this day at two o'clock, P. M., and the hour having arrived,

The Senate resolved itself into a Committee of the Whole, Mr. Wheeler in the chair, for the consideration of said bill, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with an amendment,

Which was concurred in.

Mr. Browning offered an additional section, which was adopted.

Mr. Benton offered the following amendment :

To strike out all after the word "the," in the second line of the ninth section, and insert "Governor, at the earliest practicable period, together with a correct journal of their proceedings;"

Which was adopted.

Mr. Browning moved that said bill be engrossed and read a third time on to-morrow.

And the yeas and nays being demanded, were ordered, and were as follow :

**YEAS**—Messrs. Benton, Bissell, Bradley, Browning, Davis, Fullinwider, Hughes, Springer, Sprott, Wheeler and Mr. President—12.

**NAYS**—Messrs. Brown, Harbour, Jay, Sanford, Selman and Whitaker—6.

So said bill was ordered to be engrossed and read a third time on to-morrow.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed the following resolution :

Resolved, (the Senate concurring,) That the two Houses will adjourn *sine die*, on Thursday, the 25th inst.

Said resolution coming up for the concurrence of the Senate,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bradley, Bissell, Brown, Browning, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Sanford, Selman, Springer, Sprott, Wheeler, Whitaker and Mr. President—18.

NAYS—None.

On motion of Mr. Springer,

H. R. file, No. 81 : An act to establish a State road therein named,  
Was taken from the table, and,

On his motion,

Amended, as follows : in third section, add, " Provided, also, that no part of the expenses attending the location of this road shall be paid by the county of Louisa."

Said bill was ordered to be engrossed and read a third time on to-morrow.

On motion of Mr. Springer,

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

FRIDAY MORNING, FEBRUARY 12, 1847.

Senate met pursuant to adjournment.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 44 : An act to provide for the appointment of commissioners to draft, revise and arrange a code of laws ; and

Senate file, No. 72: An act to authorize the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county.

The question being on the passage of Senate file, No. 44,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Browning, Davis, Fullinwider, Hughes, Springer, Wheeler and Mr. President—8.

NAYS—Messrs. Hrown, Harbour, Jay, Selman, Sprott and Whitaker—6.

Senate file, No. 72: An act to authorize the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county,

Was read a third time and passed, and,

On motion of Mr. Fullinwider,

The title was amended by striking out "to authorize," and inserting "requiring," and as amended agreed to.

H. R. file, No. 81: An act to establish a State road therein named,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Sanford, from the Committee on Enrolled Bills, reported that they have examined and find correctly enrolled,

Senate file, No. 15: An act for the organization of the county of Dallas; and

Senate file, No. 31: An act regulating the election of district judges.

And that they have presented to the Governor for his approval,

An act to locate a State road from Walling's landing to Columbus City;

An act to locate and establish a State road from Iowa City to the west line of Dallas county;

Preamble and joint resolution of the State of Iowa asking a donation of land for a military road from the Mississippi to the Missouri river.

Mr. Browning, on leave, introduced

Senate file, No. 76: A bill to amend the charter of the city of Burlington;

Which was read a first and second time, and,

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

Mr. Hughes presented the petition of E. C. Lyon and forty-three other citizens of Iowa City, praying for a charter for said city; which was,

On his motion,  
Laid on the table.

Mr. Benton presented the petition of Benjamin Rupert and fifteen other citizens of Dubuque, in relation to section lines; which was,

On his motion,  
Referred to the Committee on Roads.

The Senate resumed the consideration of  
Senate file, No. 66: A bill supplemental and amendatory to an act to establish common schools,

In Committee of the Whole, Mr. Wheeler in the chair, and,  
After some time spent therein,

The committee rose, and reported said bill back, with sundry amendments, and

On motion of Mr. Brown,  
Said bill with pending amendments were laid on the table.

On motion of Mr. Benton,  
Senate file, No. 41: A bill to provide for the election of electors for President and Vice President of the United States;

Was taken from the table, and,

On motion of Mr. Springer,  
Referred to the Committee on the Judiciary.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 51: An act fixing the time of holding district courts in this State;

H. R. file, No. 74: An act defining the duties of county surveyors;

H. R. file, No. 35: An act to amend an act entitled "An act providing for and regulating general elections;"

H. R. file, No. 83: An act to vacate the public square in the town of West Point, in Lee county;

H. R. file, No. 90: An act to authorize H. H. Ritchie, Thomas Botts, and Andrew Jones to convey certain real estate;

H. R. file, No. 93: An act for extending the powers of county commissioners in licensing ferries;

H. R. file, No. 96: An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels," and

H. R. file, No. 66: An act to lay out and establish a State road from Iowa City to Fort Des Moines, in Polk county.

Also, with amendment,

Senate file, No. 20 : An act prescribing the general duties of Auditor of State ;

In which the concurrence of the Senate is requested.

H. R. file, No. 51 : An act fixing the terms of holding district courts in this State,

Was read a first and second time, and,

On motion of Mr. Browning,

Referred to a Select Committee of two from each judicial district.

Messrs. Browning, Springer, Bradley, Benton, Whitaker, Brown, Hughes and Baker, were appointed said committee.

H. R. file, No. 74 : An act defining the duties of county surveyors,

Was read a first and second time, and,

On motion of Browning,

Referred to a Select Committee ; and

Messrs. Brown, Fullinwider and Hughes, were appointed committee —Mr. Browning being excused.

H. R. file, No. 35 : A bill to amend an act entitled "An act providing for and regulating general elections,

Was read a first and second time, and,

On motion of Mr. Whitaker,

Was laid on the table.

H. R. file, No. 83 : An act to vacate the public square in the town of West Point, in Lee county,

Was read a first and second time, and,

Ordered to be read a third time on to-morrow.

H. R. file, No. 90 : An act to authorize H. H. Ritchie, Thomas Botts and Andrew Jones, to convey certain real estate therein named,

Was read a first and second time, and,

Ordered to be read a third time on to-morrow.

H. R. file, No. 93 : An act for extending the powers of the board of county commissioners in regard to licensing and regulating ferries,

Was read a first and second time, and,

On motion of Mr. Harbour,

Referred to the Committee on Incorporations.

H. R. file, No. 96 : An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels," approved December 20, 1838,

Was read a first and second time, and,

On motion of Mr. Browning,



Referred to the Committee on the Judiciary.

H. R. file, No. 76: An act to lay out and establish a State road from Iowa City to Fort Des Moines, in Polk county,

Was read a first and second time, and,

On motion of Mr. Harbour,

Referred to the Committee on Roads.

Mr. Whitaker from said committee reported said bill back with one amendment,

Strike out the name of James Douglass, and insert Archibald Gilliland.

Which was concurred in, and,

On motion of Mr. Harbour,

The second section of said bill was amended by adding the following:

“Provided, That none of the expenses incurred by the location of said road shall be paid by Mahaska county.”

On motion of Mr. Hughes,

The thirteenth rule was suspended, said bill was read a third time and passed; and,

On his motion,

The title to said bill was amended by striking out “Fort Des Moines, in Polk,” and inserting, “county seat of Jasper,” and agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 20: An act prescribing the general duties of the Auditor of State,

Coming up as amended by the House,

On motion of Mr. Whitaker,

The Senate concurred in said amendments.

Mr. Selman, on leave, introduced

Senate file, No. 77: A bill to locate and establish a State road from Woods' Mill, in Van Buren county, to Bloomfield, in Davis county;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 63: A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings;

Said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Harbour,  
The Senate adjourned until 9 o'clock to-morrow morning.

---

SATURDAY MORNING, FEBRUARY 13, 1847.

Senate met pursuant to adjournment.

Mr. Sanford presented the petition of H. G. Stewart and one hundred and forty other citizens of the valley of the Des Moines, remonstrating against the legislature appointing Commissioners of the Board of Public Works from any part of the State but the said valley of the Des Moines, the said valley having sufficient talent and enterprise at home without importation; which was,

On motion of Mr. Bradley,  
Laid on the table.

Mr. Brown, from the Select Committee to whom was referred H. R. file, No. 74: An act defining the duties of county surveyors, Reported the same back without amendment, and recommend that said bill be indefinitely postponed.

Said report was concurred in and the bill indefinitely postponed.

Mr. Browning, on leave, introduced Senate file, No. 76: A bill amendatory to the practice of the District and Supreme courts of this State;

Which was read a first and second time, and,

On motion of Mr. Bradley,  
The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Porter, assistant clerk:

*Mr. President—*

The House have passed

H. R. file, No. 94: An act to incorporate the city of Keokuk;

H. R. file, 99: An act to hold the district courts in the county of Benton at such place as the commissioners may direct; and

H. R. file, No. 101 : An act to incorporate the trustees of Iowa College;

In which the concurrence of the Senate is requested.

The House have rejected,

Senate file, No. 36 : An act to provide for the election of an Attorney General of State and to define his duties.

I herewith present, for your signature,

An act to provide for the management of the State library and the election of a librarian.

An act providing that the legal voters in each township may determine whether the county commission shall grant license for retailing intoxicating liquors, or not,

An act to provide for the navigation of Skunk river,

The same having been signed by the Speaker of the House.

H. R. file, No. 83 : An act to vacate the public square in the town of West Point in Lee county,

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

H. R. file, No. 90 : An act to authorize H. H. Ritchie, Thomas Botts and Andrew Jones, to convey certain real estate therein named,

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

Senate file, No. 76 : An act to amend the charter of the city of Burlington,

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

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 94 : An act to incorporate the city of Keokuk,

Was read a first and second time, and

On motion of Mr. Sprott,

Referred to a Select Committee.

Messrs. Sprott, Huner, and Whitaker, were appointed said committee.

H. R. file, No. 99 : A bill for an act to hold the district court in and for the county of Benton at such place as the commissioners may direct,

Was read a first and second time, and,

On motion of Mr. Bissell,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 101 : A bill to incorporate the trustees of Iowa College,

Was read a first and second time, and,

On motion of Mr. Benton,  
Was laid on the table.

Mr. Benton gave notice that on Monday next he would introduce a bill for an act to authorize general incorporations for other purposes than of pecuniary profit.

Mr. Browning, on leave, introduced  
Senate file, No. 79: A bill in relation to the duties and powers of the district judges;

Which was read a first and second time, and,

On his motion,

Referred to the Committee on the Judiciary.

Mr. Bissell, from the Judiciary Committee, to whom was referred H. R. file, An act to amend an act regulating mills and millers, and for other purposes, approved February 3, 1843,

Reported the same back without amendment, and recommend that it be indefinitely postponed.

On motion,

Said bill and report was laid on the table.

Mr. Browning, from the Select Committee, to whom was referred H. R. file, No. 51: An act fixing the terms of holding the district courts in this State,

Reported the same back with several amendments,

Which were concurred in, and,

On motion of Mr. Whitaker,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

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

Senate file, No. 46: A bill to provide for the election of electors for President and Vice President of the United States,

Reported the same back without amendment, and recommend the passage of the substitute.

On motion,

The report of the committee was disagreed to.

On motion of Mr. Browning,

The Senate resolved itself into a Committee of the Whole, Mr. Brown in the chair, and,

After some time spent therein,

The committee rose, and reported that they had made some progress, and had leave to sit again.

On motion,

Senate adjourned until 10 o'clock, Monday morning.

---

MONDAY MORNING, FEBRUARY 15, 1847.

Senate met pursuant to adjournment.

Mr. Harbour presented the petition of John W. Snelson and fifty other citizens of Mahaska county, praying the establishment of a State road from Mount Pleasant to Oskaloosa; also,

The petition of Thomas Henderson and eighteen other citizens, for the same purpose; which were,

On his motion,

Referred to the Committee on Roads.

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

Senate file, No. 79: A bill in relation to the duties and powers of district judges,

Reported the same back, without amendment, and recommended its passage;

Which was concurred in.

On motion,

Said bill was ordered to be engrossed and read a third time on tomorrow.

Message from the House of Representatives by Mr. Porter, their assistant clerk:

*Mr. President—*

The House have passed

H. R. file, No. 108: An act to amend "An act for the prevention of immoral practices;"

H. R. file, No. 107: An act to repeal the charter of Fort Madison;

H. R. file, No. 99: An act incorporating towns;

H. R. No. 15; An act to regulate elections, and preserve the purity thereof;

In which the concurrence of the Senate is requested.

I herewith present, for your signature,

An act to establish a State road therein named;

An act to relocate a part of the territorial road from Fairfield to the Indian boundary.

I herewith return you

An act for the organization of the county of Dallas;

An act regulating the election of district judges;

The same having been signed by the Speaker of the House.

Mr. Harbour, from the Committee on Public Buildings, reported Senate file, No. 80: An act relative to the penitentiary;

Which was read a first and second time, and,

On motion,

Referred to the Committee on the Judiciary.

Mr. Crawford, from the Select Committee, to whom was referred the petition in relation to the location of the seat of justice of Buchanan county, reported

Senate file, No. 81: A bill to locate the seat of justice of Buchanan county;

Which was read, a first and second time, and,

On motion of Mr. Bradley,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Harbour, from the Committee on Incorporations, to whom was referred

H. R. file, No. 49: A bill for an act to authorize general incorporations,

Reported the same back, without amendment, and,

On his motion,

Was referred to the Committee of Whole, and made the special order of the day for to-day, at two o'clock, P. M.

Mr. Hughes, from the same committee, reported back, without amendment,

H. R. file, No. 93: An act for extending the powers of the board of county commissioners in regard to licensing and regulating ferries.

Said bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Springer, from the Select Committee appointed to inquire into the expediency of revising the "Act relative to the probate of wills, executors, administrators," &c., at the present session of the General Assembly,

Reported that, having attended to the duty assigned them, they are of the opinion that it would be inexpedient, at this late day in the session, to undertake a general revision of said act. The committee beg leave, however, to recommend the passage of the accompanying bill, amendatory of said act:

Senate file, No. 82: A bill to amend an act relative to the probate of wills, executors, administrators, &c., approved February 13, 1843,

Was read a first and second time, and,

On his motion,

Laid on the table.

Mr. Springer, on leave, introduced:

Senate file, No. 83: A bill to amend an act concerning water crafts, lost goods, and estray animals,

Which was read a first and second time, and,

On his motion,

Laid on the table.

Mr. Springer gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill providing for docket fees on suits in the district and supreme courts of this State.

Mr. Browning, on leave, introduced:

Senate file, No. 84: A bill in relation to the duty of State and county officers, in certain cases,

Which was read a first and second time, and,

On his motion,

Referred to the Committee on the Judiciary.

Mr. Hughes, on leave, introduced:

Senate file, No. 85: An act to repeal an act to authorize the appointment of a county agent in and for the county of Johnson;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was considered as engrossed, and read a third time now and passed, title agreed to.

Mr. Crawford, from the Committee on Claims, to whom was referred

H. R. file, No. 17: Joint resolution to pay Charles A. Robbins for a set of seals,

Reported the same back without amendment, and recommend its passage,

Said report was concurred in, and,

On motion of Mr. Hughes,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Sanford, on leave, introduced

Senate file, No. 86: A bill to impose a tax upon plaintiffs, who may institute actions at law in the district courts;

Which was read a first and second time, and,

On motion,

Referred to the Committee on the Judiciary.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

I am instructed to inform the Senate that the House have disagreed to the first and second amendments of the Senate, to

H. R. file, No. 51: An act fixing the terms of holding the district courts in this State;

And have concurred in the third amendment of the Senate to the same.

On motion of Mr. Browning,

The Senate proceeded to consider said message, and

On his motion,

The Senate insisted on their amendments, and,

On motion of Mr. Browning,

Messrs. Browning, Benton and Sprott, were appointed a committee of conference on the part of the Senate, on the disagreement of the two Houses.

H. R. file, No. 108: A bill to amend an act for the prevention of immoral practices,

Was read a first and second time, and,

On motion of Mr. Harbour,

Made the special order of the day, in Committee of the Whole, for to-morrow at six P. M.

H. R. file, No. 107: A bill for an act to repeal the charter of Fort Madison,

Was read a first and second time, and,

On motion of Mr. Huner,



Referred to a Select Committee.

Messrs. Huner and Sprott were appointed said committee.

H. R. file, No. 97: An act incorporating towns,

Was read a first and second time, and,

On motion of Mr. Harbour,

Referred to the Committee on Incorporations.

H. R. file, No. 15: A bill to regulate elections and to preserve the purity thereof,

Was read a first and second time, and,

On motion of Mr. Bradley,

Said bill was indefinitely postponed.

On motion of Mr. Harbour,

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Was taken from the table, and

On motion of Mr. Bradley,

The Senate insisted on their amendments to said bill, and

On motion of Mr. Whitaker,

The Senate appointed a committee of conference on the disagreeing vote of the two Houses.

Messrs. Whitaker, Davis and Wheeler, were appointed said committee.

Mr. Harbour moved that the Senate adjourn until two o'clock, P. M.

Not agreed to.

On motion,

The Senate resumed the consideration of

Senate file, No. 41: A bill to provide for the election of electors for President and Vice President of the United States,

In Committee of the Whole, Mr. Brown in the chair, and,

After some time spent therein,

The committee rose and reported said bill back to the Senate, with sundry amendments,

Which were concurred in.

And on the question of ordering said bill to be engrossed and read a third time,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Bradley, Brown, Browning, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Sanford, Springer, Sprott, Wheeler, Whitaker, and Mr. President—15.

NAVS—Messrs. Benton, Bissell, and Selman—3.

So said bill was ordered to be engrossed and read a third time on tomorrow.

Mr. Sprott, on leave, presented the petition of Joseph R. French and seventy-one other citizens of Lee county, praying a change in the road from Keokuk to Charleston; which, with a remonstrance of Garry Lewis and two hundred and ninety-seven other citizens of said county, remonstrating against any alteration in said road, was,

On his motion,

Referred to the Committee on Roads.

On motion,

The Senate adjourned until 2 o'clock, p. m.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

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

Senate file, No. 84: A bill in relation to the duty of State and county officers in certain cases,

Reported the same back and recommend its passage.

Which was concurred in, and,

Said bill was ordered to be engrossed and read a third time on tomorrow.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

I am directed by the House to inform the Senate that the House have appointed Messrs. Morton, Leffingwell, and Goodrell, a committee of conference on the part of the House, to act with the committee on the part of the Senate, relative to the disagreeing vote of the two Houses upon

H. R. file, No. 52: An act fixing the time of holding the district courts in this State.

Also, that the House have appointed Messrs. McPherin, Smith, of

Mahaska, and Sells, a committee of conference on the part of the House, to act with the committee appointed on the part of the Senate, relative to the disagreeing vote of the two Houses upon

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river.

H. R. file, No. 49: A bill for an act to authorize general incorporations,

Being the special order of the day for this afternoon at two o'clock, and the hour having arrived,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back, with sundry amendments,

Which were concurred in, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, and said bill was read a third time and passed.

Mr. Sprott moved to amend the title to said bill so as to read, "An act to prevent general incorporations,"

And on said motion,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Fullinwider, Sanford, and Sprott—3.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Davis, Harbour, Hughes, Huner, Springer, Wheeler, Whitaker and Mr. President—13.

So said title was not amended, and the original title was agreed to.

Message from the House of Representatives by Mr. Porter, their assistant clerk:

*Mr. President—*

The House have passed

H. R. file, No. 52; An act to provide for the management and disposition of the school fund;

H. R. file, No. 103: An act to legalize the acts of the justices of the peace of Monroe county;

H. R. file, No. 106: An act to establish the rights of married women;

H. R. file, No. 98: An act to require certain officers to hold their offices at the county seat;

H. R. file, No. 89: An to provide for an expression of the opinion.

of the people of the State of Iowa, upon the subject of the amendment of the constitution; and,

H. R. file, No. 100: An act amendatory of an act concerning wills and administrators.

Also, with amendments,

Senate file, No. 32, substitute for H. R. file same number, A bill to provide for the election of United States' Senators and other officers, In which the concurrence of the Senate is requested.

The House have indefinitely postponed the consideration of

Senate file, No. 44: A bill to provide for the appointment of commissioners to draught, revise and arrange a code of laws.

Mr. Bradley offered the following:

Resolved, That A. H. Palmer, publisher of the Iowa Capitol Reporter, be employed to publish five hundred copies of the Journals of the Senate, for the present session, and that he be allowed therefor the prices established by law; which,

On motion of Mr. Whitaker,

Was laid on the table.

Mr. Browning, from the committee of conference appointed by the Senate, to act in conjunction with a similar committee appointed by the House, to take into consideration the disagreeing vote between the two Houses, on the amendments made by the Senate to

H. R. file, No. 51: An act fixing the time of holding district courts in this State;

Reported the result of said conference; which report was adopted.

Mr. Benton, in accordance with previous notice and leave, introduced

Senate file, No. 87: A bill to authorize general incorporations for other purposes than those of pecuniary profit;

Which was read a first and second time, and,

On his motion,

The Senate resolved itself into a Committee of the Whole for the consideration of said bill, Mr. Browning in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with one amendment,

Which was concurred in, and,

On motion of Mr. Bradley,

Said bill was referred to a Select Committee.

Messrs. Benton, Bradley, and Sanford, were appointed said committee.

Mr. Hughes presented the account of Peter Roberts, which was,

On his motion,

Referred to the Committee on Claims.

H. R. file, No. 52: An act to provide for the management and distribution of the school fund ;

Was read a first and second time.

Mr. Benton moved to refer said bill to the Committee on Schools.

Not agreed to.

On motion of Mr. Fullinwider,

Said bill was referred to a Select Committee.

Messrs. Fullinwider, Wheeler and Sprott, were appointed said committee.

H. R. file, No. 103: An act to legalize the acts of justices of the peace of Monroe county,

Was read a first and second time, and,

On motion of Mr. Davis,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 106: An act to establish the rights of married women,

Was read a first and second time.

Mr. Harbour moved to refer said bill to the Committee of the Whole.

Not agreed to.

On motion of Mr. Sanford,

Said bill was laid on the table.

H. R. file, No. 98: An act to require certain officers to hold their offices at the county seat,

Was read a first and second time, and,

On motion,

Ordered to be read a third time on to-morrow.

H. R. file, 89: A bill to provide for the expression of the opinion of the people of the State of Iowa, upon the subject of the amendment of the constitution,

Was read a first and second time, and,

On motion of Mr. Harbour,

Laid on the table.

H. R. file, No. 100: An act amendatory of an act concerning wills and administrators,

Was read a first and second time, and,

On motion of Mr. Springer,

Laid on the table.

H. R. file, No. 32: A bill to provide for the election of United States' Senators, and other officers,

And being Senate substitute for House bill, coming up as amended by the House;

Was disagreed to.

Mr. Benton presented the claim of A. P. Wood, for printing, which was,

On his motion,

Referred to the Committee on Claims.

On motion,

The Senate adjourned until 9 o'clock to-morrow morning.

## TUESDAY MORNING, FEBRUARY 16, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have disagreed to Senate amendment to

H. R. file, No. 76: An act to lay out and establish a State road from Iowa City to fort Des Moines.

The House have receded from House amendments to

Senate file, No. 57: An act for laying out and establishing certain State roads therein named.

The House adheres to House amendments to

Senate file, No. 19: An act concerning justices of the peace;

And have appointed Messrs. Cochran, Bonham and Hardy a committee of conference to confer with the Senate committee relative thereto.

The House have receded from the disagreeing vote of the House to Senate amendment to

H. R. file, No. 51: An act fixing the time of holding district courts in this State;

And have agreed to and concurred with the Senate in the Senate concurrence to the report of the joint committee of conference relative thereto.

Mr. Whitaker, from the Joint Committee of conference appointed by the Senate and House, on the disagreement of the two Houses to Senate amendment to

H. R. file, No. 43 : A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Reported that they had had the same under consideration, and instructed him to report, that they had agreed to amend the first section by striking out all of the sixth line, after the word "be," and inserting, in lieu thereof, "appointed by joint resolution ;" and, further, the committee agree to recommend that the Senate recede from its amendment to sections 32 and 35.

And the question being on concurring in the report of the committee of conference as to the first section of said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Browning, Fullinwider, Harbour, Jay, Sanford, Springer, Wheeler and Whitaker—9.

NAYS—Messrs. Benton, Bradley, Brown, Crawford, Davis, Huner, Selman, Sprott and Mr. President—9.

So said report, as to the first section, was not concurred in.

Mr. Davis moved to reconsider the vote just taken on agreeing to the report of the committee of conference as to the first section of said bill ;

And the yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Brown, Browning, Davis, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott, Wheeler, Whitaker and Mr. President—15.

NAYS—Messrs. Benton, Crawford, Hughes and Selman—4.

So said report was reconsidered.

On motion of Mr. Sprott,

Said bill was laid on the table, together with the report of the committee of conference.

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

Senate file, No. 80 : An act relating to the penitentiary ;

Reported the same back, without amendment, and recommended in passage ; which,

On motion of Mr. Browning,

Was referred to the Committee of Ways and Means.

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

Senate file, No. 86: A bill to impose a tax on plaintiffs who may institute actions at law in the district courts,

Reported a substitute therefor, which,

On motion of Mr. Browning,

Was laid on the table.

Mr. Fullinwider, from the Select Committee to whom was referred

H. R. file, No. 52: An act to provide for the management and disposition of the school fund,

Reported the same back, with several amendments, and,

On motion of Mr. Springer,

Said bill, with pending amendments, were committed to a Committee of the Whole, and made the special order of the day for to-morrow, at two o'clock, p. m.

Mr. Browning, on leave, introduced

Senate file, No. 88: A bill to complete the change from a territorial to a State Government;

Which was read, a first and second time, and,

On his motion,

Referred to the Committee on the Judiciary.

Senate file, No. 89: An ordinance as to the terms of admission of Iowa into the Union,

Was read a first and second time, and,

On motion,

Referred to the Committee on Foreign Relations.

H. R. file, No. 93: An act for extending the powers of the board of county commissioners in regard to licensing and regulating ferries,

Was read a third time, and,

On motion of Mr. Bissell,

Referred to a Select Committee.

Messrs. Bissell, Sanford and Springer were appointed said committee.

H. R. file, No. 98: An act to require certain officers to hold their offices at the county seat,

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

Senate file, No. 19: An act concerning justices of the peace,

Coming up, as amended by the House,

On motion of Mr. Bissell,



The Senate appointed a committee of conference to act with a similar committee on the part of the House.

Messrs. Bissell, Browning and Sanford were appointed said committee.

On motion of Mr. Sanford,

The Senate adjourned until 2 o'clock, P. M.

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

I herewith present for your signature,

An act to provide for the holding of a district court in the county of Benton;

An act to authorize H. H. Ritchie, Thomas Botts and Andrew Jones to convey certain real estate;

An act to legalize the acts of justices of the peace of Monroe county;

An act fixing the time of holding the district courts in this State;

An act to vacate a public square in West Point, in Lee county;

Joint resolution to pay Charles A. Robbins for a set of seals;

The same having been signed by the Speaker of the House.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 41: A bill to provide for the election of electors for President and Vice President of the United States;

Senate file, No. 79: A bill in relation to the duties and powers of district judges,

Senate file, No. 84: A bill in relation to the duty of State and county officers, in certain cases;

Which were severally read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported, as correctly enrolled,

Senate file, No. 20: An act prescribing the general duties of the Auditor of State;

Also—That they had presented to his Excellency, for his approval,

An act regulating the election of district judges; and

An act for the organization of the county of Dallas.

Mr. Benton, from the Select Committee to whom was referred

Senate file, No. 87: A bill to authorize general incorporations, for other purposes than pecuniary profit,

Reported the same back, with amendments,

Which were concurred in; and said bill was

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

H. R. file, No. 76: An act to lay out and establish a State road from Iowa City to the county seat of Jasper county,

Coming up, as amended by the Senate, and said amendment being disagreed to by the House,

The Senate adhered to their several amendments to the title and to the first section, and receded from their amendment to the second section of said bill.

On motion of Mr. Springer,

Senate file, No. 75: A bill providing for the election of Representatives to Congress,

Was taken from the table, and,

On motion of Mr. Brown,

Said bill was again laid upon the table.

On motion of Mr. Whitaker,

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Was taken from the table,

And the question being on concurring in the report of the joint committee of conference as to the first section of said bill,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Bissell, Browning, Davis, Fullinwider, Harbour, Jay, Sanford, Wheeler, Whitaker and Mr. President—10.

NAYS—Messrs. Benton, Bradley, Brown, Crawford, Hughes, Huner, Selman, Springer and Spratt—9.

So said report was concurred in, and,

On motion,

The rest of said report was concurred in.

On motion,

Said bill was recommitted to said committee of conference, as to the disagreeing vote of the two Houses on the second and third sections of said bill.

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

Senate file, No. 90: A bill to amend an act to provide for the partition of real property, approved January 4th, 1839,

Which was read a first and second time, and

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

Mr. Sanford, from the Select Committee to whom was referred

A bill for an act assuming the territorial debts, and authorizing the Auditor of State to collect debts due the territory,

#### R E P O R T :

That they have had the same under consideration, and, after careful inquiry, have come to the conclusion that it would be inexpedient to give the Auditor of State the power to allow all claims which now exist against the territory of Iowa. It is the opinion of the committee that such claims only should be audited and paid, after legislative investigation, and by legislative sanction.

The debts which the State must necessarily assume, are already large and oppressive; and there are many claims against the territory which would, in the opinion of the committee, be very materially and justly curtailed by a strict investigation. At all events, these claims against the territory, which it is thought just on the part of the territory to assume, can be as readily paid by special acts as by indiscriminate assumption—as contemplated in the bill which the committee have had under consideration. The committee therefore recommend the indefinite postponement of said bill.

Said report was concurred in, and said bill was indefinitely postponed.

On motion of Mr. Browning,

Senate file, No. 82: A bill to amend an act relative to the probate of wills, executors, administrators, &c., approved February 13, 1843; and

H. R. file, No. 100: An act amendatory to an act concerning wills, Were taken from the table, and,

On his motion,

The Senate resolved itself into a Committee of the Whole, Mr. Crawford in the chair, for the consideration of said bills, and,

After some time spent therein,

The committee rose and reported said bills back to the Senate, without amendment, which were,

On motion of Mr. Bissell,

Referred to the Committee on the Judiciary.

On motion of Mr. Browning,

H. R. file, No. 89: A bill to provide for an expression of the opinion of the people of the State of Iowa upon the subject of the amendments of the Constitution,

Was taken from the table.

Mr. Harbour moved to to indefinitely postpone said bill;

And the yeas and nays being demanded, were ordered, and were as follows:

YEAS—Messrs. Benton, Bissell, Brown, Crawford, Davis, Harbour, Hughes, Selman, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Huner, Jay, Sanford, Springer, Sprott and Wheeler—8.

So said bill was indefinitely postponed.

On motion of Mr. Browning,

H. R. file, No. 106: An act to establish the rights of married women,

Was taken from the table, and,

On motion of Mr. Harbour,

The Senate resolved itself into a Committee of the Whole, Mr. Davis in the chair, for the consideration of said bill, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, without amendment.

Mr. Bissell offered a substitute for said bill; which was,

On motion of Mr. Jay,

Referred to the Committee on the Judiciary.

On motion,

The Senate adjourned until 9½ o'clock to-morrow morning.

WEDNESDAY MORNING, FEBRUARY 17, 1847.

Senate met pursuant to adjournment.

Mr. Whitaker, from the Committee of Conference, to whom was re-committed

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Reported that they have had the same under consideration and instructed him to report that said committee have agreed to recommend that the House recede from their disagreeing vote as to the second and third sections of said bill.

Said report was,

On motion,

Concurred in.

Mr. Davis presented the remonstrance of sundry citizens of Wapello county, against the establishment of a State road therein named, which was,

On his motion,

Referred to the Committee on Roads.

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

H. R. file, No. 96: An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels," approved December 20, 1838,

Reported the same back without amendment, and recommend its indefinite postponment.

Not agreed to.

On motion of Mr. Bissell,

Said bill was laid upon the table.

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

Senate file, No. 73: A bill in relation to the sale of lands under execution,

Reported the same back without amendment and recommend its passage.

Said report was concurred in, and,

On motion of Mr. Browning,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

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

Senate file, No. 88: A bill to complete a change from a Territorial to a State government,

Reported the same back without amendment.

On motion of Browning,

Said bill was referred to a select committee.

Messrs. Browning, Benton and Bissell, were appointed said committee.

Mr. Browning from said committee, reported said bill back with amendments.

Which report was concurred in, and,

Said bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Whitaker had leave and introduced :

Senate file, No. 91: An act supplemental to an act creating a Board of Public Works, and providing for the improvement of the Des Moines river;

Which was read a first and second time, and,

On his motion,

Laid on the table.

Mr. Selman gave notice that he would on to-morrow introduce A bill to define and establish the boundaries of four several counties west of Decatur county.

Mr. Fullinwider, an leave, introduced

Senate file, No. 92: A bill in relation to the Salt Springs granted to this State;

Which was read a first and second time, and,

On his motion,

The blank was filled with five hundred, in the second section, and,

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

Mr. Hughes presented the account of Peter Conboy, which was,

On his motion,

Referred to the Committee on Claims.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported as correctly enrolled,

Senate file, No. 57: An act for laying out and establishing certain State roads therein named.

Senate file, No. 87: A bill to authorize general incorporations for other purposes than those of pecuniary profit,

Was read a third time, and,

By unanimous consent, said bill was,

On motion of Mr. Benton,

Amended by adding the twelfth section, and

Said bill was passed and title agreed to.

Senate file, No. 90: A bill to amend an act for the partition of real property, approved January 4th, 1839,

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

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Browning,

H. R. file, No. 75: An act to establish new counties and define their boundaries, in the late cession from the Winnebago Indians,

Was taken from the table, and,

On motion of Mr. Bradley,

The first section of said bill was amended by striking out "Taylor," and inserting "Winneshiek," and by striking out in the second section, "Ringgold," and inserting "Allamakee;" and

Said bill was ordered to be read a third time on to-morrow.

On motion of Mr. Browning,

H. R. file, No. 25: An act to amend an act for the organization of townships, approved February 17th, 1842,

Was taken from the table, and,

On his motion,

Said bill was indefinitely postponed.

On motion of Mr. Bradley,

H. R. file, No. 53: A bill for an act to locate a State road from Fairview, in Jones county, to Pioneer Grove, in Cedar county,

Was taken from the table, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

On motion of Mr. Bradley,

H. R. file, No. 11: Joint resolution providing for a mail route from Dubuque to Fort Atkinson,

Was taken from the table, and,

On motion of Mr. Benton,  
 Referred to a Select Committee.  
 Messrs. Benton, Bradley and Crawford, were appointed said committee.

On motion of Mr. Bradley,  
 The resolution in relation to the printing of the journals of the Senate, was taken from the table.

Mr. Harbour moved to lay said resolution on the table :

On which the ayes and nays were demanded, and, being ordered, were as follow :

YEAS—Messrs. Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott, Wheeler and Whitaker—10.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman and Mr. President—9.

So said resolution was laid on the table.

Mr. Whitaker, on leave, presented

A communication from the Secretary of State, which,

On motion of Mr. Browning,

Referred to the Committee of Ways and Means ; and

Mr. Whitaker, on his motion, was excused from serving on said committee.

On motion of Mr. Browning,

Senate file, No. 83 : B bill to amend an act concerning water crafts, lost goods, and estray animals,

Was taken from the table, and,

On motion of Mr. Fullinwider,

Said bill was indefinitely postponed.

On motion of Mr. Bradley,

H. R. file, 35 : A bill to amend an act entitled " An act providing for and regulating general elections,

Was taken from the table, and,

On motion of Mr. Browning,

Referred to the Committee on Elections.

On motion of Mr. Bradley,

Senate file, No. 62 : A bill to repeal an act to define a perch of mason work in Iowa territory, approved January 17, 1846,

Was taken from the table, and,

On motion of Mr. Browning,

Referred to the Committee on Public Buildings.

On motion of Mr. Bradley,



Senate file, No. 34: A bill to establish a land office for the sale of lands granted by Congress for the improvement of the Des Moines river,

Was taken from the table, and,

On motion of Mr. Davis,

Said bill was indefinitely postponed.

On motion of Mr. Browning,

Senate file, No. 86: A bill to impose a tax upon plaintiffs, who may institute actions at law in the district courts,

Was taken from the table, and,

On his motion,

The Senate resolved itself into a Committee of the Whole, Mr. Hughes in the chair, for the consideration of said bill, and,

After some time spent therein,

The committee rose, and, by their chairman, reported said bill back to the Senate without amendment; which was,

On motion of Mr. Bradley,

Referred to a Select Committee.

Messrs. Bradley, Browning and Bissell were appointed said committee.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 88: An act to complete the change from a territorial to a State Government.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 26: Joint resolution in relation to extending a mail route from Brighton, via of Richland, in Keokuk county, to Oskaloosa, in Mahaska county; and

H. R. file, No. 115: A bill to authorize Robert Childers and his associates to construct a dam across Muscatine slough, in Louisa county.

I herewith present, for your signature,

An act to require certain officers to hold their offices at the county seat.

I herewith return you

An act prescribing the general duties of Auditor of State;

The same having been signed by the Speaker of the House.

H. R. file, No. 52: A bill to provide for the management and disposition of the school fund,

Being the special order of the day, in Committee of the Whole, for this day, at two o'clock, p. m., and the hour having arrived,

The Senate resolved itself into a Committee of the Whole, for the consideration of said bill, Mr. Sprott in the chair, and,

After some time spent therein,

The committee rose, and reported that they had made some progress, and had leave to sit again.

Message from the House of Representatives, by Mr. Porter, assistant clerk:

*Mr. President—*

The House have passed

H. R. file, No. 28: Joint resolution relative to changing the name of the Mississippi river;

In which the concurrence of the Senate is requested.

On motion,

Said message was taken up, and said resolution.

Was read a first and second time, and,

On motion,

The Senate resolved itself into a Committee of the Whole for the consideration of said resolution, Mr. Browning in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported said resolution back, with sundry amendments,

Which were not concurred in.

On motion,

The thirteenth rule was suspended, said resolution was read a third time, and,

The question being on the passage of said resolution,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Browning, Crawford, Davis, Hughes, and Mr. President—8.

NAYS—Messrs. Fullinwider, Harbour, Jay, Sanford, Sprott, Wheeler and Whitaker—7.

So said resolution was passed, and title agreed to.

On motion of Mr. Sprott,

The Senate adjourned until 9½ o'clock to-morrow morning.

THURSDAY MORNING, FEBRUARY 18, 1847.

Senate met pursuant to adjournment.

Mr. Bissell presented the petition of A. Scott and one hundred and sixty other citizens of Cedar and Muscatine counties, remonstrating against the passage of a law locating a State road from Bloomington to Tipton; which,

On his motion,

Was referred to a Select Committee.

Messrs. Bissell, Hughes and Wheeler, were appointed said committee.

Mr. Benton presented the petition of Luke Potter and fifty-seven other citizens of the counties of Jackson, Jones, Linn and Cedar, in relation to the establishment of new counties and the change of the boundaries of old ones; which was,

On his motion,

Laid on the table.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 92: A bill in relation to the Salt Springs granted to this State.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed, without amendment,

Senate file, No. 77: A bill to locate and establish a State road from Woods' Mill, in Van Buren county, to Bloomfield, in Davis county;

Also, with amendment,

Senate file, No. 63 : A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings ;

In which the concurrence of the Senate is requested.

I herewith present, for your signature,

An act to locate and establish a State road from Fairview, in Jones county, to Pioneer Grove, in Cedar county.

I herewith return you

An act for laying out and establishing certain roads therein named.

The same having been signed by the Speaker of the House.

Mr. Hughes, from the Committee on Incorporations, to whom was referred the petition of B. F. Messenger, praying for a charter to keep a ferry across the Mississippi river at the town of Keokuk, reported adversely to the prayer of said petitioners ; believing that the general law granting to the county commissioners the power to license and regulate ferries in this State, is amply sufficient without passing special laws for the purpose.

Mr. Sprott moved to lay said report on the table.

Not agreed to, and,

On motion of Mr. Whitaker,

Said report was concurred in.

Mr. Hughes, from the Committee on Incorporations, to whom was referred

H. R. file, No. 97 : An act incorporating towns.

Reported the same back without amendment ; and,

On motion of Mr. Benton,

Said bill was made the special order of the day, in Committee of the Whole, for the 19th, at 2 o'clock, p. m.

Mr. Harbour, from the Committee on Roads, reported

Senate file, No. 93 : A bill to provide for the location of a State road from Dahlonga, in Wapello county, to Oskaloosa, in Mahaska county,

Which was read a first and second time, and,

On motion of Mr. Davis,

Laid on the table.

Mr. Bradley had leave, and presented the remonstrance of Samuel Colton and one hundred and thirty-two other citizens of Jackson county, against any change in the boundaries of said county.

On his motion,

Said remonstrance, together with the petition offered by Mr. Benton,

which was on the table, were referred to the Committee on County Boundaries.

Mr. Benton, from the Select Committee, to whom was referred H. R. file, No. 11 : Joint resolution providing for a mail route from Dubuque to Fort Atkinson,

Reported the same back with sundry amendments.

Said report was concurred in ; and

The question being on ordering said resolution to be read a third time on to-morrow,

Was decided in the negative.

So the Senate refused to order said resolution to a third reading.

Mr. Harbour, from the Committee on Public Buildings, to whom was referred

Senate file, No. 62: A bill to repeal an act to define a perch of mason work in Iowa Territory, approved January 17, 1846,

Reported said bill back without amendment, and recommend its passage.

Said report was not agreed to.

Mr. Bradley, from the Committee on Federal Relations, to whom was referred

Senate file, No. 89: An ordinance as to the terms of admission of Iowa into the Union,

Reported the same back with one amendment; and,

On his motion,

Said ordinance was made the special order of the Senate, on the 19th, at two o'clock, P. M.

Mr. Bradley, from the Select Committee to whom was referred

Senate file, No. 86: A bill to impose a tax on plaintiffs who may institute actions at law in the district courts,

Reported the same back and recommend its passage.

Said report was concurred in.

Mr. Browning offered the following amendment to the first section of said bill, to come in before the proviso :

“To be paid at the time the suit is commenced, the certiorari issued, or the appeal filed.”

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Browning, Crawford, Davis, Fullinwider, Huner, Sanford, Sprott, Wheeler and Whitaker—10.

**NAYS**—Messrs. Bissell, Bradley, Brown, Hughes, Jay, Springer and Mr. President—7.

So said amendment was adopted, and,

On motion of Mr. Browning,

Said bill was referred to a Select Committee, with instructions to make said bill conform to the amendment just adopted.

Messrs. Browning, Springer, Benton and Whitaker were appointed said committee.

Mr. Hughes presented the accounts of Wm, P. Lyons and Thomas Snyder, which were,

On his motion,

Referred to the Committee on Claims.

Mr. Benton, from the Committee on Schools, to whom was referred sundry petitions on that subject,

Reported the same back, with a request that they accompany the bill on common schools.

Mr. Brown, from the Committee on Elections, to whom was referred H. R. file, 35: A bill to amend an act entitled "An act providing for and regulating general elections,

Reported the same back, without amendment, and recommended its indefinite postponement.

Said report was concurred in, and said bill was indefinitely postponed.

Mr. Bradley, on leave, introduced

Senate file, No. 94: A bill to change the name of Bellview, in Jackson county;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was considered as engrossed, and read a third time and passed, title agreed to.

Mr. Hughes, on leave, introduced

Senate file, No. 95: A bill to locate the Iowa State University;

Which was read a first and second time, and,

On motion of Mr. Harbour,

Referred to the Committee on Schools.

Mr. Fullinwider, on leave, introduced

Senate file, No. 96: A bill to locate and appropriate the seventy-two sections of land donated by Congress for a University;

Which was read a first and second time, and,

On motion of Mr. Hughes,

Referred to the Committee on Schools.

Senate file, No. 88: An act to complete the change from a territorial to a State Government,

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

Senate file, No. 92: An act in relation to the salt springs granted to this State,

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

H. R. file, No. 75: An act to establish new counties and define their boundaries, in the late cession from the Winnebago Indians,

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

H. R. file, No. 26: Joint resolution in relation to extending a mail route from Brighton, via of Richland, in Keokuk county, to Oskaloosa, in Mahaska county,

Was read a first and second time, and

Ordered to be read a third time on to-morrow.

H. R. file, No. 115: A bill to authorize Robert Childers and his associates to construct a dam across Muscatine slough, in Louisa county.

Was read a first and second time, and,

On motion of Mr. Bissell,

Laid on the table.

Senate file, No. 63: A bill to provide for the location of the seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings,

Coming up, as amended by the House,

And the question being on concurring in said amendment,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Davis, Harbour, Huner, Jay, Sanford, Selman, Sprott, Whitaker and Mr. President—10.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Fullinwider, Hughes, Springer and Wheeler—8.

So said amendment was agreed to.

On motion of Browning,

H. R. file, No. 96: An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels," approved December 20, 1838,

Was taken from the table, and,

On his motion,

Said bill was amended, in first section, by inserting before the proviso, "commenced subsequent to said lien," and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

On motion of Mr. Jay,

H. R. file, No. 108: A bill to amend "An act for the prevention of immoral practices,"

Was taken from the table, and,

On his motion,

The Senate resolved itself into a Committee of the Whole, Mr. Wheeler in the chair, for the consideration of said bill, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, without amendment.

Message from the House of Representatives by Mr. Porter, their assistant clerk:

*Mr. President—*

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

H. R. file, No. 70: An act to establish a system of common schools; In which the concurrence of the Senate is requested.

I herewith return you

An act to locate and establish a State road from Woods' Mill, in Van Buren county, to Bloomfield, in Davis county,

The same having been signed by the Speaker of the House.

Mr. Brown moved to postpone indefinitely

H. R. file, No. 108: A bill to amend "An act for the prevention of immoral practices;

Pending which,

On motion of Mr. Springer,

The Senate adjourned until 2 o'clock, P. M.



## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sprott, on leave, introduced

Senate file, No. 97: Joint resolution providing for the election of United States' Senators and Judges;

Which was read a first time.

Mr. Selman moved a call of the Senate, which was had, when it appeared that

Messrs. Harbour and Hughes were absent.

The absentees appearing, the further call of the Senate was dispensed with.

Mr. Selman moved to lay said joint resolution on the table.

And the yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—9.

So said resolution was laid on the table.

H. R. file, 108: A bill to amend "An act for the prevention of immoral practices;

The Senate having adjourned pending the motion to indefinitely postpone said bill, and, upon this question,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Huner, Jay, Sanford, Selman, Wheeler, Whitaker and Mr. President—17.

NAYS—Messrs. Springer and Sprott—2.

So said bill was indefinitely postponed.

On motion,

The Senate resumed the consideration of

H. R. file, No. 52; An act to provide for the management and disposition of the school fund,

In Committee of the Whole, Mr. Sprott in the chair, and,

After some time spent therein,

The committee rose, and reported progress, and had leave to sit again.

Mr. Bissell, from the committee appointed by the Senate to confer with a similar committee on the part of the House relative to the disagreement of the two Houses upon the amendment made in the House of Representatives to

Senate file, No. 19: An act concerning justices of the peace,

Report that the said joint committee of conference have had said disagreement under consideration, and recommend that the Senate recede from its disagreement and concur in the amendments made in the House; which was,

On motion of Mr. Sanford,

Laid on the table.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to his Excellency, for his approval,

An act for laying out and establishing certain roads therein named; and

An act prescribing the general duties of the Auditor of State.

Mr. Selman, on previous notice and leave, introduced

Senate file, No. 98: A bill to establish the boundaries of certain counties therein named;

Which was read a first and second time, and,

On motion of Mr. Bradley,

The thirteenth rule was suspended, said bill was considered as engrossed, and was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion,

Senate adjourned until 9½ o'clock, Monday morning.

---

FRIDAY MORNING, FEBRUARY 19, 1847.

Senate met pursuant to adjournment.

Mr. Springer presented the petition of Elizabeth J. Rankin and thirteen other ladies, praying a repeal of the laws in relation to blacks and mulattoes; also,

The petition of William Smith and thirty others, upon the same subject; which were read, and,

On his motion,  
Laid on the table.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to his Excellency, for his approval,

An act to locate and establish a State road from Woods' Mill, in Van Buren county, to Bloomfield, in Davis county.

Mr. Browning, from the Select Committee to whom was referred Senate file, No. 86: A bill to impose a docket fee on suits in the district courts and supreme court of this State,

Reported the same back, with a substitute.

And the question being on concurring in the report of said committee, The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Davis, Fullinwider, Huner, Sanford, Sprott, Wheeler, Whitaker and Mr. President—9.

NAYS—Messrs. Bissell, Bradley, Brown, Crawford, Hughes, Selman and Springer—7.

So said report was concurred in, and,

On motion of Mr. Browning,

Said bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Sprott, from the Select Committee to whom was referred

H. R. file, No. 94: An act to incorporate the city of Keokuk,

Reported the same back, with several amendments, and said report was concurred in, and,

On motion of Mr. Sprott,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 26: Joint resolution in relation to extending a mail route from Brighton, via of Richland, in Keokuk county, to Oskaloosa, in Mahaska county,

Was read a third time, and,

The the question being, shall said bill pass?

It was decided in the negative.

Mr. Benton had leave and presented the petition of James J. Hill and forty-two other citizens of Dubuque, in relation to the license law; which was,

On his motion, laid on the table.

H. R. file, No. 70: A bill to establish a system of common schools,  
Was read a first and second time, and,

On motion of Mr. Brown,

Referred to the Committee on Schools.

On motion of Mr. Bissell,

Senate file, No. 19: An act concerning justices of the peace,  
Was taken from the table,

And the report of the committee of conference was concurred in, and  
the Senate receded from their vote of disagreement to the amendments  
made to said bill by the House.

Message from the House of Representatives, by Mr. Hudson, their  
chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 113: An act making appropriations for the support  
of the State Government for the fiscal years of 1847 and 1848;

H. R. file, No. 119: An act for the relief of John Wilson;

H. R. file. No. 121: An act to authorize the voters of Muscatine  
county to vote "for" or "against" the erection of a Poor House; and

H. R. file, No. 123: An act supplemental to an act to provide for  
finishing the public buildings in Washington county;

In which the concurrence of the Senate is requested.

Also, with amendments,

Senate file, No. 70: An act to incorporate the city of Farmington, in  
Van Buren county; and

Senate file, No. 36: An act to repeal the charter of the town of Da-  
venport;

In which the concurrence of the Senate is requested.

H. R. file, No. 113: A bill making appropriations for the support of  
the State Government for the fiscal years of 1847 and 1848,

Was read a first and second time, and,

On motion of Mr. Bradley,

Referred to the Committee of Ways and Means.

H. R. file, No. 117: A bill for the relief of John Wilson,

Was read a first and second time, and,

On motion of Mr. Jay,

The thirteenth rule was suspended, and said bill was considered as  
engrossed, and read a third time and passed, and, on the question of its  
passage,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Browning, Crawford, Fullinwider, Huner, Jay, Sanford, Springer, Sprott and Wheeler—11.

NAYS—Messrs. Bradley, Brown, Hughes and Mr. President—4, Messrs. Davis, Selman and Whitaker being excused from voting.

So said bill was passed and title agreed to.

H. R. file, No. 121: A bill to authorize the voters of Muscatine county to vote "for" and "against" the erection of a Poor House,

Was read a first and second time, and,

On motion of Mr. Hughes,

Was laid on the table.

H. R. file, No. 123: A bill supplemental to an act to provide for finishing the public buildings in Washington county,

Was read a first and second time, and,

On motion of Mr. Springer,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 70: An act to incorporate the city of Farmington, in Van Buren county,

Coming up, as amended by the House,

On motion of Mr. Sanford,

Said amendment was agreed to.

Senate file, No. 36: A bill to repeal the charter of the town of Davenport,

Coming up, as amended by the House,

On motion of Mr. Wheeler,

Said amendment was agreed to.

Mr. Sanford, in accordance with previous notice and leave, introduced Senate file, No. 95: A bill to amend an act entitled "An act to organize, discipline and govern the militia;

Which was read a first and second time, and,

On his motion,

Referred to the Committee on Military Affairs.

On motion of Mr. Bissell,

H. R. file, No. 115. A bill to authorize Robert Childers and his associates to construct a dam across Muscatine slough, in Louisa county,

Was taken from the table, and,

On his motion,

Said bill was amended by striking out the third section, and adopting a substitute.

On motion,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

The Senate resumed the consideration of

H. R. file, No. 52: An act to provide for the management and disposition of the school fund,

In Committee of the Whole, Mr. Sprott in the chair, and,

After some time spent therein,

The committee rose and reported progress, and had leave to sit again.

On motion of Mr. Bradley,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

The House have recommitted to the committee of conference

H. R. file, No. 43: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river.

The House have passed

H. R. file, No. 109: An act to legalize the acts of Charles W. Hobbs, county clerk and recorder of Delaware county;

H. R. file, No. 112: An act to establish a State road from the Raccoon Forks of the Des Moines river to McGregor's Landing, on the Mississippi river, opposite Prairie du Chien;

H. R. file, No. 77: An act concerning water crafts and estrays;

H. R. file, No. 110: An act to establish a State road from Iowaville to Lancaster, in Keokuk county, by way of Creaseville;

H. R. file, No, 118: An act for a road therein named; and

H. R. file, No. 119: An act to lay out and establish a State road from Ottumwa to Wells's Mill, on Chariton river;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 8: An act dividing the State into congressional districts;

Senate file, No. 24: A bill to incorporate and establish the city of Dubuque; and

Senate file, No. 61: An act to authorize county commissioners to lay off their counties into commissioners' districts.

I herewith return you

An act to provide for the location of the seat of Government, and for the selection of lands granted by Congress to aid in erecting public buildings.

Mr. Brown, on leave, introduced

Senate file, No. 100: An act to legalize the acts of a justice of the peace therein named;

Which was read a first and second time, and,

On his motion,

The thirteenth rule of the Senate was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 109: An act to legalize the acts of Charles W. Hobbs, county commissioners' clerk and recorder of Delaware county,

Was read a first and second time, and,

On motion of Mr. Wheeler,

The thirteenth rule of the Senate was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 112: An act to establish a State road from the Raccoon Forks of the Des Moines river to McGregor's landing on the Mississippi river opposite Prairie du Chien,

Was read a first and second time, and,

On motion of Mr. Brown,

Referred to the Committee on Roads.

H. R. file, No. 77: A bill concerning water crafts and estrays,

Was read a first and second time, and,

On motion of Mr. Browning,

Referred to the Committee on Roads.

H. R. file, No. 110: An act establishing a State road from Iowavill to Lancaster, in Keokuk county,

Which was read a first and second time, and,

On motion of Mr. Brown,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 118: A bill for a road therein named,

Was read a first and second time, and,

On motion of Mr. Brown,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 119: A bill to lay out a State road from Ottumwa to Well's Mill, on Chariton river,

Was read a first and second time, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Springer,

Senate file, No. 75: A bill providing for the election of Representatives to Congress,

Was taken from the table, and,

Mr. Harbour moved to consider said bill in Committee of the Whole.

Not agreed to; and,

On motion of Mr. Browning,

Said bill was ordered to be engrossed and read a third time on tomorrow.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to the Governor, for his approval,

An act to provide for the location of the Seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings.

On motion of Mr. Springer,

The Senate resumed the consideration of

H. R. file, No. 52: An act to provide for the management and distribution of the school fund;

In Committee of the Whole, Mr. Sprott in the chair, and,

After some time spent therein,



The committee rose and reported said bill back to the Senate, with sundry amendments, and asked the concurrence of the Senate.

On motion of Mr. Fullinwider,

Said bill with pending amendments were referred to a Select Committee.

Messrs. Fullinwider, Springer and Benton, were appointed said committee.

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

H. R. file, No. 106 : An act to establish the rights of married women, Reported the same back and recommend the passage of the substitute.

Said report was not agreed to, and,

On motion,

Said bill was ordered to be read a third time on to-morrow.

On motion of Mr. Harbour,

The Senate adjourned until 9½ o'clock to-morrow morning.

### SATURDAY MORNING, FEBRUARY 20, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 88 : An act providing for levying and collecting revenue for State and county purposes ; and,

H. R. file, No. 124 : An act to provide for criminal returns ;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 81 : An act to locate the seat of justice of Buchanan county ;

Senate file, No. 90 : A bill to amend an act to provide for the partition of real property, approved January 4th, 1839,

Senate file, No. 84 : A bill in relation to the duty of State and county officers, in certain cases ;

Senate file, No. 79: A bill in relation to the duties and powers of district judges,

Senate file, No. 76: An act to amend the charter of the city of Burlington; and

Senate file, No. 85: An act to repeal "An act to authorize the appointment of an agent for the county of Johnson."

The House have disagreed to Senate amendment to

H. R. file, No. 96: An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels."

Mr. Davis, from the Committee on Internal Improvements, to whom referred

Senate file, No. 23: A bill creating a Board of Public Works, and providing for the improvement of the Des Moines river,

Reported the same back with a substitute therefor,

Which was read.

Mr. Sprott moved to lay said report on the table; and

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Browning, Fullinwider, Jay, Sprott and Wheeler—5.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Sanford, Selman, Springer, Whitaker and Mr. President—14.

So said report was not laid on the table; and

The question recurring on the adoption of said report,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Fullinwider, Hughes, Huner, Sanford, Selman, Springer, Whitaker, and Mr. President—14.

NAYS—Messrs. Browning, Jay, Sprott and Wheeler—4.

Mr. Harbour not voting.

So said report was concurred in, and the substitute adopted.

On motion of Mr. Sanford,

Said substitute was laid on the table, and made the special order of the Senate, in Committee of the Whole, at two o'clock, P. M.

Mr. Bradley had leave, and introduced

Senate file, No. 101: A bill to provide for a term of the Supreme court, and to change the time of holding the same,

Which was read a first and second time, and,

On his motion,

Referred to the Committee on the Judiciary.

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

H. R. file, No. 100: An act amendatory of an act concerning wills and administrators,

Reported the same back, and recommend that said bill be indefinitely postponed.

Said report was concurred in, and said bill indefinitely postponed.

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

Senate file, No. 82: A bill to amend an act relative to the probate of wills, executors and administrators, approved February 13th, 1843,

Reported the same back with several amendments.

Said report was concurred in, and the amendments adopted; and,

On motion of Mr. Fullinwider,

Said bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Bissell, on leave, introduced Senate file, No. 112, which

Was read a first and second time, and,

On motion of Mr. Hughes,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly:

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have appointed Messrs. Kinsman and Updegraff a Committee of Conference on the part of the House, to act with the commit-

tee on the part of the Senate, relative to the disagreeing vote of the two Houses on

Senate file, No. 16: An act for the organization of Pottawatomie county.

The House have concurred in Senate amendments to  
H. R. file; No. 49: An act to authorize general incorporations, and  
H. R. file, No. 75: An act to establish new counties and define their boundaries, in the late cession from the Winnebago Indians.

I herewith present, for your signature,  
An act for the relief of John Wilson ;  
An act supplemental to "An act to provide for finishing the public buildings in Washington county ;

An act to legalize the acts of Charles W. Hobbs, county commissioner's clerk and recorder of Delaware county ;

An act to establish new counties and define their boundaries. in the late cession from the Winnebago Indians ;

An act to authorize general incorporations ;

An act for a road therein named ;

An act to establish a State road from Iowaville to Lancaster, in Keokuk county, by the way of Creasville ; and

An act to lay out and establish a State road from Ottumwa to Well's mill, on Chariton river ;

The same having been signed by the Speaker of the House.

On motion of Mr. Jay,

The petition in relation to the change of a road in Henry county,  
Was taken from the table, and

On his motion,

Referred to a Select Committee.

Messrs. Jay, Springer and Sprott, were appointed said committee.

On motion of Mr. Davis,

The Senate proceeded to consider

Senate file, No. 23: A bill creating a board of public works, and providing for the improvement of the Des Moines river,

Being Senate substitute for Senate file, No. 23, in Committee of the Whole, Mr. Bradley in the chair, and,

After some time spent therein,

The committee rose and reported said bills back to the Senate, with one amendment,

Which was concurred in.

Mr. Jay moved to recommit said bill to the Committee on Internal

Improvements, with instructions to so amend said bill as to have the board consist of two instead of three members, and to make them elective by joint resolution of the General Assembly.

On which the yeas and nays were demanded, and, being ordered, were as follow :

YEAS—Messrs. Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—9.

NAYS—Messrs: Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman, Whitaker and Mr. President—10.

So said bill was not so referred.

Mr. Sanford offered the following amendment to the first section of said bill :

“ Shall be elected by the qualified voters of the first Congressional district.”

And upon the adoption of which,

The yeas and nays being demanded were ordered, and were as follow :

YEAS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer and Wheeler—6.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Selman, Sprott, Whitaker and Mr. President—13.

So said amendment was not agreed to ; and,

On motion of Mr. Bradley,

The thirteenth rule was suspended, and said bill was read a third time, and,

On the question, shall said bill pass ?

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes, Huner, Sanford, Selman, Sprott, Whitaker and Mr. President—14.

NAYS—Messrs. Browning, Fullinwider, Jay, Springer, and Wheeler—5.

So said bill passed ; title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

Mr. President—

I herewith return you

An act to authorize county commissioners to lay off their counties into county commissioners' districts;

An act to divide the State into congressional districts;

An act in relation to the duties and powers of district judges;

An act to repeal the charter of the town of Davenport;

An act to amend the charter of the city of Burlington; and

An act in relation to the duty of State and county officers, in certain cases;

The same having been signed by the Speaker of the House.

Mr. Sanford offered the following:

Resolved, That the printing of five hundred copies of the journals of the Senate be let out on contract, to the lowest bidder—sealed proposals for which shall be sent to the Secretary of State, within thirty days after the adjournment of the General Assembly; and the Secretary, upon receiving such proposals, shall proceed to contract with the lowest bidder for the printing of such journals, requiring sufficient security for the good and faithful mechanical execution of the work; which,

On motion of Mr. Hughes,

Was laid on the table.

H. R. file, No. 106: An act to establish the rights of married women,

Was read a third time, and,

The question being on the passage of said bill,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Brown, Crawford, Davis, Hughes, Sanford, Selman, Wheeler, Whitaker and Mr. President—9.

NAYS—Messrs. Benton, Bissell, Bradley, Browning, Fullinwider, Huner, Jay, Springer and Sprott—9.

So said bill did not pass.

Senate file, No. 75: A bill providing for the election of Representatives in Congress,

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

Senate file, No. 86: An act to impose a docket tax on suits in the district and supreme courts of this State,

Was read a third time, and,

The question being on the passage of the bill,

And the yeas and nays being demanded, were ordered, and were as follows:

YEAS—Messrs. Benton, Bradley, Brown, Browning, Davis, Fullin-

wider, Huner, Sanford, Sprott, Wheeler, Whitaker and Mr. President—12.

NAYS—Messrs. Bissell, Crawford, Harbour, Hughes, Jay, Selman and Springer—7.

So said bill was passed, and title agreed to.

H. R. file, No. 124: An act to provide for criminal returns,

Was read a first and second time, and

Ordered to be read a third time on Monday next.

H. R. file, No. 96: An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels," approved December 20, 1838,

Coming up, as disagreed to by the House to the amendment made by the Senate,

On motion of Mr. Sprott,

The Senate receded from their amendment.

H. R. file, No. 88: A bill to provide for levying and collecting revenue for State and county purposes,

Was read a first and second time, and,

On motion of Mr. Browning,

The Senate proceeded to consider said bill in Committee of the Whole, Mr. Benton in the chair, and,

After some time spent therein,

The committee rose and reported progress, and had leave to sit again.

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act concerning justices of the peace.

Mr. Hughes presented the account of Morgan Reno: which was,

On his motion,

Referred to the Committee on Claims.

Mr. Jay had leave and reported

Senate file, No. 103: A bill to change a part of the territorial road from Mount Pleasant to Fort Madison;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was considered as engrossed, and read a third time and passed, title agreed to.

On motion,

The Senate adjourned until 9½ o'clock on Monday morning.

MONDAY MORNING, FEBRUARY 22, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 129 : An act to locate a State road therein named ;

H. R. file, No. 131 : An act to provide for the place of holding district courts in Jones county ;

H. R. file, No. 126 : An act fixing the times of holding the district courts in the first judicial district of the State ;

H. R. file, No. 128 : An act to lay out and establish a State road from the county seat of Benton to the county seat of Buchanan county ;

H. R. file, No. 116 : An act regulating State roads ;

H. R. file, No. 127 : An act to locate a State road therein named ;

Also, with amendments,

Senate file, No. 87 : An act to authorize general incorporations, for other purposes than those of pecuniary profit ; and

Senate file, No. 92 : A bill in relation to the Salt Springs granted to this State ;

In which the concurrence of the Senate is requested.

The House have rejected

Senate file, No. 73 : An act in relation to the sale of land under execution ;

And have receded from its amendment, disagreed to by the Senate, to Senate substitute for

H. R. file, No. 32 : An act to provide for the election of United States' Senators and other officers.

The House have passed, without amendment,

Senate file, No. 100 : An act to legalize the acts of a justice of the peace therein named ;

Senate file, No. 71 : Joint resolution concerning the taking effect of acts, public and private ;

Senate file, No. 98 : A bill to establish the boundaries of certain counties therein named ;



Senate file, No. 94: A bill to change the name of Bellview, in Jackson county ;

Senate file, No. 41: An act to provide for the election of electors of President and Vice President of the United States ; and

Senate file, No. 88; An act to complete the change from a territorial to a State Government.

Mr. Hughes presented the account of A. H. Palmer ; which was,

On his motion,

Referred to the Committee on Claims.

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

Senate file, No. 101: A bill to provide for a term of the supreme court, and to change the time of holding the same,

Reported said bill back, without amendment, and,

The thirteenth rule was suspended, said bill was considered as engrossed, and was read a third time and passed, and title agreed to.

Mr. Hughes, from the Committee on Engrossed Bills, reported, as correctly engrossed,

Senate file, No. 82: A bill to amend "An act relative to the probate of wills, executors and administrators," &c., approved Feb. 13, 1843.

Said bill was read a third time and passed, title agreed to.

Mr. Whitaker, from the Committee on roads, to whom was referred

H. R. file, No. 77: A bill concerning water crafts and estrays,

Reported the same back, and recommended its indefinite postponement. Report concurred in. \*

Mr. Benton, from the Committee on Schools, to whom was referred the petition of F. K. O'Ferral and others, praying for the establishment of a system of public schools in the city of Dubuque,

Reported the same back to the Senate, and, in view of the difficulty of creating a law in conformity with the prayer of the petitioners, at the present time, which would not conflict with the systems of common schools for the State, recommended that the further consideration of the subject be indefinitely postponed.

Said report was concurred in.

Mr. Bradley presented the petitions and remonstrance of sundry citizens of Jones, Jackson, Cedar and Linn counties, in relation to the formation of new counties and the alteration of the boundaries of old ones; which were,

On his motion,

Referred to the Committee on County Boundaries.

Mr. Sanford, from the Committee on Enrolled Bills, reported, as correctly enrolled,

An act to incorporate the city of Farmington, Van Buren county, Iowa;

And that they have presented to his Excellency, for his approval,

An act in relation to the duties and powers of district judges;

An act in relation to the duty of State and county officers, in certain cases;

An act to divide the State into two congressional districts;

An act to authorize county commissioners to lay off their counties into county commissioners' districts;

An act to amend the charter of the city of Burlington;

An act to repeal the charter of the town of Davenport.

Mr. Sanford, from the committee of conference appointed by the Senate to confer with a similar committee on the part of the House, upon the disagreeing vote on

An act for the organization of Pottawatamie and other counties,

Reported that the House had agreed to recede from its amendment to the same.

Mr. Sprott, from the Committee on Military Affairs, to whom was referred

Senate file, No. 99: An act to amend an act entitled "An act to organize, discipline and govern the militia,

Reported the same back, without amendment, and recommended its passage.

Said report was concurred in, and,

On motion of Mr. Sprott,

The thirteenth rule of the Senate was suspended, said bill was read a third time and passed, and title agreed to.

Mr. Huner, from the Select Committee to whom was referred

Senate file, No. 80: An act relative to the penitentiary,

Reported the same back, without amendment, and recommended its passage.

Said report was concurred in.

Mr. Browning offered the following:

"Strike out all in relation to taking the amount out of the school fund, and insert the following: 'out of any money in the Treasury not otherwise appropriated.'"

And on the adoption of said amendment,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bradley, Brown, Browning, Fullinwider, Jay, and Whitaker—7.

NAYS—Messrs. Bissell, Crawford, Harbour, Hughes, Huner, Sanford, Selman, Springer, Sprott, Wheeler and Mr. President—11.

So said amendment was not agreed to ; and,

On motion of Mr. Bissell,

The thirteenth rule was suspended, and said bill was read a third time, and, on the question of its passage,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Crawford, Harbour, Hughes, Huner, Sanford, Selman, Springer, Sprott, Wheeler and Mr. President—11.

NAYS—Messrs. Bradley, Brown, Browning, Fullinwider, Jay, and Wheeler—6.

So said bill passed, and title agreed to.

H. R. file, No. 124 : An act to provide for criminal returns,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Davis had leave, and introduced

Senate file, No. 104 : A bill for the appointment of a temporary engineer for the survey of the Des Moines river,

Which was read a first and second time, and,

On motion of Mr. Sanford,

Was referred to a Select Committee.

Messrs. Sanford, Davis and Bradley, were appointed said committee.

H. R. file, No. 129 : An act to locate a State road therein named,

Was read a first and second time, and,

On motion of Mr. Sanford,

The thirteenth rule was suspended, said bill was read a third time and passed ; title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 131 : An act to provide for the place of holding district courts in Jones county,

Was read a first and second time, and,

Ordered to be read a third time on to-morrow.

H. R. file, No. 126 : A bill fixing the time of holding courts in the first judicial district,

Was read a first and second time, and,

On motion of Browning,

Said bill was referred to a Select Committee, composed of the Senators from the first judicial district.

H. R. file, No. 128: An act to lay out and establish a State road from the county seat of Benton county, to the county seat of Buchanan county, Was read a first and second time, and,

On motion of Mr. Crawford,  
Laid on the table.

H. R. file, No. 116: A bill for an act regulating State roads, Was read a first and second time, and,

On motion of Mr. Whitaker,  
The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 127: An act to locate a State road therein named, Which was read a first and second time, and,

On motion of Mr. Hughes,  
The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 87: A bill to authorize general incorporations for other purposes than those of pecuniary profit,

Coming up as amended by the House,

On motion,  
Said amendment was concurred in.

Senate file, No. 92: An act in relation to the salt springs granted to to this State,

Coming up as amended by the House,

On motion of Mr. Hughes,

The Senate disagreed to the first amendment, and on the question of disagreeing to the second amendment,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Browning, Crawford, Davis, Fullinwider, Hughes, Huner and Jay—10.

NAYS—Messrs. Brown, Harbour, Sanford, Selman, Springer, Sprott, Wheeler, Whitaker and Mr. President—9.

So said amendment was disagreed to.

Senate file, No. 89: An ordinance as to the terms of admission of Iowa into the Union,

Was considered in Committee of the Whole, Mr. Bissell in the chair, and,

After some time spent therein,

The committee rose, and, by their chairman, reported said ordinance back to the Senate without amendment; and,

On motion of Mr. Whitaker,

The thirteenth rule was suspended, said ordinance was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Harbour,

Senate file, No. 93: A bill to provide for the location of a State road from Dahlongea, in Wapello county, to Oskaloosa, in Mahaska county, Was taken from the table, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

Mr. Harbour had leave, and introduced

Senate file, No. 105: A bill to locate a State road from Mount Pleasant to Oskaloosa, in Mahaska county,

Which was read a first and second time, and,

On motion of Mr. Jay,

Laid on the table.

On motion of Mr. Bissell,

Resolved, That a select committee of three be appointed, whose duty it shall be to examine the Supreme Court room in the capital, and report to this House the furniture and other fixtures that are necessary for the holding the Supreme Court therein.

Messrs. Bissell, Hughes and Springer, were appointed said committee.

Mr. Hughes had leave, and introduced

Senate file, No. 106: Joint resolution granting the use of the Senate Chamber, for divine worship, to the Rev. Dr. Woods,

Which was read a first and second time, and,

On motion of Mr. Crawford,

Laid on the table.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sanford from the Select Committee to whom was referred Senate file, No. 104: A bill for an act to appoint an engineer to survey the Des Moines river,

Reported that the committee had had the same under consideration and instructed him to report a substitute therefor, and ask its passage.

Said substitute,

Was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was considered as engrossed, read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives by Mr. Porter, their assistant clerk:

*Mr. President—*

The House have passed

H. R. file, No. 100: A bill for an act to establish a State University, In which the concurrence of the Senate is requested.

I herewith return you

An act concerning justices of the peace,

An act to incorporate the city of Farmington, in Van Buren county,

The same having been signed by the Speaker of the House.

On motion of Mr. Browning,

The Senate resumed the consideration of

H. R. file, No. 88: A bill to provide for levying a revenue for State and county purposes,

In Committee of the Whole, Mr. Benton in the chair, and,

After some time spent therein,

The committee rose and reported progress, and had leave to sit again.

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled,

Senate file, No. 98: An act to establish the boundaries of certain counties therein named.

H. R. file, No. 130: A bill to locate and establish a State University,

Was read a first and second time, and,

On motion of Mr. Harbour,

Referred to the Committee on Schools.

Mr. Bissell, from the Select Committee to whom was referred a joint resolution in relation to furnishing the Supreme court room, reported Senate file, No. 107: Joint resolution providing for furnishing the Supreme Court room in the Capitol,

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, and said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Fullinwider, from the Select Committee, to whom was referred H. R. file, No. 52; An act to provide for the management and disposition of the school fund,

Reported the same back with a substitute.

On motion,

The Senate adjourned until 9 o'clock to-morrow morning.

## TUESDAY MORNING, FEBRUARY 23, 1847.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 132: An act for the relief of the poor;

H. R. file, No. 133: An act to discontinue a certain territorial or State road in the county of Jones;

H. R. file, No. 125: An act to vacate part of a territorial road therein named;

H. R. file, 134: An act to locate a State road therein named;

H. R. file, No, 139: An act to repeal an act therein named;

H. R. file, No. 111: An act defining the time of holding elections for State, district and county officers;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 78: An act amendatory to the practice of the district and supreme courts of this State.

I herewith present, for your signature,

An act to incorporate the city of Keokuk; and

An act to amend an act entitled "An act to provide for the collection of demands against boats and vessels," approved Dec. 20, 1838.

I herewith return you

An act for the organization of Pottawatamie and other counties;

An act to provide for the election of United States' Senators;

An act to comple the change from a territorial to a State Government;

An act to change the name of Bellview, in Jackson county;

The same having been signed by the Speaker of the House.

Mr. Bissell, from the Select Committee to whom was referred

H. R. file, No. 93: An act for extending the powers of the board of county oommissioners in regard to licensing and regulating ferries,

Reported the same back, without amendment, and recommended its passage.

Said report was concurred in, and,

On motion of Mr. Hughes,

The thirteenth rule of the Senate was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Bradley, from the Committee on County Boundaries, to whom was referred the petition of J. J. Tomlinson and eighty-seven others, citizens of the counties of Jackson, Linn, Cedar, Benton, Johnson and Iowa, asking the Legislature to divide the old counties, and for four additional ones within the boundaries of the old counties—together with the remonstrance against the same, from the counties of Jackson and Linn,

Reported that they had had the same under consideration, and, after an examination of the subject, the committee had arrived at the conclusion that the prayer of the petitioners ought not to be granted—for the reason (without assigning any other) that the petitioners reside in seven different counties, and those remonstrating against any action of the Legislature reside in only two of the above named counties, and are more than four to one of the petitioners--the committee are satisfied that the petition was gotten up for the benefit of a few interested men, at the expense of the mass of the citizens of said county; and would recom-



mend that the further consideration of the subject be indefinitely postponed.

Mr. Browning, from the Select Committee to whom was referred

H. R. file, No. 126: An act fixing the times of holding the district courts in the first judicial district of the State;

Reported the same back, and recommended its passage:

Said report was concurred in, and,

On his motion,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Huner, from the Select Committee to whom was referred

H. R. file, No. 107, reported the same back, without amendment, and recommended its passage.

Said report was concurred in, and,

On motion of Mr. Sprott,

The thirteenth rule was suspended, and said bill read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

The Senate resumed the consideration of

H. R. file, No. 88: A bill to provide for levying and collecting revenue for State and county purposes,

In Committee of the Whole, Mr. Benton in the chair, and

After some time spent therein,

The committee rose and reported said bill back to the Senate, with sundry amendments, and,

On motion,

The first amendment was agreed to; and,

On the question of the second amendment, which was—to strike out the 8th section,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Brown, Crawford, Sanford, Sprott, Whitaker and Mr. President—6.

NAYS—Messrs. Benton, Bissell, Bradley, Browning, Fullinwider, Harbour, Hughes, Huner, Jay and Springer—10.

So said section was not stricken out.

The third amendment made by the committee, being to the 10th section, was disagreed to.

The fifth amendment, being to the 28th section, was agreed to.

The sixth amendment, being to section 33, was agreed to.

The seventh amendment was concurred in.

The eighth, ninth, tenth and eleventh amendments were agreed to.

Mr. Browning offered the following amendment, to come in as section 11th :

“That there shall be imposed a tax, as follows, for the use of the county, upon every vender of dry goods, hardware, groceries, drays or other articles of merchandize—a tax not less than three dollars upon every one thousand dollars’ worth of capital stock ; and in no case shall a license be taken out for a less amount than one thousand dollars ; upon every person who retails ardent or vinous spirits, a tax or license of not less than fifty dollars, for the use of the county : Provided, That nothing in the preceding part of this section shall prevent the proper authorities of any incorporated city or town from imposing such tax or license as, by the provisions of their respective charters, they have a right to impose. Upon every marriage license granted, the sum of one dollar and fifty cents—one dollar of which shall go into the county treasury, and fifty cents to the clerk for his trouble in issuing and recording the same. Upon any merchant mill, or mill that grinds for other than regular toll, not less than the sum of twenty-five dollars per annum, at the discretion of the board of commissioners. Upon every practising lawyer and physician, a tax of five dollars per annum. On each distillery, the sum of twenty dollars. On all billiard tables, and on all nine or ten-pin alleys, the sum of fifteen dollars each.”

On the adoption of this amendment,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Jay and Wheeler—3.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Fullinwider, Harbour, Hughes, Huner, Sanford, Springer, Sprott, Whitaker and Mr. President—10.

So said amendment was not concurred in.

Mr. Springer moved to strike out “lawyers.”

Not agreed to.

Mr. Browning moved to amend the 46th section, as follows :

“Authorizing said lands and town lots to be struck off to the county in which they are situated ; and shall also give notice that, on the first Monday after the adjournment of said court, all the lands and town lots against which judgment shall be pronounced shall be struck off to said county for the amount of taxes, interest and costs due thereon, and the

county set down as the purchaser thereof, for the amount due thereon."

On the adoption of said amendment,

The yeas and nays being demanded, were ordered and were as follow :

YEAS—Messrs. Benton, Browning, Davis, Fullinwider, Harbour, Huner, Sanford and Wheeler—8.

NAYS—Messrs. Bissell, Bradley, Crawford, Hughes, Springer, Sprott, Whitaker and Mr. President—8.

So said amendment was not concurred in.

On motion of Mr. Whitaker,

The thirteenth rule was suspended, and said bill was considered as engrossed, read a third time, passed, and title agreed to.

On motion,

The Senate concurred in the report of the Select Committee on H. R. file, No. 52; An act to provide for the management and disposition of the school fund,

And the substitute reported by said committee was adopted, and,

On motion of Mr. Browning,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly:

Mr. Benton, from the Committee on Schools, to whom was referred H. R. file, No. 70: A bill for an act to establish a system of common schools,

Reported the same back to the Senate, without amendment, and recommended its passage.

Said report was concurred in, and,

On motion of Mr. Sprott,

Said bill was laid on the table.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have agreed to the report of the committee of conference relative to the disagreeing vote of the two Houses on

Senate file, No. 16: An act for the organization of Pottawatamie and other counties;

Which was, that the House recede from its amendment to the same, to wit: strike out "Pottawatamie," and insert "Ray," in lieu thereof.

On motion of Mr. Springer,

Senate file, No. 66: A bill supplemental and amendatory to an act to establish common schools,

Was taken from the table.

Mr. Benton moved a call of the Senate, which was had, when it appeared that

Messrs. Harbour, Sanford, Selman, Wheeler and Whitaker were absent.

The Sergeant-at-arms having been despatched for the absentees, and Messrs. Sanford, Selman, Wheeler and Whitaker appearing,

On motion of Mr. Springer,

The further call of the Senate was suspended, and,

On motion of Mr. Springer,

Said bill was made the special order of the Senate, in Committee of the Whole, for two o'clock, p. m., this day.

On motion of Mr. Bradley,

The resolution authorizing A. H. Palmer to publish the Senate journal,

Was taken from the table, and

Amended, by striking out "five hundred," and inserting "four hundred and eighty;" and by adding, "such prices as are now or may be hereafter established by law."

Said resolution, as amended, was adopted.

Mr. Benton, from the Committee on Schools, to whom was referred

Senate file, No. 95: A bill to locate the Iowa State University; and

Senate file, No. 96: A bill for an act to locate the seventy-two sections of land donated by Congress for a University,

Accompanied by a petition from sundry citizens of Des Moines county; and

H. R. file, No. 130: A bill for an act to locate and establish a State University,

Reported the same back to the Senate, and recommended the indefinite postponement of the two former, and the passage of the latter, with one amendment—to wit:

Insert, in the second line of the seventh section, between the words "of" and "in," the following: "by the board of trustees of said University;"

Which was concurred in.

On motion of Mr. Springer,

The Senate proceeded to consider

H. R. file, No. 130: A bill to locate and establish a State University,

In Committee of the Whole, Mr. Fullinwider in the chair, and,  
 After some time spent therein,  
 The committee rose and reported progress, and had leave to sit again.  
 On motion,  
 The Senate adjourned until 2 o'clock, P. M.

---

## TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to his Excellency, for his approval,

An act to provide for the election of United States' Senators and other officers ;

An act to change the name of Bellview, in Sackson county ;

An act to complete the change from a territorial to a State Government ;

An act to incorporate the city of Farmington, Van Buren county, Iowa.

The Committee on Enrolled Bills reported, as correctly enrolled,

An act to authorize general incorporations, for other purposes than pecuniary profit ;

An act to legalize the acts of a justice of the peace therein named ;

An act to locate the seat of justice of Buchanan county ;

An act to repeal an act to authorize the appointment of a county agent in and for the county of Johnson ;

An act to amend an act to provide for the partition of real property, approved January 4th, 1839 ;

An act to incorporate the city of Dubuque.

Mr. Sanford, from the Select Committee to whom was referred the petition of sundry citizens of Lee county, praying the passage of a law to regulate the practice of medicine, after giving the subject the mature attention which its importance demands,

## REPORT:

That, in the opinion of the committee, no legal enactments would effect that reform in the practice of physic, and throw around it those

necessary restrictions which the extensive prevalence of quackery and its frequently repeated and inhuman abuses in the community impel the petitioners to ask. To these abuses the committee are sensibly alive, and none, more than they, would desire them arrested; but, in an organization of the medical profession, rendered necessary and imperative by law, the committee see nothing more than a great machine to manufacture quacks, and legalize the most extensive system of empiricism. Under this requisition, numerous societies would be organized, and, as it is apparent to every one that by far the majority of those in our State who profess to be physicians are notoriously incompetent, these societies would be composed principally of men of no merit and attainment, and, having the legal right to decide upon the qualifications of every student who would present himself for examination, with a view to obtain authority to enter upon practice, no scientific graduate will unite himself in such a fellowship; feeling that his qualifications and merit are indorsed by the eminent and good in a profession to which his heart is devoted, he despises every association which is calculated to degrade him, and throws himself upon the enlightened public sentiment of the community in which he lives, rather than avail himself of the protection of a law which levels all distinction. The physician who has devoted his mind to years of toil and labor in qualifying himself for the arduous duties of his profession, and finally obtains an evidence of his capability from an institution eminent for the learning and genius of its professors, asks and needs no protection from the law—he can sustain himself with those who are capable of appreciating merit and ability; and, if superstition and ignorance oppose a barrier to his success, he is fully aware that no law can remove that barrier.

Your committee, therefore, believing that the only corrective to the injuries and abuses which quackery is so constantly inflicting upon the inhabitants of our State, (besides the redress which may be obtained by suits at law for mal-practice, which would include the majority of cases,) is to be found in the progress of intelligence; and, looking with hope to the operation and effect of a system of education which our pecuniary means are amply sufficient to perfect, ask to be discharged from the further consideration of the subject.

Said report was concurred in.

The Senate resumed the consideration of

H. R. file, No. 130: A bill to locate and establish a State University, In Committee of the Whole, Mr. Fullinwider in the chair, and,

After some time spent therein,

The committee rose, and reported said bill back to the Senate, with sundry amendments, which,

On motion,

Were concurred in.

Mr. Springer offered the following :

“SEC. 11. That the grants and donations herein made are upon the express condition, that the said University shall, as soon as it shall be in the enjoyment of revenue from the said grant and donations at the rate of two thousand dollars per annum, commence and continue the instruction—free of charge—of fifty students, annually, in the theory and practice of teaching, as well as in such other branches of learning as shall be deemed best calculated for the preparation of said students for the business of common school teaching. Said students shall be selected from the different parts of the State in such manner and under such regulations as the Governor, the Superintendent of Public Instruction, and the Judges of the several Judicial Districts shall determine—said regulations to be subject to the supervision of the General Assembly.”

On the adoption of said amendment,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Brown, Browning, Fullinwider, Harbour, Huner, Jay, Selman, Springer, Sprott and Wheeler—10.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Hughes, Sanford, Whitaker and Mr. President—9.

Mr. Springer offered the following :

“That there is hereby established a branch of said University at each of the following places, to wit :

One at \_\_\_\_\_ in the county of \_\_\_\_\_.

One at \_\_\_\_\_ in the county of \_\_\_\_\_.

One at \_\_\_\_\_ in the county of \_\_\_\_\_;

One at \_\_\_\_\_ in the county of \_\_\_\_\_;

One at \_\_\_\_\_ in the county of \_\_\_\_\_;

And that one-fifth part of the entire revenue of said University arising from grants and donations from grants and donations from the State, be divided in equal proportions among said branches—upon the condition that each branch shall instruct, free of charge for tuition, fifteen students, annually, in the theory and practice of teaching, as well as such branches of education as shall be deemed best calculated for the preparation of said students for the business of common school teaching

—said students to be selected in such manner and under such regulations as the Superintendent of Public Instruction shall determine—said regulations to be subject to the supervision of the General Assembly.”

On the adoption of said amendment,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Fullinwider, Harbour, Huner, Jay, Springer, Sprott and Wheeler—8.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Sanford, Selman, Whitaker and Mr. President—11.

So said amendment was not adopted.

Mr. Bissell moved the previous question, which was seconded, and, The question being, shall the main question be now put?

Was decided in the negative.

So the main question was not put.

Mr. Jay moved to refer said bill to a Select Committee ;

And the yeas and nays being demanded, were ordered, and were as follows :

YEAS—Messrs. Harbour, Jay and Sprott—3.

NAYS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Hughes, Huner, Sanford, Selman, Springer, Wheeler, Whitaker and Mr. President—16.

So said bill was not referred.

Mr. Springer offered the following :

“SEC. 12. Nothing herein contained shall be construed to prevent the General Assembly of the State from exercising full supervision over the said University, its officers, and the grants and donations made or to be made by the State.”

Which was adopted.

Mr. Benton offered the following :

“SEC. 13. The board of trustees shall keep a set of books, in which they shall keep an accurate account of all transactions relative to the sale and disposition of the lands, and the management of the fund arising therefrom ; and a complete record of all their proceedings in the control and management of the University, which shall at all times be open to the inspection of the General Assembly, to whom they shall report whenever required.”

Which was adopted. and,

On motion of Mr. Hughes,



The thirteenth rule of the Senate was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, their chief clerk :

*Mr. President—*

I herewith present, for your signature,

An act regulating State roads ;

An act to locate a State road therein named ;

An act to provide for criminal returns ; and

An act to locate a State road therein named.

I herewith return you

An act to establish the boundaries of certain counties therein named.

The same having been signed by the Speaker of the House.

I am directed by the House to inform the Senate that they have passed substitute for

Senate file, No. 23 : A bill creating a board of public works, and providing for the improvement of the Des Moines river,

With two amendments, in which the concurrence of the Senate is requested.

On motion of Mr. Davis,

Said message was taken up and considered, and the amendments made by the House were concurred in.

On motion,

The Senate adjourned until 6½ o'clock, P. M.

---

HALF PAST SIX O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Crawford,

Resolved, That the Secretary and Assistant Secretary be allowed the sum of four dollars per day ; the Sergeant-at-Arms, Messenger and Fireman two dollars per day, for their services during the present session of the General Assembly.

H. R. file, No. 131: An act to provide for the place of holding district courts in Jones county,

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

Ordered, That the Secretary notify the House accordingly.

Mr. Harbour had leave, and introduced

Senate file, No. 108: Joint resolution in relation to the publication of acts,

Which was read a first and second time, and,

On motion of Browning,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Ordered that the Secretary notify the House accordingly.

H. R. file, No. 132: An act for the relief of the poor;

Was read a first and second time, and,

The thirteenth rule was suspended, said bill was read a third time and passed; title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 133: An act to discontinue a certain territorial or State road in the county of Jones;

Was read a first and second time, and,

Ordered to be read a third time on to-morrow.

H. R. file, No. 125: An act to vacate part of a territorial road therein named;

Was read a first and second time, and,

On motion of Mr. Bissell,

Laid on the table.

H. R. file, 134: An act to locate a State road therein named;

Was read a first and second time, and,

On motion of Mr. Hughes,

The thirteenth rule of the Senate was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No, 139: An act to repeal an act therein named;

Was read a first and second time, and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, and said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 111: An act defining the time of holding elections for State, district and county officers;

Was read a first and second time, and,

On motion of Mr. Bissell,

Referred to the Committee on the Judiciary.

On motion of Mr. Crawford,

H. R. file, No. 128: An act to lay out and establish a State road from the county seat of Benton county, to the county seat of Buchanan county,

Was taken from the table, and,

On his motion,

Said bill was amended, in the first section, by striking out "the county seat of," and inserting the word "in," and,

On motion of Mr. Harbour,

The thirteenth rule was suspended, said bill was read a third time and passed, and,

On his motion,

The title was amended by striking out "to the county seat of," and inserting "Quasqueton," and as amended agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 114: An act establishing the prices of public printing;

H. R. file, No. 63: An act fixing the time and places of holding the Supreme court;

H. R. file, No. 140: An act to provide for the printing of the laws of the present session of the General Assembly;

H. R. file, No. 45: An act amendatory of an act entitled "An act concerning costs and fees," approved February 11th, 1843; and.

H. R. file, No. 30: Joint resolution relative to covering bridges on the military and agency roads in this State;

In which the concurrence of the Senate is requested.

The House have receded from their amendment, disagreed to, to the first section of

Senate file, No. 92: A bill in relation to the Salt Springs granted to this State;

And insist upon its amendment to the second section of the same; and have rejected

Senate file, No. 86: An act to impose a docket tax on suits in the district and supreme courts of this State.

On motion of Mr. Springer,  
The Senate resumed the consideration of  
Senate file, No. 66: A bill for an act amendatory to an act to establish common schools,

In Committee of the Whole, Mr. Jay in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported said bill back, with sundry amendments,

Which were concurred in.

Mr. Whitaker moved to strike out three mills and insert one mill, and strike out one mill and insert half a mill; which would make it read, not less than half a mill nor more than one mill.

And on the adoption of this question,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Huner, Jay, Selman, Whitaker and Mr. President—13.

NAYS—Messrs. Bradley, Springer, Sprott and Wheeler—4.

So said amendment was adopted; and,

On motion of Mr. Browning,

The thirteenth rule was suspended, and said bill was considered as engrossed, and read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 114: A bill establishing the prices of public printing, Was read a first and second time, and,

On motion of Mr. Whitaker,

Laid on the table.

H. R. file, No. 63: A bill to fix the time and place of holding the Supreme court,

Was read a first and second time, and,

On motion of Mr. Bradley,

Referred to the Committee on the Judiciary.

H. R. file, No. 146: An act to provide for the printing of the laws of the present session of the General Assembly,

Was read a first and second time, and,

On motion of Mr. Jay,

Made the special order of the day for to-morrow at 10 o'clock.

H. R. file, No. 30: Joint resolution relative to covering bridges on the military and agency roads in this State,

Was read a first and second time, and,

On motion of Mr. Wheeler,

Laid on the table.

H. R. file, No. 45: An act amendatory of an act entitled "An act concerning costs and fees," approved February 11th, 1843,

Was read a first and second time, and

On motion of Mr. Bissell,

Referred to the Committee on the Judiciary.

On motion,

The Senate adjourned until 9 o'clock to-morrow morning.

### WEDNESDAY MORNING, FEBRUARY 24, 1847.

Senate met pursuant to adjournment.

Mr. Davis offered the following :

Resolved, That Joseph Myers, Assistant Secretary, be allowed the sum of ten dollars for his services the present session.

Which was adopted.

Mr. Selman presented the account of Elisha Cutler, jr., which was,

On his motion,

Referred to the Committee on Claims.

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

H. R. file, No. 111: A bill defining the time of holding elections for State, district, and county officers,

Reported the same back without amendment.

On motion of Mr. Springer,

The seventh section of said bill was stricken out.

On motion of Mr. Browning,

The words "Treasurer, Collector and Assessor," were stricken out in the fifth section ; and said section was further amended by adding after the word " Measures," in the fifth line, "one clerk of the district court, and one prosecuting attorney, in those counties in which no election was held for said officers at the last election."

Mr. Sprott moved to amend by striking out the word sheriff in said section.

Not agreed to.

On motion of Mr. Bissell,

The thirteenth rule was suspended, and said bill was read a third time, and passed, and title agreed to.

On motion of Mr. Davis,

Resolved, That Thomas Baker, President of the Senate, be allowed two dollars per day as extra pay for his services as President during the present session of the General Assembly.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

I herewith return you

An act amendatory to the practice of the district and Supreme courts of this State;

An act for the organization of Pottawatamie and other counties;

An act to make good in law the acts of Enoch Frazey, done and performed by him as justice of the peace in and for the township of Lockridge, county of Jefferson, Territory of Iowa;

An act to authorize general incorporations, for other purposes than those of pecuniary profit;

An act to locate the seat of justice of Buchanan county;

An act to amend an act to provide for the partition of real property, approved January 4th, 1839;

An act authorizing Robert Reed, or his successors in office, to collect the delinquent tax of T. J. Pearce, late collector of taxes, and John Carlin, deceased, late treasurer and collector of Jackson county, for A. D. 1846;

An act to repeal "An act to authorize the appointment of an agent for the county of Johnson," and

An act to incorporate the city of Dubuque;

The same having been signed by the Speaker of the House.

The House have passed, without amendment,

Senate file, No. 107: Joint resolution providing for furnishing the Supreme Court room in the Capitol,

Senate file, No. 103: An act to change a part of the Territorial road from Fort Madison to Mount Pleasant,

Senate file, No. 89: An ordinance as to the terms of admission Iowa into the Union,

Senate file, No. 102: An act to repeal a certain part of an act entitled an act for laying out and establishing certain roads therein named, approved February 18th, 1847.

Mr. Benton, from the Select Committee to whom was referred

H. R. file, No. 2: Joint resolution authorizing the Secretary of State to procure a State seal,

Reported a substitute, which was concurred in, and,

On motion of Mr. Browning,

The thirteenth rule was suspended, said substitute was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

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

Senate file, No. 110: A bill to authorize the Auditor to audit certain certificates of indebtedness on account of expenses connected with the penitentiary ;

Which was read a first and second time, and,

On motion,

The thirteenth rule was suspended, said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Hughes had leave and introduced

Senate file, No. 111: An act making an appropriation for the public buildings at Iowa City ;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time, and,

On the question of the passage of said bill,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Browning, Crawford, Davis, Fullinwider, Hughes, Huner, Springer, Sprott, Wheeler and Mr. President—13.

NAYS—Messrs. Brown, Harbour, Jay and Selman—4.

So said bill was passed, and title agreed to.

Mr. Baker had leave and introduced

Senate file, No. 112: Joint resolution providing for a set of seals;

Which was read a first and second time, and,

On his motion,

The thirteenth rule was suspended, said resolution was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

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

H. R. file, No. 45: An act amendatory of an act entitled "An act concerning costs and fees," approved February 11th, 1843,

Reported the same back, with an amendment, to wit:

To strike out all except the fees of jurors.

Said report was concurred in, and,

On his motion,

The thirteenth rule was suspended, said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 140: An act to provide for the printing of the laws of the present session of the General Assembly,

Being the special order of the day,

Was considered in Committee of the Whole; Mr. Selman in the chair, and,

After some time spent therein,

The committee rose and reported said bill back, without amendment, and,

On motion of Mr. Selman,

Said bill was referred to a Select Committee, with instructions so to amend said bill as to require the Secretary of State to open the proposals in the presence of the Treasurer and Auditor.

Messrs. Selman, Hughes and Jay, were appointed said committee.

H. R. file, No 97: An act incorporating towns,

Was read a second time, and,

On motion of Mr. Hughes,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 92: An act in relation to the Salt Springs granted to this State,

Coming up as amended by the House; the House receding from its first amendment and adhering to its second,

On motion of Mr. Hughes,

The Senate receded from its disagreeing vote on the House amendment.



H. R. file, No. 133: A bill to discontinue certain Territorial or State roads in the county of Jones,

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

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled,

Joint resolution concerning the taking effect of acts public and private; and

An act creating a board of public works, and providing for the improvement of the Des Moines river.

On motion of Mr. Bradley,

The Senate took a recess of half an hour. Senate resumed its session.

Mr. Davis moved a call of the Senate, which was had, when it appeared that Messrs. Benton, Bissell, Bradley, Brown, Fullinwider, Sanford and Sprott were absent.

The absentees appearing, the further call was suspended.

On motion of Mr. Springer,

H. R. file, No. 114: A bill establishing the prices of public printing,

Was taken from the table, and

On the motion of Mr. Hughes to indefinitely postpone said bill,

The yeas and nays being demanded were ordered, and were as follow:

YEAS—Messrs. Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman, Whitaker and Mr. President—9.

NAYS—Messrs. Browning, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—8.

So said bill was indefinitely postponed.

Mr. Jay offered the following:

Resolved, (the House concurring,) That the Secretary is hereby authorized to take into his care, for safe keeping, all the remaining stationery now belonging to the State, and distribute the same as necessity may require, to the Auditor and Treasurer of State.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

Mr. President—

I herewith present, for your signature,

An act for extending the powers of the board of county commissioners in regard to licensing and regulating ferries;

An act fixing the time of holding district courts in the first judicial district;

An act to provide for the repeal of the charter of Fort Madison, in Lee county ;

The same being signed by the Speaker of the House.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to the Governor, for his approval,

An act to incorporate the city of Dubuque ;

An act to authorize Robert Reed to collect delinquent taxes ;

An act to locate the seat of justice of Buchanan county ;

An act to repeal an act authorizing the appointment of a county agent for the county of Johnson ;

An act to amend an act providing for the partition of real property, approved January 4th, 1839 ;

An act to authorize general incorporations, for other purposes than those of pecuniary profit ;

An act for the organization of Pottawatamie and other counties ;

An act amendatory to the practice of the district and supreme courts of this State ;

An act to make good in law the acts of Enoch Frazey, done and performed by him as justice of the peace in and for the township of Lockridge, county of Jefferson, Territory of Iowa ;

An act to establish the boundaries of certain counties therein named.

Also, report as correctly enrolled,

Senate file, No. 92: An act in relation to the Salt Springs granted to this State.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

Mr. President—

The House have passed

H. R. file, No. 32: Joint resolution relative to the printing of the laws;

Also, with amendments,

Senate file, No. 93: An act to provide for the location of a State road from Dahlonga, in Wapello county, to Oskaloosa, in Mahaska county.

Also, without amendment,

Senate file, No. 75: A bill providing for the election of Representatives in Congress,

In which the concurrence of the Senate is requested.

I herewith present, for your signature,

An act to locate a State road therein named;

An act to provide for the place of holding district courts in Jones county;

An act to repeal an act herein named;

An act incorporating towns;

The same having been signed by the Speaker of the House.

Mr. Springer presented the account of William H. Turner—which was

On his motion,

Referred to the Committee on Claims.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed

H. R. file, No. 142: An act authorize George Keil to establish and keep a wharf boat;

H. R. file, No. 141: An act to authorize Thomas J. Newly, a minor, of Lee county, to sell or otherwise dispose of his real estate;

H. R. file, No. 31: Substitute for Senate file, No. 6—Preamble and joint resolution in relation to the Mexican war;

H. R. file, No. 72: An act requiring the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county;

Substitute for H. R. file, No. 52: An act to provide for the management and disposition of the school fund;

In which the concurrence of the Senate is requested.

On motion,

The resolution offered by Mr. Jay was adopted.

Mr. Browning presented the account of James Tizzard & Co.—which was,

On his motion,

Referred to the Committee on Claims.

Mr. Huner, from the Committee on Ways and Means, reported Senate file, No. 113—(See 5th line, page 304.)—Which was read a first and second time, and, on motion of Mr. Browning,

Referred to the Committee on the Judiciary.

H. R. file, No. 31: Joint resolution in relation to the publication of acts,

On motion of Mr. Bradley,

Was amended by striking out all after the word "the," in the third line, to the word "for," and insert "several papers in this State;" and strike out balance; and,

On motion of Mr. Hughes,

The thirteenth rule was suspended, said bill was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Bissell, from the Judiciary Committee, to whom was referred

H. R. file, No. 8: An act to provide compensation to an agent to select lands for the use and support of a University,

Reported the same back, without amendment, which report was concurred in, and,

On motion of Mr. Bissell,

The thirteenth rule was suspended, said bill was read a third time and passed, title agreed to.

Ordered, That the Secretary notify the House accordingly.

Senate file, No. 93: A bill to provide for the location of a State road from Dahlongæ, in Wapello county, to Oskaloosa, in Mahaska county, Coming up, as amended by the House,

On motion of Mr. Harbour,

The Senate disagreed to the House amendment.

Mr. Springer, from the Judiciary Committee, to whom was referred

H. R. file, No. 72: A bill to amend an act defining crimes and punishments,

Reported the same back, without amendment.

Mr. Harbour moved to indefinitely postpone said bill: and, on this question,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Harbour, Hughes and Mr. President—9.

**NAYS**—Messrs: Browning, Fullinwider, Huner, Jay, Sanford, Springer, Sprott and Wheeler—8.

So said bill was indefinitely postponed.

Senate file, No. 72: An act requiring the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county.

Coming up, as amended by the House,

On motion of Mr. Browning,

The Senate concurred in said amendments.

Substitute for H. R. file, No. 52: An act to provide for the management and disposition of the school fund,

Coming up, as amended by the House,

Said amendments were concurred in.

H. R. file, No. 141: A bill to authorize Thomas J. Newly, a minor, of Lee county, to sell or otherwise dispose of his real estate,

Was read a first and second time, and,

On motion of Mr. Davis,

Said bill was indefinitely postponed.

Message from the House of Representatives by Mr. Porter, their assistant clerk:

*Mr. President*—

I herewith return you

An act creating a Board of Public Works and providing for the improvement of the Des Moines river;

An act to provide for the election of electors of President and Vice President of the United States;

An act in relation to the salt springs granted to this State;

Joint resolution concerning the taking effect of acts, public and private;

The same having been signed by the Speaker of the House.

H. R. file, No. 142: A bill to authorize George Keil to establish and keep a wharf boat,

Was considered in Committee of the Whole, Mr. Benton in the chair, and,

After some time spent therein,

The committee rose, and by their chairman, reported said bill back, with sundry amendments,

Which were concurred in, and,

On motion of Mr. Browning,

The thirteenth rule was suspended, and said bill was read a third time, and passed, and title agreed to.

H. R. file, No. 31—(being a substitute for Senate file, No. 6)—Preamble and joint resolution in relation to the Mexican war,

Was read a first and second time.

Mr. Bissell moved to strike out the last resolution; and, on this question,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Huner, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Jay, Sanford and Springer—5.

So said resolution was stricken out.

Mr. Davis moved to strike out the preamble; and, on this question,

The yeas and nays being demanded, were ordered and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crawford, Davis, Hughes, Huner, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer and Sprott—6.

So said preamble was stricken out.

Mr. Davis moved to lay said resolutions on the table; and, on this motion,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Crswford, Davis, Hughes, Huner, Whitaker and Mr. President—10.

NAYS—Messrs. Browning, Fullinwider, Jay, Sanford, Springer and Sprott—6.

So said resolution was laid on the table.

Mr. Sanford, from the Committee on Enrolled Bills, reported, as correctly enrolled,

An act in relation to the salt springs granted to this State.

On motion of Mr. Hughes,

The Senate went into Executive session, and,

After some time spent therein,

The Senate resumed its regular session.

On motion,

The Senate adjourned until 6½ o'clock, P. M.

## HALF-PAST SIX O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

The House have passed, with amendments,

Senate file, No. 80: An act relative to the penitentiary;

Senate file, No. 104: A bill for an act to appoint an engineer to survey the Des Moines river;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 82: A bill to amend "An act relative to the probate of wills, executors and administrators," &c., approved February 13th, 1843;

And have rejected,

Senate file, No. 66: A bill for an act amendatory to an act to establish common schools;

And have disagreed to the amendment of the Senate to

H. R. file, No. 45: An act amendatory of an act entitled "An act concerning costs and fees," approved February 11th, 1843.

The House have passed

H. R. file, No. 142: An act to provide for compensation of members, officers and printer of the General Assembly, and for other purposes;

In which the concurrence of the Senate is requested.

H. R. file, No. 47: An act amendatory of an "Act concerning costs and fees," approved February 11th, 1843,

Reported as Senate amendment having been disagreed to by the House:

On motion of Mr. Bradley,

The Senate adhered to their amendment.

Senate file, No. 104: A bill for an act for the appointment of an engineer to survey the Des Moines river,

Coming up, as amended by the House,

Mr. Harbour moved to lay said bill and amendments on the table; and, on this question,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Harbour, Hughes, Huner, Selman, Wheeler, Whitaker and Mr. President—14.

NAYS—Messrs. Fullinwider, Jay, Springer and Sprott—4.

So said bill and pending amendments were laid on the table.

Senate file, No. 80 : An act relative to the penitentiary,  
Coming up, as amended by the House,

On motion of Mr. Sprott,

The Senate concurred in said amendments.

Mr. Bradley, from the Judiciary Committee, to whom was referred

Senate file, No. 113 : An act further defining the duties of the Secretary of State,

Reported the same back, with amendments.

On motion,

Said report was concurred in, and,

On motion of Mr. Springer,

Said bill was ordered to be read a third time on to-morrow.

Mr. Bradley had leave and introduced

Senate file, No. 115 : Joint resolution for superintending the printing and distributing the laws ;

Which was read a first and second time, and,

On motion of Mr. Bradley,

The thirteenth rule was suspended, said resolution was read a third time and passed, and title agreed to.

Mr. Selman, from the Select Committee to whom was referred

H. R. file, No. 140 : A bill in relation to printing the laws,

Reported the same back, with a substitute, and,

On motion of Mr. Jay,

Said report was recommitted to the same committee ; and,

On his motion,

Mr. Selman was excused from serving on said committee, and Mr. Benton was appointed in his stead.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to his Excellency, for his approval,

An act to provide for the election of electors of President and Vice President of the United States ;

An act creating a board of public works and providing for the improvement of the Des Moines river ;



An act in relation to the Salt Springs granted to this State ; and,  
 Joint resolution concerning the taking effect of all acts public and private.

And as correctly enrolled,

An act to provide for the management and disposition of the school fund ; and,

An act relative to the Penitentiary.

Mr. Crawford, from the Committee on Ways and Means, to whom was referred

H. R. file, No. 113 : A bill making appropriations for the fiscal years of 1847 and 1848,

Reported the same back and recommend its passage.

Said report was concurred in ; and,

On motion,

The thirteenth rule was suspended, said bill was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Whitaker offered the following :

Resolved, That a vote of thanks be given to the Honorable Thomas Baker, for the able and impartial manner in which he has discharged the duties of President of the Senate during the present session.

And on its adoption,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Benton, Bissell, Bradley, Brown, Browning, Crawford, Davis, Fullinwider, Harbour, Hughes, Jay, Sanford, Selman, Springer, Sprott, Wheeler and Whitaker—17.

NAYS—None.

So said resolution was unanimously adopted.

H. R. file, No. 142 : An act to provide for compensation of members and officers and printers of the General Assembly,

Was read a first and second time, and,

On motion,

Referred to the Committee on Claims.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have disagreed to the amendments of the Senate to

H. R. file, No. 111 : An act defining the time of holding elections for State, district and county officers ;

And have appointed Messrs. Morton, Cochran and Rathbun, a committee of conference, to act with a similar committee to be appointed on the part of the Senate relative to the disagreeing vote of the two Houses upon the same.

On motion,

Messrs. Benton, Bissell and Browning, were appointed a committee on the part of the Senate.

On motion,

The Senate adjourned until 8 o'clock to-morrow morning.

THURSDAY MORNING, FEBRUARY 25, 1847.

Senate met pursuant to adjournment.

On motion of Mr. Browning,

Mr. Bradley was appointed President pro tempore.

Message from the House of Representatives, by Mr. Hudson, their chief clerk:

*Mr. President—*

I herewith present, for your signature,

An act to lay out and establish a State road from the county seat of Benton county, to Quasqueton, in Buchanan county;

The same having been signed by the Speaker of the House.

On motion of Mr. Browning,

Resolved, by the General Assembly of the State of Iowa, That the Treasurer of State is hereby authorized to allow the Senate Chamber to be used for the purpose of divine worship, during the recess of the General Assembly.

Message from the House of Representatives, by Mr. Porter, assistant clerk:

*Mr. President—*

I herewith present for your signature,

An act for the relief of the poor;

An act to locate and establish a State University;

An act to discontinue a certain territorial or State road in the county of Jones ;

An act to provide compensation to an agent to select land for the use and support of a University ;

The same having been signed by the Speaker of the House.

The House have passed

H. R. file, No. 34 : Joint resolution to provide for the distribution of the laws of the General Assembly ; and,

H. R. file, No. 36 : Joint resolution appointing a Superintendent of the Penitentiary ;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 101 : An act to provide for a term of the Supreme court, and to change the time of holding the same.

Mr. Crawford, from the Committee on Claims, to whom was referred

H. R. file, No. 142 : A bill providing compensation to the members, officers, and printers for the General Assembly at the present session, Reported the same back as amended, and,

On motion,

Said report was concurred in.

On motion,

The thirteenth rule was suspended, said bill was read a third time and passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

The House have passed

H. R. file, No. 35 : Joint resolution in relation to finishing the State House in Iowa city ;

Also, with amendment,

Senate file, No. 111 : An act making appropriation for the public buildings at Iowa City ;

In which the concurrence of the Senate is requested.

Also, without amendment,

Senate file, No. 110 : A bill to authorize the Auditor to audit certain certificates of indebtedness on account of expenses connected with the penitentiary ;

Senate file, No. 112 : Joint resolution providing for a set of seals for Dallas county ;

Senate file, No. 108: Joint resolution in relation to the publication of acts; and

Substitute for H. R. file, No. 2: Joint resolution authorizing the Secretary of State to procure a State seal.

The House have agreed to Senate amendment to

H. R. file, No. 128: An act to lay out and establish a State road from the county seat of Benton county, to Quasqueton, in Buchanan county.

The House have passed the following resolution reported from the Senate:

“Resolved, (the House concurring,) That the Secretary of State is hereby authorized to take into his care, for safe keeping, all the remaining stationery now belonging to the State, and distribute the same, as necessity may require, to the Auditor and Secretary of State.”

Also, that the House have agreed to Senate amendment to House resolution relative to the auditing and allowing claims for printing the laws authorized by the General Assembly.

H. R. file, No. 35: Joint resolution in relation to finishing the Capitol,

Was read a first and second time, and,

On motion,

The thirteenth rule was suspended, and said resolution read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

I am directed to inform the Senate that the House have reconsidered the vote had yesterday, as reported to the Senate, rejecting

Senate file, No. 66: A bill supplemental and amendatory to an act to establish common schools,

And have passed the same without amendment.

Senate file, No. 111: An act making an appropriation for the public buildings at Iowa City;

Coming up as amended by the House,

On motion of Mr. Hughes,

Said amendments were concurred in.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President—*

I am directed to inform the Senate that the House have appointed

Messrs. Hardy, Leffingwell and Cochran, a committee of conference on the part of the House, to act with a similar committee to be appointed by the Senate, on the disagreeing vote of the two Houses, on

H. R. file, No. 45 : An act amendatory of an act entitled "An act concerning costs and fees," approved February 11th, 1843.

Messrs. Bissell, Wheeler and Crawford, were appointed said committee of conference.

Mr. Bissell, from said committee reported that they had agreed to recommend that the House recede from their disagreement.

Said report was concurred in.

Message from the House of Representatives, by Mr. Hudson, chief clerk :

*Mr. President—*

I herewith return you

An act in relation to the Penitentiary ;

An act relative to the probate of wills, executors and administrators, &c., approved February 13th, 1843 ; and

An act to provide for the management and disposition of the school fund ;

The same having been signed by the Speaker of the House.

H. R. file, No. 36 : Joint resolution appointing a Superintendent of the Penitentiary,

Was read a first and second time.

Mr. Whitaker moved to lay said resolution on the table.

And on this question,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Bissell, Bradley, Brown, Crawford, Davis, Hughes, Selman and Whitaker—8.

NAYS—Messrs. Browning, Fullinwider, Jay, Springer, Sprott and Wheeler—6.

So said resolution was laid on the table.

H. R. file, No. 34 : Joint resolution to provide for the distribution of the laws of the General Assembly,

Was read a first and second time, and,

On motion of Mr. Selman,

Laid on the table.

Mr. Davis had leave and introduced

Senate file, No. 109 : Joint resolution in relation to auditor's warrants ;

Which was read a first and second time, and,

On motion,

The thirteenth rule was suspended, said resolution was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

Mr. Bissell, on leave, introduced

Senate file, No. 116: Joint resolution authorizing the Secretary of State to effect a loan to pay postage;

Which was read a first and second time, and,

On motion of Mr. Browning,

The thirteenth rule was suspended, said resolution was read a third time, passed, and title agreed to.

Ordered, That the Secretary notify the House accordingly.

H. R. file, No. 122: A bill to stay certain proceedings at law,

Was read a first and second time, and,

On motion of Mr. Selman,

Referred to the Committee on Claims, with power to send for persons and papers.

Mr. Jay, from the committee to whom was referred

H. R. file, No. 140: An act to provide for the printing of the laws of the present session of the General Assembly,

Reported the same back, with an amendment.

Mr. Selman moved to lay said report on the table; and, on this question,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Hughes, Selman, Whitaker and Mr. President—9.

NAYS—Messrs. Brown, Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—10.

So said report was not laid on the table; and, on the question of the adoption of said report,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Brown, Browning, Fullinwider, Huner, Jay, Sanford, Springer, Sprott and Wheeler—9.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Hughes and Selman—7.

So said report was concurred in.

Mr. Browning moved to suspend the thirteenth rule of the Senate and read said bill a third time now; and, on this question,

The yeas and nays being demanded, were ordered, and were as follow :

YEAS—Messrs. Browning, Fullinwider, Harbour, Huner, Jay, Sanford, Springer, Sprott and Wheeler—9.

NAYS—Messrs. Benton, Bissell, Bradley, Crawford, Davis, Hughes, Selman and Mr. President—8.

So said thirteenth rule was not suspended.

Mr. Sanford, from the Joint Committee on Enrolled Bills, reported that they had presented to the Governor, for his approval,

An act to amend an act in relation to the probate of wills, &c.;

An act relative to the penitentiary ;

An act to provide for the management and disposition of the school fund.

Message from the House of Representatives, by Mr. Borter, assistant clerk :

*Mr. President—*

The House have passed

H. R. file, No. 122 : An act to stay certain proceedings at law ;

Senate file, No. 115 : Joint resolution for superintending the printing of the laws.

On motion,

The Senate adjourned until 2 o'clock, P. M.

---

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Bradley, assistant clerk :

*Mr. President—*

The House have agreed to the Senate amendment made to

H. R. file, No. 140 : An act to provide for the compensation of mem-

bers, officers and painters of the General Assembly, and for other purposes,

Except section nine and twenty, which they have amended.

I herewith present, for your signature,

H. R. file, Np. 113: An act making appropriations for the support of the State Government, for the fiscal years of 1847 and 1848;

Joint resolution in relation to finishing the State House, in Iowa City;

H. R. file, No. 88: A bill to provide for levying and collecting revenue for State and county purposes;

The same having been signed by the Speaker of the House.

I herewith return you

An act making an appropriation for the public buildings at Iowa City;

The same having been signed by the Speaker of the House.

Joint resolution for superintending the printing and distributing the laws;

The same having been signed by the Speaker of the House.

H. R. file, No. 142: An act to provide for the compensation of members, officers and printers of the General Assembly, and for other purposes,

Coming up as amended by the House,

On motion,

The Senate concurred in said amendment.

Message from the House of Representatives, by Mr. Hudson, chief clerk:

*Mr. President--*

I herewith return you

An act requiring the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of said county;

An act to authorize the Auditor to audit certain certificates of indebtedness on account of expenses connected with the Penitentiary;

An act to provide for a term of the Supreme court, and to change the time of holding the same;

An act authorizing the Secretary of State to procure a State Seal;

Joint resolution in relation to the publication of acts;

The same having been signed by the Speaker of the House.

I herewith present for your signature

An act to provide for the compensation of members, officers and printers of the General Assembly, and for other purposes,



The same being signed by the Speaker of the House.

Mr. Benton, from the committee of conference on the part of the Senate to

H. R. file, No. 111: A bill defining the time of holding elections for State, district, and county officers,

Reported that the committee have agreed to adopt a substitute for the fifth section of said bill.

Said report was concurred in.

On motion of Mr. Bradley,

A committee of two was appointed to wait on the House and inform them that the Senate is now ready to adjourn *sine die*.

Messrs. Bradley and Browning, were appointed said committee.

Mr. Bradley, from said committee, reported that they had discharged the duty assigned them.

On motion of Mr. Springer,

H. R. file, No. 36: Joint resolution appointing a Superintendent of the Penitentiary,

Was taken from the table.

Mr. Whitaker moved to indefinitely postpone said resolution.

And on this question,

The yeas and nays being demanded, were ordered, and were as follow:

YEAS—Messrs. Benton, Bissell, Brown, Crawford, Davis, Hughes and Whitaker—7.

NAYS—Messrs. Browning, Fullinwider, Huner, Springer, Sprott and Wheeler—6.

So said resolution was indefinitely postponed.

Messrs. Olmstead and Hebbard, a committee on the part of the House, waited on the Senate and informed them that the House was now ready to adjourn *sine die*.

Mr. Sanford, from the Committee on Enrolled Bills, reported as correctly enrolled,

Senate file, No. 66: An act supplemental and amendatory to an act to establish common schools, approved January 16, 1840.

Also, that they had presented to the Governor, for his approval,

Joint resolution for superintending the printing and distribution of the laws;

An act making an appropriation for the Public Buildings at Iowa City;

An act to provide for a term of the Supreme court and to change the time of holding the same;

An act requiring the county commissioners of the county of Des Moines to purchase land upon which to locate a farm for the use of the poor of said county;

An act to authorize the Auditor to audit certain certificates;

An act authorizing the Secretary of State to procure a State Seal;

Joint resolution in relation the publication of acts;

An act supplemental and amendatory to an act to establish common schools, approved January 16, 1840.

On motion,

Mr. Bradley was appointed a committee to act with a like committee on the part of the House, to inform the Governor that the General Assembly is now read to adjourn, *sine die*.

Mr. Bradley, from said joint committee, reported that they had waited upon his Excellency, and were informed by him that he had no further communication to make to this General Assembly.

Mr. Hughes moved that the Senate adjourn without day: upon which, the President delivered the following

#### A D D R E S S :

*Senators*:—I take pleasure in returning to you my grateful thanks for the kind reception with which my humble efforts to discharge the duties of this chair have met at your hands, and, permit me to say, that I do so with no ordinary feelings of emotion.

When I look around me, and reflect that we are about to separate—perhaps never to meet again—and that our daily intercourse with each other is at an end, it brings to my mind feelings of sadness.

Our session has come to a close—our work is ended—and we are prepared to part in peace and kindness.

Gentlemen, permit me to congratulate you in your prospect of a speedy return to your families, friends and constituents—which will doubtless be a great pleasure to yourselves and satisfaction to your friends.

In conclusion, you will permit me to say, that at this time I am unable

to employ language to express my gratitude to you all for the respect and indulgence you have manifested toward the chair; and that you will always be recollected by me with the strongest feelings of friendship.

The question was then put—Shall the Senate now adjourn *sine die*?

It was decided in the affirmativ; and the Senate adjourned WITHOUT DAY.



# APPENDIX.

---

(A.)

GENERAL LAND OFFICE, }  
WASHINGTON CITY, October 17th, 1846. }

*Sir*:—By the first section of the act of Congress, approved 8th of August, 1846, entitled “An act granting certain lands to the territory of Iowa to aid in the improvement of the navigation of the Des Moines river, in said territory,” it is enacted: “That there be, and hereby is, granted to the territory of Iowa, for the purpose of aiding said territory to improve the navigation of the Des Moines river, from its mouth to the Raccoon Fork, (so called) in said territory, one equal moiety, in alternate sections, of the public lands, (remaining unsold and not otherwise disposed of, encumbered or appropriated,) in a strip five miles in width, on each side of said river—to be selected within said territory by an agent or agents to be appointed by the Governor thereof, subject to the approval of the Secretary of the Treasury of the United States.”

Under this grant the territory is entitled to the vacant lands in the alternate sections within five miles on each side of the Des Moines river, from Sullivan’s line—the northern boundary of Missouri—to the Raccoon Fork of the Des Moines river. The act authorizes the selections to be made by an agent or agents appointed by you, but, as the grant is limited to an equal moiety of the unsold and unappropriated lands. &c., to be taken in alternate sections, the only selection which appears to be required, or which can be made under the law, is for you to determine whether you will take the lands in the section having even numbers, as 2, 4, 6, &c., or those that have odd numbers, as 1, 3, 5,

&c. The odd numbers would probably be most advantageous to the territory—as, in selecting the even numbers, you would be deprived of the 16th section in each township, which, as you are aware, is reserved for schools.

Inclosed I send you a diagram of this grant—the boundary being colored pink—the alternate sections blue, and the school lands brown. I also inclose you a list showing the areas of all the sections or parts of sections within this grant—those having odd numbers in one column, and those even numbers in another. When you have determined the sections you will select, please advise the land officers at Fairfield and Iowa City, who have been instructed to withhold from sale or entry of any kind all the vacant and unappropriated land in the sections you may select. Please also advise this office,—return the list and diagram,—and a list of the vacant lands in the sections selected will be immediately prepared,—submitted to the Secretary of the Treasury for his approval, as required by the law, and, when approved, will be certified to you.

With great respect, your ob't serv't,

JAMES H. PIPER.

Acting Commissioner.

His Excellency,

JAMES CLARKE,

Governor of Iowa, Iowa City.

(B)

TREASURER'S REPORT.

TREASURER'S OFFICE, IOWA, }  
IOWA CITY, Nov. 16, 1846. }

His Excellency, James Clarke,

Governor of Iowa Territory:

SIR—In compliance with law, I herewith submit to you a synopsis of

the receipts and disbursements of this office since my last report of the 10th December, 1845:

1845.	Amount in the Treasury, Dec. 10, 1845,	\$33 50
1846.	Amount received since 10th Dec., 1845, and up to the 16th, Nov. 1846, from counties,	3,716 23
	Total amount of receipts,	\$3,749 73
	Disbursements from 10th Dec. 1845, to 16th Nov., 1846,	\$3,765 09
	Excess of disbursements,	\$15 36

The following is a statement of the receipts and expenditures of this office, as connected with the public buildings at the seat of government, viz:

*M. Reno, as Treasurer, Dr.*

1845	To notes and judgments vs. Massey, received of A. Hart, late Territorial Agent—(Notes for work, &c.)	\$2,223 49
"	To receipts of sale of lots, July, 1845,	280 50
"	To " " " August, 1845,	125 00
1846	To " " " May, 1846,	3,084 75
	Total amount of receipts,	\$5,713 74
<i>Contra, Cr.</i>		
1845	By credits endorsed on notes received from Hart, and not deducted when received,	\$28 63
1846	By scrip redeemed,	167 51
	By payments, as per vouchers on file in this office,	2,756 15
	By notes received of Hart, yet in this office,	1,467 94
	By notes received for lots in May last, yet on hand,	1,094 99
	Total am't of payments and notes on hand,	\$5,515 22
	Total amount of receipts,	5,713 74
	Excess of receipts up to Nov. 15, 1846,	\$198 52

The present debt of the Capitol is, as near as I can ascertain, \$8,500 00

1846	The only available means are the notes taken in May last, and the balance of receipts on hand, which amount to only,	1,293 51
	Leaving a balance of,	<u>\$7,206 49</u>

Nothing has been done on the Capitol this season for want of proper materials and funds to procure workmen. The building is in a very unprotected condition, subject to be injured by storms, &c. It is to be hoped that the Legislature may make some provision for its completion; at least to complete it sufficiently to protect it from the weather.

All of which is respectfully submitted, by

Your obedient servant,

M. RENO,

Treasurer.

(C)

### AUDITOR'S REPORT.

AUDITOR'S OFFICE, }  
IOWA CITY, Nov. 16th, 1846. }

To His Excellency, James Clarke,

*Governor of Iowa Territory:*

SIR—In conformity to a law passed by the Legislative Assembly of the Territory of Iowa, at their last session, I herewith submit to you the following report:

Warrants issued since my last annual report, bearing date 22nd December, 1845.

*For pay of Military Officers.*

To O. H. W. Stull, salary as Adj't General,	\$37 66
---	---------

*For expenses of Penitentiary.*

To forty-four warrants, amount in all,	1,324 13
--	----------

*For fees of Sheriffs and Clerks of District Courts.*

To seven warrants, amounting to,	\$247 65
----------------------------------	----------



*For pay of Sheriffs, Clerks, Pros. Attorney, Jailor,  
Witnesses and Guards in the case of the United  
States vs. Wm. Evans et al.*

To twelve warrants, amount in all to,	1,139 89
<i>For contingent Expenses.</i>	
To two warrants,	5 92
<i>For expenses incurred by the Convention of 1844.</i>	
To seventy warrants,	2,987 49
<i>For amount issued on Legislative appropriations.</i>	
To forty-one warrants,	872 00
To Morgan Reno, salary as Treasurer,	300 00
	<hr/> \$6,905 60
To amount outstanding against the Territory, 22d Decem- ber, 1845, as per Auditor's Report,	17,650 60
	<hr/> \$24,556 20
To warrants cancelled, and payments by the Territorial Treasurer,	3,765 09
	<hr/>
Total,	<u><u>\$20,791 11</u></u>

The following statement of the accounts with the several counties in the Territory, will exhibit the probable resources of the Territory, as the means of discharging the amount of liabilities now outstanding against the Territory :

*Treasurer of Muscatine county, Dr.*

To balance due on revenue for 1844,	\$76 71
assessment for this year, 1846,	549 51

*Treasurer of Clinton county, Dr.*

To balance due on revenue for 1844, 1845,	23 59
assessment for this year, 1846,	115 77

*Treasurer of Henry county, Dr.*

To assessment for 1846,	504 78
-------------------------	--------

*Treasurer of Clayton county, Dr.*

To Territorial revenue for 1844,	40 37
“ “ “ 1845,	47 32
“ “ “ 1846,	104 44

*Treasurer of Keokuk county, Dr.*

To balance due on revenue for 1845,	9 45
assessment for this year, 1846,	79 46

*Treasurer of Delaware county, Dr.*

To Territorial revenue for 1844,	10 60
"    "    "    1845,	33 65
assessment for this year, 1846,	53 32

*Treasurer of Lee county, Dr.*

To assessment for this year,	951 34
	<hr/> \$1,700 31

The following counties have not sent up to this office abstracts of their taxable property for the present year, consequently I deem it advisable to charge them in this report with all arrearages, and give what I suppose will be their tax for the present year:

Amount brought forward, \$1,700 31

*Mahaska county, Dr.*

To probable tax for 1846,	60 00
---------------------------	-------

*Treasurer of Davis county, Dr.*

To balance due on revenue for 1844,	5 78
do do do 1845,	26 19
probable revenue for 1846,	90 00

*Treasurer of Scott county, Dr.*

To balance due on revenue for 1845,	13 87
probable tax for this year, 1846,	300 00

*Treasurer of Jones county, Dr.*

To probable tax for this year,	65 00
--------------------------------	-------

*Treasurer of Jefferson county, Dr.*

To balance due on revenue for 1845,	10 00
probable tax for this year, 1846,	350 00

*Treasurer of Des Moines county, Dr.*

To balance due on revenue for 1844,	231 29
do do do 1845,	226 34
probable tax for this year, 1846,	1,100 00

*Treasurer of Washington county, Dr.*

To probable tax for this year,	250 00
--------------------------------	--------

*Treasurer of Linn county, Dr.*

To balance due on revenue for 1844-5,	\$94 07
probable tax for this year,	350 00

*Treasurer of Jackson county, Dr.*

To balance due on revenue for 1844-5,	17 84
probable tax for this year,	160 00

*Treasurer of Louisa county, Dr.*

To balance due for revenue for 1844-5,	94 00
probable tax for 1846,	300 00

*Treasurer of Cedar county, Dr.*

To probable tax for 1846,	180 00
---------------------------	--------

*Treasurer of Wapello county, Dr.*

To probable tax for this year,	65 00
--------------------------------	-------

*Treasurer of Johnson county, Dr.*

To probable tax for this year,	365 00
--------------------------------	--------

*Treasurer of Dubuque county, Dr.*

To balance due on revenue up to 1844,	122 66
probable tax for 1844,	100 00
“ “ 1845,	125 00
“ “ 1846,	185 00

*Treasurer of Van Buren county, Dr.*

To probable tax for 1845,	650 00
“ “ 1846,	900 00

*Treasurer of Kishkekosh county, Dr.*

To revenue for 1845,	6 51
“ “ 1846,	25 00

---

\$8,167 50

## RECAPITULATION.

Total amount of liabilities,	\$20,781 25
Total amount of resources,	8,167 50
Excess of liabilities above resources,	<u>\$12,623 75</u>

All of which is most respectfully submitted,

ROBT M. SECREST,

Auditor Public Accounts.

(D)

## AUDITOR'S REPORT.

AUDITOR'S OFFICE, }  
 IOWA CITY, December 10th, 1846. }

TO THE HON. THOMAS BAKER,  
*President of the Senate:*

SIR:—I have the honor to reply to the resolution of the Senate of the 5th inst., that "the amount of territorial tax assessed, with the amount paid in by the several counties in the State, for the last three fiscal years, together with an abstract of all audited liabilities of the State," are as follows:

Muscatine county assessment, in 1844,	\$269 18
Do. " " 1845,	362 79
Do. " " 1846,	549 51
	<hr/>
	\$1,181 48
<i>Cr.</i> By treasurer's receipts and collector's com- mission, - - - - -	\$555 06
Due, - - - - -	<hr/>
	\$626 42
Clinton county assessment, in 1844,	\$46 43
Do. " " 1845,	58 16
Do. " " 1846,	115 77
	<hr/>
	\$220 36
<i>Cr.</i> By treasurer's receipts, &c.,	\$100 00
Due, - - - - -	<hr/>
	\$120 36
Henry county assessment, in 1844,	\$330 69
Do. " " 1845,	313 84
Do. " " 1846,	501 78
	<hr/>
	\$1,149 31
<i>Cr.</i> By treasurer's receipts, collector's commis- sions and delinquent lists,	\$666 65
Due, - - - - -	<hr/>
	\$482 66

Mahaska county assessment, in 1844,		\$22 33
Do. " " 1845,		33 10
Do. " probable " 1846,		60 00
		<hr/>
		\$115 43
Cr. By treasurers receipts, collector's commis-		
sions and delinquent list,	\$57 13	
Due, - - - - -	- - - - -	<hr/>
		\$58 30
Davis county assessment, in 1844,		\$29 17
Do. " " 1845,		58 49
Do. " " 1846,		90 00
		<hr/>
		\$177 66
Cr. By treasurer's receipts, &c.,	\$61 47	
Due, - - - - -	- - - - -	<hr/>
		\$116 19
Clayton county assessment, in 1844,		\$40 37
Do. " " 1845,		47 32
Do. " " 1846,		104 44
		<hr/>
		\$192 13
Cr. None.		
Due, - - - - -	- - - - -	<hr/>
		\$192 13
Scott county assessment, in 1844,		\$199 33
Do. " " 1845,		200 69
Do. " " 1846,		304 83
		<hr/>
		\$704 85
Cr. By treasurer's receipts, &c.,	\$386 15	
Due, - - - - -	- - - - -	<hr/>
		\$318 70
Jones county assessment, in 1844,		\$31 27
Do. " " 1845,		39 81
Do. " " 1846,		65 00
		<hr/>
		\$136 08
Cr. By treasurer's receipts, &c.,	\$74 89	
Due, - - - - -	- - - - -	<hr/>
		\$61 19
Jefferson county assessment, in 1844,		\$226 31
Do. " " 1845,		240 56

Jefferson county assessment in 1846,		\$350 00
		<hr/>
Cr. By treasurer's receipts, &c.,	\$466 87	\$816 87
Due, - - - - -	- - - - -	<hr/>
		\$350 00
		<hr/>
Washington county assessment, in 1844,		\$130 70
Do. " " 1845,		167 44
Do. " " 1846,		255 41
		<hr/>
		\$553 55
Cr. By treasurer's receipts, &c.,	\$337 70	
Due, - - - - -	- - - - -	<hr/>
		\$215 85
		<hr/>
Keokuk county assessment, in 1844,		\$18 01
Do. " " 1845,		31 45
Do. " " 1846,		76 46
		<hr/>
		\$128 92
Cr. By treasurer's receipts, &c.,	\$40 01	
Due, - - - - -	- - - - -	<hr/>
		\$88 91
		<hr/>
Des Moines county assessment, in 1844,		\$702 21
Do. " " 1845,		708 09
Do. " probable " 1846,		1,253 92
		<hr/>
		\$2,674 22
Cr. By treasurer's receipts, &c.,	\$962 67	
Due, - - - - -	- - - - -	<hr/>
		\$1,711 55
		<hr/>
Linn county assessment, in 1844,		\$94 06
Do. " " 1845,		227 01
Do. " " 1846,		372 43
		<hr/>
		\$693 50
Cr. By treasurer's receipts, &c.,	\$309 06	
Due, - - - - -	- - - - -	<hr/>
		\$384 44
		<hr/>
Jackson county assessment, in 1844,		\$50 60
Do. " " 1845,		106 32
Do. " " 1846,		215 34
		<hr/>
		\$402 26
Cr. By treasurer's receipts, &c.,	\$210 18	
Due, - - - - -	- - - - -	<hr/>
		\$192 08
		<hr/>

Louisa county assessment, in 1844,		\$198 36
Do. " " 1845,		197 57
Do. " " 1846,		296 61
		<u>\$692 54</u>
Cr. By treasurer's receipts, &c.,	\$301 42	
Due, - - - - -	- - - - -	<u>\$391 12</u>
Delaware county assessment, in 1844,		\$20 01
Do. " " 1845,		33 65
Do. " " 1846,		53 32
		<u>\$106 98</u>
Cr. By treasurer's receipts, &c.,	\$9 40	
Due, - - - - -	- - - - -	<u>\$97 58</u>
Cedar county assessment, in 1844,		\$106 22
Do. " " 1845,		120 77
Do. " probable 1846,		180 00
		<u>\$406 99</u>
Cr. By treasurer's receipts, &c.,	\$263 51	
Due, - - - - -	- - - - -	<u>\$143 48</u>
Wapello county assessment, in 1844,		\$41 68
Do. " " 1845,		43 55
Do. " probable 1846,		65 00
		<u>\$150 23</u>
Cr. By treasurer's receipts, &c.,	\$87 93	
Due, - - - - -	- - - - -	<u>\$62 30</u>
Lee county assessment, in 1844,		\$624 97
Do. " " 1845,		605 45
Do. " " 1846,		951 34
		<u>\$2,181 76</u>
Cr. By treasurer's receipts, &c.,	\$1,318 04	
Due, - - - - -	- - - - -	<u>\$863 72</u>
Johnson county assessment, in 1844,		\$219 35
Do. " " 1845,		243 39

Johnson county (probable) assessment, in 1846,	365 00
	<u>\$827 74</u>
Cr. By treasurer's receipts, &c.,	\$570 25
Due,	<u>\$257 49</u>
Dubuque county (probable) assessment, in 1844,	\$100 00
Do. " " " 1845,	125 00
Do. " " " 1846,	185 00
	<u>\$410 00</u>
Cr. By treasurer's receipts, &c.,	\$294 63
Due,	<u>\$115 37</u>
Van Buren county (probable) assessment, in 1844,	
Do. " " " 1845,	\$650 00
Do. " " " 1846,	900 00
	<u>\$1,550 00</u>
Cr. By treasurer's receipts, &c.,	\$900 77
Due,	<u>\$649 23</u>
Kishkekosh county assessment, in 1845,	\$6 51
Do. " " 1846,	25 00
	<u>\$31 51</u>
Cr. None.	
Due,	<u>\$31 51</u>
Polk county assessment, in 1846,	\$2 65
Cr. None.	
Due,-	<u>\$2 65</u>
Benton county assessment, in 1846,	\$11 09
Cr. None.	
Due,	<u>\$11 09</u>

From the foregoing it will be perceived that, from some of the counties, no returns of the territorial tax assessed have been received; and only the probable amount is stated—which may cause the accounts to vary, when the true returns are made.



## RECAPITULATION.

Amount of territorial tax assessed in the last three years,	\$12,518 12
Paid into the treasury, in the same time,	\$7,973 79
Now due,	\$4,544 33
Total amount of audited liabilities,	\$20,718 25
All of which is respectfully submitted.	

JOS. T. FALES, *Auditor of State.*

(E)

## DOCUMENTS

COMMUNICATED BY THE GOVERNOR IN COMPLIANCE WITH A  
RESOLUTION ADOPTED DECEMBER 7.

IOWA CITY, December 10th, 1846.

TO THE SENATE:

*Gentlemen*—In compliance with a resolution of the Senate of the 7th inst., requesting to be furnished with such information as may be in the possession of the Executive, in relation to the southern boundary of this State, I herewith transmit a communication from his Excellency James Clarke, accompanied by communications from David Rorer, Esq. on that subject. As this is a subject of great importance, and as the establishment of the true boundary line between the two States of Iowa and Missouri depends, in a great measure, upon the evidence of individuals, who may either die or not be found when wanted, it is very desirable that a law be enacted, as speedily as possible, by which an agreed case may be made with Missouri for the adjustment of the whole matter by the Supreme Court of the United States. I therefore recommend your early action upon this subject.

ANSEL BRIGGS.

IOWA CITY, December 10th, 1846.

SIR—In reply to your note of yesterday, communicating a resolution of the Senate calling upon you for information concerning the southern boundary of the State, &c., I have the honor to state that in April last, under authority conferred upon me as Executive of the Territory, by law, I employed David Rorer, Esq., of Burlington, to attend to the defence of Samuel Riggs, sheriff of Davis county, who had been arrested by the authorities of Missouri for attempting to exercise (as was alleged) the duties of his office within the limits of that State. Mr. Rorer was also, at the time of his appointment, empowered to settle the preliminaries of an agreed case, by which the question in dispute between Iowa and Missouri might be submitted to the Supreme Court of the United States for decision. From the correspondence inclosed it will be seen that by mutual consent of parties, the case of Riggs was continued from the April to the September term of the Schuyler county court; and I learn verbally from the counsel of Mr. R. that a further continuance has been agreed upon.

Upon receiving a notification from the Governor of Missouri that counsel had been employed by that State to confer and correspond with the authorities of Iowa in relation to an amicable adjustment of the boundary question, I authorized Mr. Rorer to conduct the proposed correspondence on the part of the Territory, and advised the Governor of Missouri of such appointment. This was before the ratification of the constitution, and in anticipation of the passage of an act of Congress conferring free power and authority upon the Supreme Court to adjudicate the question. The subsequent adoption of the constitution presented the subject in an entire new light before my view, and I accordingly instructed Mr. Rorer to inform the counsel on the part of Missouri that as a Territory Iowa would take no further steps in the premises. No decisive steps having as yet been taken in the matter, it will remain for the State to adopt such a course as may be deemed most judicious and proper.

Very respectfully,

Your obedient servant,

JAMES CLARKE

His Excellency,

ANSEL BRIGGS,

Governor of the State.

BURLINGTON, May 18th, 1846.

To His Excellency, JAMES CLARKE,

*Governor of the State of Iowa :*

SIR—In accordance with your Excellency's instructions, I proceeded to Lancaster, the seat of justice of Schuyler county, Missouri, to the circuit court which commenced there on the 9th ult., to attend to the defence of Samuel Riggs, the sheriff of Davis county, Iowa.

The prosecution there pending against him, was for an alledged taking upon himself and exercising the office of sheriff within said county of Schuyler, without legal authority.

On the second day of the term, a bill of indictment was found against Mr. Riggs. He immediately appeared in answer thereto, and in discharge of his recognizance.

On the part of the State of Missouri, James A. Green, Esq. appeared for the prosecution—also the local prosecuting attorney. By agreement with Mr. Green, the cause was continued until the next term of said court, to be holden on the 10th day of September next, and the defendant was discharged upon his individual recognizance.

This arrangement was made from a desire to defer judicial action on the subject, until the adjustment of the disputed boundary question can be effected; and in conformity, on my part, to your Excellency's instructions in that respect.

About the time of my departure for Schuyler county, I received from Carty Wells, Esq., one of the attorneys on the part of the State of Missouri, for settling the preliminaries of an agreed case in the Supreme Court of the United States, to adjust the disputed boundary between Missouri and Iowa, a written communication, of which the accompanying document marked No. 1, is a copy, and which I, at that time, had the honor of submitting to your Excellency's consideration.

In accordance with your Excellency's instructions, an answer thereto has been returned, a copy of which is herewith submitted, and is marked No. 2. Since then there has been no further correspondence on the subject.

With great respect, I have the honor to be,

Your Excellency's obd't servant,

DAVID RORER.

(COPY—No. 1.)

PALMYRA, (Mo.) March 28th, 1846.

DAVID RORER, Esq.:

Sir:—I have lately received a letter from Faulkland H. Martin, Secretary of State of Missouri, of which the following is (substantially) a copy:

"I am directed by his Excellency, Governor Edwards, to inform you that, in a recent official communication from his Excellency, James Clarke, Governor of the territory of Iowa, to the Executive of this State, that David Rorer, of Burlington, Iowa, has been appointed by the Governor of that territory, and is 'authorized to confer and correspond' with you, 'with the view of settling the preliminaries of an agreed case' between the State of Missouri and the territory of Iowa, touching the disputed boundary.

"A note similar to this will this day be forwarded to James S. Green, Esq., of Lewis county, your colleague in this case."

This letter bears date the 24th of February last, and reached me during the session of our court at this place. Since its receipt I have seen Mr. Green, but have been unable to address you until now.

The object of this communication is to request you to correspond with Mr. G. or myself, or both, on the subject above indicated; or, if you shall deem it preferable, that we agree upon some suitable time and place to meet for the purpose of settling upon the preliminaries of a suit or suits.

That the question of our disputed boundary should receive an early and amicable adjustment is doubtless desired by all; but to agree upon a case that will be within the jurisdiction of the proper tribunals, and that will enable each party fairly and satisfactorily to present its claims, seems to me to be a matter of no little difficulty. How this can best be effected, is matter for our future investigation and consultation.

I can now only assure you that, on the part of myself and colleague, nothing shall be wanting in the way of concession, compatible with our duty, to secure an early and equitable action on the subject. Whether there shall be one suit, or more—whether in Iowa or Missouri; or whether we occupy the position of plaintiffs or defendants, will be immaterial with us, so that we are enabled to present ultimately to the Supreme Court of the United States the claim of our State.

Will you be so good as to give this an early answer? Write at any

time, either to me, at this place, or to Mr. Green, at Monticello, Lewis county, Mo. I shall be occasionally absent for the next few weeks on professional business, but will respond to yours forthwith on my return. To me it seems that a personal interview would greatly facilitate our business;—this I merely suggest.

I am, sir, with respect,

Your obedient servant,

[Signed]

CARTY WELLS.

(COPY—No. 2.)

BURLINGTON, (IOWA) April 24th, 1846.

CARTY WELLS, ESQ. :

*Sir*:—Your letter, of the 18th ultimo, in relation to the settling of an agreed case between the State of Missouri and the territory of Iowa, touching the disputed boundary, came to hand on the eve of my departure to Schuyler county, in your State, to attend to the defence of the sheriff of Davis county, Iowa, in the prosecution against him growing out of said disputed boundary. Hence the delay that has intervened in giving you an answer.

At Lancaster I had the pleasure of meeting your colleague, Mr. James A. Green, and I communicated verbally to him the views which are now expressed to you.

I feel an equal desire with yourself for an "early and amicable adjustment" of the disputed boundary; and concur in your opinion that, "to agree upon a case that will be within the jurisdiction of the proper tribunal, and that will enable each party fairly and satisfactorily to present its claims," is "a matter of no little difficulty"—but I do not conceive the obstacles to be insurmountable; and it affords me much pleasure to assure you that, on the part of Iowa, I shall be ready to reciprocate the spirit of concession expressed in your letter—"with the view to secure an early action on the subject"—so far as can be done compatible with duty and the interests which I represent.

I likewise concur with you in the belief that our labors would be much facilitated by a meeting at some suitable place; and therefore prefer a meeting to an effort to arrange the matter by correspondence.

I am instructed by his Excellency, Governor Clarke, to say, that if

view of the bill now pending before Congress, authorizing a judicial issue of this matter, it is deemed desirable to defer any further steps until the fate of that bill is known—which will doubtless be in a short time. This course suggests itself as preferable because, by the passage of such a bill, much of the difficulty of getting up a suit may be obviated.

In the meantime I shall avail myself of the earliest intelligence on the subject to renew the discussion, and will then mention, for your consideration a place of meeting—perhaps Quincy or Hannibal.

I have the honor to be, sir,

With great respect, your ob't serv't,

[Signed]

DAVID RORER.

**R U L E S**  
OF  
**T H E S E N A T E ,**  
OF THE STATE OF IOWA.

ADOPTED AT ITS FIRST SESSION, COMMENCED ON THE 30TH NOVEMBER, 1846.

---

**ORDER OF DAILY BUSINESS.**

After the Journal is read the following order shall govern :

- 1st—Petitions or memorials to be offered.
  - 2d—Resolutions.
  - 3rd—Reports of Committees.
  - 4th—Communications on the President's table.
  - 5th—Reports in possession of the Senate, which offer grounds for a bill.
  - 6th—Bills or other matters before the Senate and unfinished the preceding day.
  - 7th—The above business being dispatched, the general file of bills and other papers will be then taken up, agreeably to their introduction into the Senate.
- 

**STANDING RULES.**

1. The Senate shall choose by viva voce, one of their own number to occupy the Chair. He shall be styled President, and shall hold his office during the session of the Senate at which he was elected. He shall take the Chair at the hour to which the Senate is adjourned, and

call the members to order ; and, if a quorum be present, he shall direct the Journal of the preceding day to be read, and mistakes, if any, corrected. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate. In committee of the whole, he shall call some member to the chair ; he shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. He shall, unless otherwise directed by the Senate, appoint all committees. He shall vote on a call of the yeas and nays. In the absence of the President, the Senate may appoint a President *pro tem.*, to occupy the chair during such absence.

2. Any member may have a call of the Senate, and absent members sent for. If, upon such call, absent members cannot be found in a reasonable time, then such call shall be suspended on motion of any member of the Senate.

3. All questions (except on motion) shall be put in this form :— “ You who are of opinion (as the case may be) say aye ; those of a contrary opinion, say no ; ” and, in all cases, any member may call for a division, and any two members for the yeas and nays, which shall be recorded by the Secretary.

4. When a motion has been made and seconded, it shall be stated by the member making the same, or read by the Secretary previous to debate. If any member shall make a motion (except to adjourn, postpone, or commit,) he shall reduce the same to writing upon the request of the President or any member of the Senate. Any motion may be withdrawn by consent of the Senate before final decision on the same.

5. Every member present, when a question is put, shall vote, unless he shall, for special cause, be excused by vote of the Senate.

6. A motion to adjourn shall always be in order, and be decided without debate.

7. When a member is about to speak, he shall rise in his place and address himself to the President ; the President shall address the member entitled to the floor by name ; and when a member is speaking, no person shall pass between him and the President's chair, nor shall he be interrupted when speaking, except by a call to order by the President, or by a member through the President. No member shall speak more than twice on any question without leave of the Senate.

8. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to amend, or to take the previous question ; which several motions shall have precedence in the order they stand arranged.



9. The previous question shall be put in these words: "Shall the main question be now put?" and it shall be admitted on the demand of four members rising in their places for that purpose, and until decided, shall preclude all amendments under debate of the main question.

10. Any member may call for a division of the question, when the same will admit thereof.

11. No committee shall absent themselves from the Senate Chamber by reason of their appointment, during the sitting of the Senate, without special leave.

12. Every bill shall be introduced on the report of a committee, or by motion for leave, on giving at least one day's previous notice.

13. Every bill shall receive three several readings previous to its passage, but no bill shall have its second and third readings on the same day, without a suspension of this rule.

14. The first reading of a bill shall be for information, and if objections be made to it, the question shall be "shall the bill be rejected?" If no objections be made, or the question to reject be lost, the bill shall go to its second reading without further question.

15. Upon the second reading of a bill or resolution, the President shall state it as ready for commitment or engrossment; and if committed, then the question shall be whether to a select or standing committee, or a committee of the whole. If to a committee of the whole, the Senate shall determine on what day. But if the bill be ordered to be engrossed, the Senate shall appoint the day when it shall be read the third time. No bill or resolution that requires three readings shall be committed or amended until it shall have been twice read.

16. When a question is lost on engrossing a bill for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day. On the third reading of a bill or resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present.

17. When a bill or resolution is engrossed, the President shall, at the time previously appointed by the Senate, announce the same as ready for a third reading, without a question.

18. A bill or resolution may be committed at any time previous to its passage; if any amendment be reported upon commitment, by any other than a committee of the whole, the bill or resolution may be again read a second time and considered as in committee of the whole, and if considered in committee of the whole, the question for its engrossment and third reading shall again be put.

19. In filling blanks, the largest sum and longest time shall be first put.

20. When the Senate is equally divided on a question, the same shall be lost.

21. When a motion or question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.

22. All acts, addresses and resolutions shall be signed by the President, and all writs, warrants and subpoenas issued by order of the Senate, shall be under his hand and seal, attested by the Secretary.

23. Petitions, Memorials, and other papers, addressed to the Senate, shall be presented by any member in his place; a brief statement of the contents thereof, shall be made verbally by the member introducing the same, and shall not be debated or decided on the day of their being first read, unless the Senate shall direct otherwise, but shall lie on the table (to be taken up in the order they were read) or be referred, on motion, to a committee.

24. Before a bill shall have passed the Senate, it shall be the duty of the Secretary to have the same engrossed, after which it shall be examined by a standing committee for that purpose, who shall carefully compare the original with the engrossed bill, and, correcting any errors that may be discovered in the engrossed bill, shall make their report forthwith to the Senate.

25. A Secretary and Assisting Secretary shall be appointed, to hold their places during the pleasure of the Senate; they shall take an oath for the true and faithful discharge of their duties in their respective offices. The Secretary shall keep a correct journal of the daily proceedings, and perform such other duties as shall appertain to his office. He shall let no journal, records, accounts or papers be taken from the table or out of his custody, other than by the regular mode of business of the Senate; and if any papers in his charge shall be missing, he shall make report to the President.

26. A Sergeant-at-Arms, Messenger and Fireman shall be appointed, to hold their offices during the pleasure of the Senate. It shall be their duty to attend the Senate during its sittings, and to execute the commands of the President and Senate; they shall take an oath truly and faithfully to discharge their respective duties in office.

27. When a message shall be sent from the Governor to the Senate, it shall be communicated to the chair by the person by whom it is sent.

28. No person shall be elected to any office created by these rules, unless he shall receive a majority of the whole number of votes given.

29. When nominations shall be made in writing by the Governor, a future day shall be assigned, unless the Senate unanimously direct otherwise, for taking them into consideration.

30. It shall be the duty of members and officers, when in secret session, to keep all information or remarks touching or concerning the character or qualifications of any person nominated by the Governor to office, inviolably secret; also the proceedings and business of the Senate when in secret Executive session.

31. Before acting on confidential or Executive business, requiring secrecy, the Senate shall be cleared, by direction of the President, of all persons except the Secretary and Sergeant-at-Arms.

32. The proceedings of the Senate, when they shall act in their Executive capacity, shall be kept in separate and distinct books; and no part of the Executive journal shall be published but by special order.

33. The President is authorized and required to administer all oaths prescribed by these rules.

34. Every resolution read by the Secretary, by direction of a member, shall be considered to be before the Senate; and the question to adopt or reject may be immediately put on such motion—or, on motion of a member, the same may be laid on the table.

35. No standing rule or order of the Senate shall be rescinded or suspended, except by a vote of three-fourths of the members present.

36. All bills brought into the Senate by any member or committee, shall be endorsed with the name of the member or committee bringing in the same.

37. When any member shall be called to order, he shall sit down until the President shall determine whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any two members; and, if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President and Senate may be better able to judge of the matter.

38. No member shall vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not present when the question was put.

39. The following officers and persons, present at any time during the sitting of the Senate, shall be entitled to a seat within the bar: The Governor, Secretary, Judges of the Supreme Court, members of

Congress, members of the House of Representatives, members of the State Legislatures, Editors wishing to take down the debates, and such others as the Senate may direct.

40. The rules of parliamentary practice; comprised in Jefferson's Manual, shall govern in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the Senate, and Joint Rules of the Senate and House of Representatives.

---

### JOINT RULES.

1. In every case of an amendment of a bill, agreed to in one House and dissented from in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall at a convenient hour, to be agreed on by their chairman, meet and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the door-keeper, and shall be respectfully communicated to the Chair by the person with whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

4. All messages from one House to the other, shall be sent by the Secretary of the Senate, Clerk of the House, or their respective assistants.

5. After a bill shall have passed both Houses, it shall be duly enrolled by the Secretary or Clerk of the House in which it originated, before it shall be presented to the Governor.

6. When bills are enrolled, they shall be examined by a joint committee of two from the Senate and two from the House of Representatives, appointed as a Standing Committee for that purpose, who shall carefully compare the enrolment with the engrossed bills, as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bills, make their report forthwith to the House in which the bill originated.

7. After examination and report, each bill shall be signed in the

respective Houses; first by the Speaker of the House—then by the President of the Senate.

8. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor for his approbation, it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Secretary of the House in which the same did originate, and shall be entered on the journal of each House; the said committee shall report the day of presentation to the Governor, which shall also be entered on the journal of each House.

9. All orders, resolutions and votes which are to be presented to the Governor for his approbation, shall also, in the same manner, be previously enroled, examined and signed, and shall be presented in the same manner, and by the same committee, as provided in cases of bills.

10. When a bill or resolution which shall have been passed in one House, is rejected in the other, notice thereof is to be given to the House in which the same may have passed.

11. When a bill or resolution which has been passed in one House, is rejected in the other, it shall not be brought in during the same session without notice of five days, and leave of two-thirds of the House in which it shall be renewed.

12. Each House shall transmit to the other all papers on which any bill or resolution may be founded.

13. After each House shall have adhered to their disagreement, a bill or resolution is lost.

14. When bills which may have passed one House, are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the House making the order.

15. All messages, reports, or other documents presented to either House for general information, and ordered to be printed by such House, shall, when printed, be for the use of both Houses.

16. It shall be the duty of the Chief Clerk of the House, or the Secretary of the Senate, when any such document is ordered to be printed in their respective Houses, forthwith to communicate such order to the other, so that the same order may not be made in both Houses.

17. In all elections in joint convention of both branches of the General Assembly, the names of the members of both branches shall be arranged together in alphabetical order, and be called upon to vote in the order in which they shall stand arranged.

## STANDING COMMITTEES.

ON WAYS AND MEANS—Messrs. Huner, Whitaker, Wheeler, Jay and Crawford.

ON THE JUDICIARY—Messrs. Bissell, Bradley, Browning, Springer and Benton.

ON FEDERAL RELATIONS—Messrs. Bradley, Sprott, Sanford, Hughes and Selman.

ON INTERNAL IMPROVEMENTS—Messrs. Davis, Sprott, Harbour, Wheeler and Whitaker.

ON MILITARY AFFAIRS—Messrs. Sprott, Brown, Crawford, Davis, and Fullinwider.

ON SCHOOLS—Messrs. Benton, Browning, Sanford, Huner and Bissell.

ON ROADS—Messrs. Whitaker, Fullinwider, Harbour, Selman and Wheeler.

ON PUBLIC BUILDINGS—Messrs. Harbour, Huner, Crawford, Sanford and Springer.

ON ELECTIONS—Messrs. Brown, Browning, Jay, Benton and Bradley.

ON ENGROSSED BILLS—Messrs. Hughes and Whitaker.

ON COUNTY BOUNDARIES—Messrs. Harbour, Selman, Bradley, Jay and Crawford.

ON CLAIMS—Messrs. Crawford, Fullinwider, Hughes, Springer and Davis.

ON AGRICULTURE—Messrs. Selman, Huner, Jay, Bissell and Whitaker.

ON INCORPORATIONS—Messrs. Hughes, Benton, Browning, Bradley and Springer.

ON ENROLLED BILLS—Messrs. Sanford and Wheeler.

ON NEW COUNTIES—Messrs. Davis, Harbour, Whitaker, Fullinwider and Brown.

# INDEX.

---

## ADDRESS—

- inaugural of Governor, 24, 25.
- Secretary to have printed, 29, 30.
- of President of the Senate, on taking his seat, 5, 6.
- valedictory of President, 306.

## ADJOURNMENT—

- until the 4th of January, 1847—46, 54.
- on motion of Mr. Bissell, 51.
- in joint convention, 58, 59, 60.
- as to *sine die*, 118.
- report of committee on, 140.
- resolution relative to, 172.
- without day, 307.

## ACTION OF THE SENATE—

- on Senate file, No. 1, relative to postage, 28.
- H. R. file, No. 1, for election of judges and Senators, 33, 34, 36, 38, 39.
- Senate file, No. 2, organization of townships, 34, 35, 41, 115.
- H. R. file, No. 2, relative to State seals, 43, 48, 287.
  - 3, for election of Senators and judges, 44, 49.
  - 12, expenses of convention, 51, 52, 56, 92.
  - 4, for election of Senators and judges, 52, 55.
- resolution in relation to penitentiary, 57.
- Senate file, No. 3, Des Moines river grant, 36, 38, 42, 45, 49, 50.
  - 4, admission of Iowa, 38, 40.
  - 5, revision of laws, 44, 54.

## ACTION OF THE SENATE—

- on Senate file, No. 6, Mexican war, 45, 48, 79, 83, 294.
  - 7, judicial districts, 47, 56, 61, 74, 78, 83, 163.
  - 8, congressional districts, 50, 69, 109.
  - 9, improvement of Muscatine island, 50.
  - 10, Treasurer of State, 51, 67, 76, 112.
  - 11, for a mail route, 51,
  - 12, clerks and prosecuting attorneys, 52, 71, 73, 74, 91, 92, 105.
  - 13, Secretary of State, 57, 69, 76, 112, 122.
  - 14, relative to pre-emption rights, 68, 76.
  - 15, organization of Dallas county, 70, 91, 105, 191.
  - 16, " Pottawatamie, &c., 70, 121, 191, 205, 266.
  - 17, volunteers at Fort Atkinson, 75, 83.
- on H. R. file, No. 9, for the election Supreme judges, 75.
  - 10, declaring vote necessary to elect in joint convention, 75.
  - 8, dams on the Des Moines, 107, 111.
  - 1, in relation to disbanded dragoons, 107.
  - 11, for a mail route, 107, 239, 245.
  - 13, printing of laws, 112.
  - 14, for a mail route, 124.
  - 16, for the improvement of Cedar river, 153.
  - 19, for a mail route, 162,
  - 20, for a mail route, 162.
  - 17, to pay C. A. Robbins, 183, 223.
  - 21, for a mail route, 192, 196.
  - 22, for the election of judges, 200.
  - 23, relative to adjournment, 206.
  - 28, relative to Mississippi river, 242.
  - 26, for a mail route, 247, 251.
  - 30, relative to bridges on the military road, 284.
  - 31, relative to publication of acts, 292.
  - 32, relative to Mexican war, 294.



## ACTION OF THE SENATE—

on H. R: file, No. 35, relative to Capitol, 300:

36, relative to Penitentiary, 301, 305.

34, for distribution of laws, 301:

Senate file No. 18, concerning southern boundary, 76.

19, concerning justices of the peace, 90,  
115, 119, 143, 157, 166, 232, 250, 252.

20, prescribing the duties of Auditor, 92,  
116, 125, 134, 154, 158, 217.

21, for the indemnification of Samuel  
Riggs, 92, 132, 136, 152.

22, to incorporate the city of Farmington,  
93, 105, 126.

23, establishing a board of internal im-  
provements, 94, 108, 114, 126, 132;  
135, 150, 155, 258, 260, 281.

24, to incorporate Dubuque, 104, 199,  
210.

25, assuming Territorial debts, 104, 111,  
122, 125.

27, to establish an election precinct in  
Farmington, 106, 111, 114, 118, 169.

28, relative to collector's sheriff's and  
coroner's deeds, 107, 122.

29, relative to practice, 110, 123.

30, resolution for a mail route, 113, 118:

31, regulating the election of judges, 113,  
129, 132, 180, 183.

32, fixing punishment for murder, 114,  
129, 142, 148, 149, 152, 159.

33, for changing the names of towns and  
persons, 114, 163, 165.

34, to establish a land office, 117, 241.

35, relative to State seals, 117.

36, for appointment of Attorney General,  
117, 124, 138, 153, 253.

37, to repeal the charter of Davenport,  
120, 124.

38, memorial for land for seat of govern-  
ment, 125, 160, 167.

## ACTION OF THE SENATE—

on Senate file, No. 39, resolution for a military road, 128.

40, prescribing the duties of Governor, 129, 171, 176:

41, to provide for electors of President and Vice President, 130, 157, 210, 225, 233.

42, resolution for a mail route, 137.

43, resolution relative to improvement of Iowa river, 137.

44, for revision of laws, 141, 202, 212, 214.

45, in relation to boundary of Polk county, 141.

46, relative to seat of justice of Marion county, 141, 220.

47, to vacate Brooklin, 142.

48, relative to Miners' Bank, 144, 153.

50, to amend charter of Burlington, 150, 197, 209.

51, to tax attorneys, 151.

52, in relation to attorneys, 152.

53, for a State road, 154, 156, 186.

54, for a State road, 154, 156.

55, resolution for a mail route, 160, 186, 205,

56, resolution relative to Winnebago Indians, 164.

57, establishing State roads, 172, 180, 183, 207.

58, to amend an act locating road, 170.

59, resolution relative to adjournment, 172.

60, for a State road, 173.

61, authorizing the districting of counties, 174, 177.

62, relative to a perch of mason work, 174, 240, 245.

63, to locate seat of government, 176, 192, 197, 202, 207, 211, 217, 247.

## ACTION OF THE SENATE—

on Senate file, No. 64, resolution asking land for a military road, 177, 181.

65, locating a State road, 180.

66, relative to common schools, 184, 201  
209, 210, 215, 276, 284.

67, to repeal usury laws, 186.

68, resolution in relation to the militia,  
197.

69, authorizing R. Reed to collect tax,  
198.

70, to incorporate Farmington, 199, 253.

71, relative to taking effect of acts, 203,  
210.

72, relative to poor farm in Des Moines  
county, 204, 206, 211, 214, 293.

73, in relation to sale of lands under ex-  
ecution, 204, 237.

74, authorizing county commissioners to  
employ additional counsel, 205.

75, regulating the election of represen-  
tatives in Congress, 209, 234, 256, 262.

76, to amend the charter of Burlington,  
214.

77, to locate State road, 217.

79, in relation to duties and powers of  
district judges, 220, 221, 233.

80, relative to Penitentiary, 222, 231,  
266, 296.

81, relative to seat of justice of Buchan-  
an county, 222.

82, relative to probate of wills, 223, 235,  
259, 265.

83, concerning water crafts, &c., 223,  
240.

84, in relation to the duty of State and  
county officers, 223, 226, 233.

85, relative to agent of Johnson county,  
223.

## ACTION OF THE SENATE—

on Senate file, No. 86, to tax plaintiffs, 224, 232, 241, 245  
251, 262.

87, authorizing general incorporations,  
228, 234, 239, 268.

88, to complete the change from a Ter-  
ritorial to a State government, 232,  
238, 247.

89, ordinance relative to the admission  
of Iowa into the union, 232, 245, 268.

90, to provide for partition of real pro-  
perty, 235, 239.

91, supplemental to act creating board  
of public works, 238.

92, in relation to salt springs, 238, 247,  
268, 288.

93, to locate a State road, 244, 268, 292.

94, to change the name of Bellview, 246.

95, to locate the State University, 246,  
276.

96, relative to University lands, 246,  
276.

97, resolution for the election of Sena-  
tors and Judges, 249.

98, to establish new counties, 250.

99, to organize the militia, 253, 266.

100, to legalize the acts of a justice of the  
peace, 255.

101, to provide for a term of the Supreme  
court, 258, 265.

102, repealing act, 259.

103, to change road, 263.

104, for appointment of engineer, 267,  
270, 295,

105, to locate a State road, 269.

106, resolution granting Senate Chamber  
for divine worship, 269.

107, resolution in relation to Supreme  
court room, 271.

## ACTION OF THE SENATE—

on Senate file, No. 108, resolution in relation to publication  
of acts, 282.

109, resolution in relation to Auditor's  
warrants, 301.

110, authorizing Auditor to audit certain  
certificates, 287.

111, making appropriation for public  
buildings, 287.

112, providing for seals, 287.

113, relative to Secretary of State, 296.

115, resolution relative to laws, 296.

116, authorizing loan to pay postage, 302.

H. R. file, No. 1, relative to school fund, 36, 38.

2, authorizing Elizabeth Blackwell to,  
&c., 38, 40, 44.

3, divide county of Clinton, 38, 40, 43, 47.

6, repealing act to authorize clerk of Lee  
county to transcribe records, 44,  
48, 50.

8, to provide compensation to an agent,  
&c., 92, 292.

9, for vacating town plats, 68, 76.

12, to change the name of Laporte, 68, 76.

13, to establish the place of holding town-  
ship elections, 107, 130.

14, to provide a loan, 62, 63.

15, " for holding general elec-  
tions, 225.

19, relative to the salary of certain offi-  
cers, 162, 169.

21, to define the duties of prosecuting at-  
torneys, 162, 165, 169.

23, to provide for taking the enumeration  
of inhabitants, 107, 119, 121, 124,

24, supplemental to an act on school funds,  
90, 105, 120, 121.

25, to amend an act for the organization of  
townships, 124, 239,

## ACTION OF THE SENATE—

on H. R. file, No. 26, to change the name of Chaldea, 107, 111.

27, to provide for the navigation of Skunk river, 200, 201.

29, relative to voting on license, &c., 124, 130, 133, 151, 157, 163, 186, 187, 189.

32, prescribing the time, &c., for holding election for U. S. Senators, 45, 157, 196, 197, 199, 230.

33, to incorporate Fairfield, 166, 177.

35, regulating general elections, 216, 240, 246.

36, to review and locate a road 115, 119.

37, relative to State library, 138, 188, 192.

40, to prevent locating lands within five miles of Des Moines river, 128, 141.

41, to change the name of Newton city, 128, 133.

43, creating a board of public works, 166, 168, 174, 175, 176, 178, 181, 191, 196, 211, 225, 231, 234, 237.

45, to amend an act concerning costs, 285, 288, 295, 301.

46, to locate a State road, 153, 157, 162.

47, to relocate a State road, &c., 153, 185.

48, authorizing Lefevre to keep a ferry, 136, 139.

49, to authorize general incorporations, &c., 184, 222, 227.

50, to locate county seat of Jones county, 153, 159.

51, time of holding district courts, 216, 220, 228.

52, relative to school fund, 229, 232, 241, 249, 254, 256, 271, 275, 293.

53, to locate a State road in Jones and Cedar counties, 153, 239.

54, State road from Knoxville to Newton, 154, 163, 166, 168.

## ACTION OF THE SENATE—

on H. R. file, No. 56, regulating mills and millers, 166.

57, to establish boundaries of counties, &c., 162, 165.

58, to locate a State road, 162, 164, 169, 175.

63, fixing time and place of holding supreme court, 284.

66, to change the name of Knoxville, 163.

68, to continue territorial road, &c., 200.

69, to locate a State road from Oskaloosa to Knoxville, 184, 192.

70, to establish a system of common schools, 252, 275.

71, to locate a State road in Washington and Jefferson counties, 200.

72, defining crimes and punishments, 189, 192, 292.

74, relative to county surveyors, 216, 218.

75, to establish new counties, 196, 239, 247.

76, relative to a State road, 217, 218, 219, 234.

77, water crafts and estrays, 255, 265.

78, to provide for finishing the public buildings in Washington county, 200.

80, dispensing with proof in certain cases, 204, 209.

81, to locate a road therein named, 196, 313, 214.

83, to vacate public square in West Point, 216, 219.

85, to provide a loan to pay expenses, &c., 192.

88, to provide revenue, &c., 263, 270, 273.

89, relative to the amendment of the constitution, 229, 236.

90, authorizing Ritchie & Co. to convey real estate, 216, 219.

## ACTION OF THE SENATE—

on H. R. file, No. 92, to relocate territorial road from Fairfield to Indian boundary, 205, 210.

93, extending the powers of county commissioners, 216, 222, 232, 274.

94, to incorporate the city of Keokuk, 219, 251.

96, for collection of demands against boats and vessels, 216, 237, 247, 263.

97, incorporating towns, 225, 244, 288.

98, to require certain officers to hold their offices at the county seat, 229, 232.

99, incorporating towns, 219.

100, concerning wills, &c., 229, 235, 259.

101, to incorporate Iowa college, 219.

103, to legalize the official acts of justices of the peace of Monroe county, 229.

106, relative to the rights of married women, 229, 236, 257, 262.

107, to repeal the charter of Ft. Madison, 224, 273.

108, to prevent immoral practices, 224, 248, 249.

109, to establish a State road, 256.

110, legalizing the acts of C. W. Hobbs, &c., 255.

111, defining time of holding elections, 282, 385, 298, 305.

112, to establish a State road, 255.

113, for support of State Government, 252, 292, 297.

114, fixing prices of printing, 284, 289.

115, relative to dams across Muscatine slough, 247, 253.

116, regulating State roads, 268.

117, for relief of John Wilson, 252.

118, for a road, 256.

119, for a State road, 256.

121, poor house for Muscatine county, 253.

122, to stay proceedings at law, 302.



## ACTION OF THE SENATE—

on H. R. file, No. 123, in relation to public buildings in Washington county, 253.

124, to provide for criminal returns, 263, 267.

125, to vacate part of a road, 282.

126, time of holding courts in first judicial district, 267, 273.

127, to locate a State road, 268.

128, to establish a State road, 268, 283.

129, to locate a State road, 267.

130, to establish a State University, 270, 276, 278.

131, for holding court in Jones county, 267, 282.

132, for the relief of the poor, 282.

133, to discontinue Territorial road, 282, 289.

134, to locate a State road, 282.

139, to repeal an act therein named, 282.

140, to provide for printing the laws, 284, 288, 296, 302, 303.

141, authorizing the conveyance of real estate, 293.

142, authorizing George Keel to establish a wharf boat, 293.

143, to provide pay of members, officers and printers of the General Assembly, 297, 304.

## AUDITOR—

instructed to report relative to tax, 30.

communication from, 71.

Reports of, 312, 316.

## APPENDIX, 309.

letter from Commissioner of the General Land Office, 309.

Treasurer's report, 310.

Auditor's reports, 312, 316.

documents communicated by the Governor, 321.

rules of the Senate, 327.

Standing Committees, 334.

## BILLS INTRODUCED, AND SUBSEQUENT ACTION THEREON—

Senate file, No. 1, relative to postage, 28.

2, organization of townships, 34, 35, 41, 115.

3, Des Moines river grant, 36, 38, 42, 45, 49, 50.

4, admission of Iowa, 38, 40.

5, revision of laws, 44, 54.

6, Mexican war, 45, 48, 79, 83, 294.

7, judicial districts, 47, 56, 61, 74, 78, 83, 163.

8, congressional districts, 50, 69, 109.

9, improvement of Muscatine island, 50.

10, Treasurer of State, 51, 67, 76, 112.

11, for a mail route, 51,

12, clerks and prosecuting attorneys, 52, 71, 73, 74, 91, 92, 105.

13, Secretary of State, 57, 69, 76, 112, 122.

14, relative to pre-emption rights, 68, 76.

15, organization of Dallas county, 70, 91, 105, 191.

16, organization of Pottawatamie, &amp;c., 70, 121, 191, 205, 266.

17, volunteers at Fort Atkinson, 75, 83.

18, concerning southern boundary, 76.

19, concerning justices of the peace, 90, 115, 119, 143, 157, 166, 232, 250, 252.

20, prescribing the duties of Auditor, 92, 116, 125, 134, 154, 158, 217.

21, for the indemnification of Samuel Riggs, 92, 132, 136, 152.

22, to incorporate the city of Farmington, 93, 105, 126.

23, establishing a board of internal improvements, 94, 108, 114, 126, 132, 135, 150, 155, 258, 260, 281.

24, to incorporate Dubuque, 104, 198, 210.

## BILLS INTRODUCED, AND SUBSEQUENT ACTION THEREON—

- Senate file No. 25, assuming Territorial debts, 104, 111, 122, 125.
- 27, to establish an election precinct in Farmington, 106, 111, 114, 118, 169.
- 28, relative to collector's sheriff's and coroner's deeds, 107, 122.
- 29, relative to practice, 110, 123.
- 30, resolution for a mail route, 113, 118.
- 31, regulating the election of judges, 113, 129, 132, 180, 183.
- 32, fixing punishment for murder, 114, 129, 142, 148, 149, 152, 159.
- 33, for changing the names of towns and persons, 114, 163, 165.
- 34, to establish a land office, 117, 241.
- 35, relative to State seals, 117.
- 36, for appointment of Attorney General, 117, 124, 138, 153, 253.
- 37, to repeal the charter of Davenport, 120, 124.
- 38, memorial for land for seat of government, 125, 160, 167.
- 39, resolution for a military road, 128.
- 40, prescribing the duties of Governor, 129, 171; 176:
- 41, to provide for electors of President and Vice President, 130, 157, 210, 225, 233.
- 42, resolution for a mail route, 137.
- 43, resolution relative to improvement of Iowa river, 137.
- 44, for revision of laws, 141, 202, 212, 214.
- 45, in relation to boundary of Polk county, 141.
- 46, relative to seat of justice of Marion county, 141, 220.
- 47, to vacate Brooklin, 142.
- 48, relative to Miners' Bank, 144, 153.

## BILLS INTRODUCED, AND SUBSEQUENT ACTION THEREON—

Senate file, No. 50, to amend charter of Burlington, 150,  
197, 209.

51, to tax attorneys, 151.

52, in relation to attorneys, 152.

53, for a State road, 154, 156, 186.

54, for a State road, 154, 156.

55, resolution for a mail route, 160, 186,  
205,

56, resolution relative to Winnebago In-  
dians, 164.

57, establishing State roads, 172, 180,  
183, 207.

58, to amend an act locating road, 170.

59, resolution relative to adjournment,  
172.

60, for a State road, 173.

61, authorizing the districting of coun-  
ties, 174, 177.

62, relative to a perch of mason work,  
174, 240, 245.

63, to locate seat of government, 176, 192,  
197, 202, 207, 211, 217, 247.

64, resolution asking land for a military  
road, 177, 181.

65, locating a State road, 180.

66, relative to common schools, 184, 201,  
209, 210, 215, 276, 284.

67, to repeal usury laws, 186.

68, resolution in relation to the militia,  
197.

69, authorizing R. Reed to collect tax,  
198.

70, to incorporate Farmington, 199, 253.

71, relative to taking effect of acts, 203,  
210.

72, relative to poor farm in Des Moines  
county, 204, 206, 211, 214, 293.

73, in relation to sale of lands under ex-  
ecution, 204, 237.

## BILLS INTRODUCED, AND SUBSEQUENT ACTION THEREON—

Senate file, No. 74, authorizing county commissioners to employ additional counsel, 205.

75, regulating the election of representatives in Congress, 209, 234, 256, 262.

76, to amend the charter of Burlington, 214.

77, to locate State road, 217.

79, in relation to duties and powers of district judges, 220, 221, 233.

80, relative to Penitentiary, 222, 231, 266, 296.

81, relative to seat of justice of Buchanan county, 222.

82, relative to probate of wills, 223, 235, 259, 265.

83, concerning water crafts, &c., 223, 240.

84, in relation to the duty of State and county officers, 223, 226, 233.

85, relative to agent of Johnson county, 223.

86, to tax plaintiffs, 224, 232, 241, 245, 251, 262.

87, authorizing general incorporations, 228, 234, 239, 268.

88, to complete the change from a Territorial to a State government, 232, 238, 247.

89, ordinance relative to the admission of Iowa into the union, 232, 245, 268.

90, to provide for partition of real property, 235, 239.

91, supplemental to act creating board of public works, 238.

92, in relation to salt springs, 238, 247, 268, 288.

93, to locate a State road, 244, 268, 292.

94, to change the name of Bellview, 246.

**BILLS INTRODUCED, AND SUBSEQUENT ACTION THEREON—**

Senate file, No. 95, to locate the State University, 246, 276.

96, relative to University lands, 246, 276.

97, resolution for the election of Senators and Judges, 249.

98, to establish new counties, 250.

99, to organize the militia, 253, 266.

100, to legalize the acts of a justice of the peace, 255.

101, to provide for a term of the Supreme court, 258, 265.

102, repealing act, 259.

103, to change road, 263.

104, for appointment of engineer, 267, 270, 295,

105, to locate a State road, 269.

106, resolution granting Senate Chamber for divine worship, 269.

107, resolution in relation to Supreme court room, 271.

108, resolution in relation to publication of acts, 282.

109, resolution in relation to Auditor's warrants, 301.

110, authorizing Auditor to audit certain certificates, 287.

111, making appropriation for public buildings, 287.

112, providing for seals, 287.

113, relative to Secretary of State, 296.

115, resolution relative to laws, 296.

116, authorizing loan to pay postage, 302.

**BILLS, NOTICE TO INTRODUCE—**

Mr. Whitaker, relative to duties of Auditor, Secretary and Treasurer of State, 30.

Mr. Fullinwider, relative to Superintendent of Public Instruction, 34.

## BILLS, NOTICE TO INTRODUCE—

- Mr. Springer, relative to the admission of the State of Iowa into the Union, 35.
- Mr. Jay, relative to school fund, 67.
- Mr. Sanford, concerning southern boundary, 69.
- Mr. Springer, in relation to justices of the peace, 78.
- Mr. Baker, to establish boundaries of Polk county, and to establish boundaries and seat of justice of Marion county, 89.
- Mr. Benton, to incorporate the city of Dubuque, 93.
- Mr. Sanford, to change the names of towns and persons, 93.
- Mr. Benton, for the sale of certain school lands, 111.
- Mr. Sanford, prescribing the mode of choosing electors for President and Vice President, 111.
- Mr. Springer, relative to completion of Penitentiary, 163.
- Mr. Jay, to locate Seat of Government, 166.
- Mr. Sanford, regulating ferries, 170.
- “ “ to organize the militia, 204.
- Mr. Benton, to authorize general incorporations, 220.
- Mr. Springer, relative to docket fees, 223.
- Mr. Selman, to establish new counties, 238.

## BRIGGS, ANSEL—

- election of declared, 22.
- inaugurated Governor, 23.
- inaugural address, 24, 25.

## COMMITTEES, STANDING, 7, 8, 334.

announcement of, 25.

## COMMITTEE OF THE WHOLE—

- on H. R. file, No. 14, 63.
- Senate file, No. 10, 67.
- No. 13, 69.
- No. 12, 71, 73.
- No. 7, 74.
- H. R. file, No. 24, 105.
- Senate file, No. 25, 111, 125.
- No. 27, 114.
- No. 20, 116, 134, 154.
- No. 19, 118, 157.
- catalogue of acts, 119.

## COMMITTEE OF THE WHOLE—

- on H. R. file, No. 24, 121.
  - Senate file, No. 16; 121.
    - No. 38, 125.
    - No. 22, 126.
    - No. 31, 129, 180.
  - H. R. file, No. 29, 130, 186.
  - Senate file, No. 23, 135, 150, 155, 260.
    - No. 36, 138.
    - No. 32, 142, 196.
  - H. H. file, No. 43, 168, 175, 176, 178.
    - No. 19, 169.
  - Senate file, No. 40, 171.
  - H. R. file, No. 34, 177.
    - No. 37, 188.
  - H. R. file, No. 85, 192.
  - Senate file, No. 63, 197.
    - No. 66, 201, 209, 215, 284.
  - H. R. file, No. 27, 201.
  - Senate file, No. 44, 212.
    - No. 46, 220.
  - H. R. file, No. 107, 224.
  - Senate file, No. 41, 225.
  - H. R. file, No. 49, 227.
  - Senate file, No. 87, 228.
    - No. 82, and H. R. file, No. 100, 235.
  - H. R. file, No. 106, 236.
  - Senate file, No. 86, 241.
  - H. R. file, No. 54, 242, 249, 256.
    - No. 108, 248.
    - No. 88, 263, 270, 273.
  - Senate file, No. 89, 268.
  - H. R. file, No. 130, 277, 278.
    - No. 2, 287.
    - No. 146, 288.

## COMMITTEES, SELECT—

- on credentials, 6.
- to wait on House, 6, 305.
- draught rules, 6, 22, 68, 75.
- wait on Governor, 8, 23, 306.



**COMMITTEES, SELECT—**

- on congressional districts, 31.
- judicial districts, 37.
- Senate file, No. 8, 69.
- practice of medicine, 71, 139.
- Senate file, No. 12, 74.
- No. 7, 75.
- Miners' Bank claim, 77.
- to prepare catalogue of acts, 89.
- on license law, 94.
- Senate file, No. 38, 125.
- No. 25, 125.
- No. 21, 152.
- probate law, 181.
- H. R. file, No. 43, 181.
- No. 69, 184.
- petition to repeal usury laws, 185:
- H. R. file, No. 29, 187.
- Senate file, No. 63, 197.
- No. 24, 199:
- No. 66, 210.
- H. R. file, No. 61, 216.
- No. 74, 216.
- Senate file, No. 87, 228.
- H. R. file, No. 52, 229, 256.
- No. 93, 232.
- Senate file, No. 88, 238.
- H. R. file, No. 11, 239.
- Senate file, No. 86, 246.
- No. 104, 267.
- H. R. file, No. 126, 268.
- to examine supreme court room, 269.
- on H. R. file, No. 146, 288.

**CONGRESSIONAL DISTRICTS—**

- select committee appointed to divide the State into, 31.

**COMMUNICATIONS—**

- from Sylvanus Johnson, 5.
- Auditor of State, 74.
- Secretary of State, 110, 240.
- Commissioner of General Land Office, 309.

## CLASSIFICATION—

of members, 27.

## EDITORS—

admitted to seats, 6.

## ELECTION—

of officers of the Senate, 5, 6.

## GOVERNOR—

voted for canvassed, 22.

inauguration of, 23.

address of, 24, 25.

requested to furnish information relative to southern boundary, 31.

## INDEX, 335.

## LAWS—

revision of, 27, 35, 39, 44, 54, 141, 202.

## LOAN—

to pay postage, 28, 302.

expenses of State government, &c., 62, 192.

## MEETING—

regular hours of, established, 8.

## MEMBERS—

classification of, 27, 28.

## MEMORIAL—

from Iowa Anti-Capital Punishment Society, 127.

## MESSAGES—

from the Governor of the Territory, 8.

ordered to be printed, 21.

from Governor of the State, 39.

House of Representatives, 26, 31, 32, 35, 37, 42, 45,

46, 49, 52, 53, 54, 57, 62, 64, 65, 66, 67, 69, 73,

74, 83, 88, 93, 106, 108, 113, 116, 119, 123, 126,

128, 132, 134, 135, 137, 138, 142, 143, 149, 155,

158, 161, 164, 168, 171, 172, 173, 175, 178, 181,

183, 184, 188, 189, 192, 195, 199, 203, 205, 213,

215, 218, 221, 224, 226, 227, 230, 233, 241, 242,

243, 248, 252, 254, 257, 259, 261, 264, 270, 271,

275, 281, 283, 286, 289, 290, 291, 293, 295, 297,

298, 299, 300, 301, 303, 304.

## MINERS' BANK—

- claim of presented, 77.
- report of committee on claim of, 144.

## NEWSPAPERS—

- Secretary to furnish, 23.

## NOTICE TO INTRODUCE BILLS, &amp;c.—

- Mr. Sanford, joint resolution accepting grant of land to improve Des Moines river, 26.
- Mr. Whitaker, relative to duties of Auditor, Secretary and Treasurer of State, 30.
- Mr. Fullinwider, relative to Superintendent of Public Instruction, 34.
- Mr. Springer, relative to the admission of Iowa into the Union, 35.
- Mr. Jay, relative to the school fund, 67.
- Mr. Sanford, concerning southern boundary, 69.
- Mr. Springer, relative to justices of the peace, 78.
- Mr. Baker, in relation to Polk and Marion counties, 89.
- Mr. Benton, to incorporate the city of Dubuque, 93.
- Mr. Sanford, to change the names of towns and persons, 93.
- Mr. Benton, for sale of certain school lands, 111.
- Mr. Sanford, relative to choosing electors for President and Vice President, 111.
- Mr. Springer, relative to completion of Penitentiary, 163.
- Mr. Jay, to locate Seat of Government, 166.
- Mr. Sanford, regulating ferries, 170.
- “ “ to organize the militia, 204.
- Mr. Benton, to authorize general incorporations, 220.
- Mr. Springer, relative to docket fees, 223.
- Mr. Selman, to establish new counties, 238.

## ORGANIZATION—

- temporary, 3, 4.
- F. Springer, appointed President, pro tem., 3.
- J. W. Woods, appointed Secretary, pro tem., 3.
- J. B. Russell, appointed Assistant Secretary, pro tem., 3.
- H. H. Welch, appointed Sergeant-at-Arms, pro tem., 4.
- Peter Conboy, appointed Fireman, pro tem., 4.
- Wm. Windrum, appointed Messenger, pro tem., 4.
- permanent, 5, 6.

## PETITIONS, PRESENTATION OF—

- by Mr. Selman, from citizens of Van Buren and Davis counties, 32.
- Mr. Springer, from citizens of Louisa county, relative to a road, 35.
- Mr. Baker, for a State road in Polk and Marion counties, 43.
- Mr. Baker, for organization of Dallas county, 43.
- Mr. Wheeler, for an alteration in the road law, 55.
- Mr. Springer, for a road, 55.
- Mr. Browning, in relation to the 16th sections, 64, 106.
- Mr. Browning, in relation to the practice of medicine, 64.
- Mr. Jay, in relation to section lines, 64.
- Mr. Springer, for a road, 65.
- Mr. Sprott, for a ferry, 65.
- Mr. Selman, remonstrance against road, 65.
- Mr. Selman, remonstrating against change of road, 66.
- Mr. Bradley, in relation to justices of the peace, 66.
- Mr. Crawford, in relation to county seat of Buchanan county, 66.
- Mr. Whitaker, of J. Meek to convey real estate, 70.
- Mr. Sanford, on election precinct in Farmington, 70.
- Mr. Sanford, for a charter for Farmington, 72.
- Mr. Benton, in relation to settlers on the 16th sections, 77.
- Mr. Bissell, for a road, 77, 243.
- Mr. Sanford, in relation to grand jurors, 77.
- Mr. Jay, relative to capital punishment, 77.
- Mr. Baker, for a State road, 88, 89.
- Mr. Hughes, for a State road, 89.
- Mr. Browning, in relation to section lines, 89.
- Mr. Bradley, on education, 92.
- Mr. Benton, in relation to the license law, 94, 136, 251.
- Mr. Wheeler, in relation to grocery license, 106.
- Mr. Davis, for a State road, 109.
- Mr. Springer, for a State road, 112.
- Mr. Bissell, for a State road, 116.

## PETITIONS, PRESENTATION OF—

- by Mr. Wheeler, in relation to the charter of Davenport,  
118.
- Mr. Springer, for a State road, 123, 127.
- Mr. Bradley, in relation to the collector of Jackson  
county, 134.
- Mr. Bradley, for a State road, 135.
- Mr. Whitaker, for a State road, 136.
- Mr. Hughes, in relation to grocery license, 136.
- Mr. Sprott, to regulate the practice of medicine, 139.
- Mr. Bissell, relative to grocery license, 150.
- Mr. Browning, relative to Burlington charter, 150,  
194.
- Mr. Harbour, for a State road, 150, 221.
- Mr. Harbour, for a charter for Richland, 151.
- Mr. Harbour, against a State road, 151.
- Mr. Jay, in relation to grocery license, 156.
- Mr. Crawford, for a State road, 160.
- Mr. Hughes, relative to a perch of mason work, 166.
- Mr. Bradley, for a State road, 169.
- Mr. Brown, to legalize the acts of justices of the  
peace, 173.
- Mr. Whitaker, in relation to legislation, 177.
- Mr. Jay, in relation to a road, 177.
- Mr. Browning, to repeal the usury laws, 185.
- Mr. Whitaker, relative to justices and constables, 186.
- Mr. Benton, in relation to common schools, 191.
- Mr. Jay, relative to blacks and mulattoes, 193.
- Mr. Browning, relative to blacks and mulattoes, 194.
- Mr. Davis, relative to grocery license, 195.
- Mr. Hughes, for a charter for Iowa City, 214.
- Mr. Benton, in relation to section lines, 215.
- Mr. Sanford, against appointing commissioners out of  
the Des Moines valley, 218.
- Mr. Sprott, for change in a road, 226.
- Mr. Davis, against a State road, 237.
- Mr. Benton, for the establishment of new counties, 243.
- Mr. Bradley, against changing the boundaries of Jack-  
son county, 244.

## PETITIONS, PRESENTATION OF—

- by Mr. Springer, relative to blacks and mulattoes, 251.
- Mr. Bradley, in relation to new counties, 265.

## POSTAGE—

- Secretary to agree for, 22.
- loan to pay, 28, 302.

## PRESIDENT—

- elected, 5.
- address of, 5, 6.
- pro tem. appointed, 3, 298.
- extra pay to, 286.
- vote of thanks to, 297.
- valedictory of, 306.

## PRINTING—

- Palmer appointed to do incidental, 7.
- of Governor's Message, 21.
- Inaugural Address, 29, 30.
- of bills ordered, 42.
- journal, 228, 239, 262, 267.

## PROTEST—

- against the passage of H. R. file, No. 48, 139.
- Senate file, No. 32, 159.

## RESOLUTIONS, JOINT—

- Senate file, No. 1, relative to postage, 28.

- 3, in relation to Des Moines river grant,  
36, 38, 42, 45, 49, 50.

- 5, relative to revision of laws, 44, 45.

- 6, relative to Mexican war, 45, 48, 79,  
83.

- 9, asking land to improve Muscatine  
island, 50.

- 17, relative to volunteers at Fort Atkin-  
son, 75, 83.

- 30, for a mail route, 113, 118.

- 39, for a military road, 128.

- 42, for a mail route, 137.

- 43, relative to the improvement of Iowa  
river, 137.

- 55, for a mail route, 160, 186, 205.

## RESOLUTIONS, JOINT—

- Senate file No. 56, relative to Winnebago Indians, 164.  
 59, relative to adjournment, 172.  
 64, for a military road, 177, 181.  
 68, relative to militia, 197.  
 97, for election of Senators and Judges,  
 249.  
 106, granting Senate Chamber for divine  
 worship, 269.  
 107, in relation to Supreme Court room,  
 271.  
 108, in relation to publication of acts, 282.  
 109, in relation to Auditor's warrants, 301.  
 115, relative to distribution of laws, 296.  
 116, authorizing loan to pay postage, 302.
- H. R. file, No. 1, for election of Judges and Senators, 33,  
 34, 36, 38, 39.  
 2, relative to State seals, 43, 48, 287.  
 3, for election of Senators and judges,  
 44, 49.  
 12, expenses of convention, 51, 52, 56, 92.  
 4, for election of Senators and judges,  
 52, 55.  
 9, for the election Supreme judges, 75.  
 10, declaring vote necessary to elect in  
 joint convention, 75.  
 8, dams on the Des Moines, 107, 111.  
 1, in relation to disbanded dragoons, 107.  
 11, for a mail route, 107, 239, 245.  
 13, printing of laws, 112.  
 14, for a mail route, 124.  
 16, for the improvement of Cedar river,  
 153.  
 19, for a mail route, 162,  
 20, for a mail route, 162.  
 17, to pay C. A. Robbins, 183, 223.  
 21, for a mail route, 192, 196.  
 22, for the election of judges, 200.  
 23, relative to adjournment, 206.  
 28, relative to Mississippi river, 242.

## RESOLUTIONS, JOINT—

- H. R. file, No. 26, for a mail route, 247, 251.
- 30, relative to bridges on the military road, 284.
- 31, relative to publication of acts, 292.
- 32, relative to Mexican war, 294.
- 35, relative to Capitol, 300.
- 36, relative to Penitentiary, 301, 305.
- 34, for distribution of laws, 301.

## RESOLUTIONS—

- appointing committee to inform House of organization, 6.
  - examine credentials, 6.
  - draft rules for Senate, 6.
- relative to pay of officers of Senate, 7, 281.
  - hours of meeting, 8.
  - printing Governor's message, 21.
  - postage, 22.
  - canvassing votes for Governor, 22.
  - furnishing members with journals of Convention, 23.
  - furnishing members with newspapers, 23.
  - inauguration of Governor, 23.
  - clerks of district courts, 26.
  - revision of the laws, 27.
  - Territorial revenue, 30.
  - pre-emption rights on Des Moines, 30.
  - southern boundary, 31.
  - congressional districts, 31.
- instructing judiciary committee, 26, 27, 28, 35.
- relative to the classification of members, 27.
  - allowing use of Senate Chamber to Rev. W. W. Woods, 29.
  - printing inaugural of Governor, 29.
- instructing Auditor to report, 30.
  - Committee on Internal Improvements, 30, 37, 42, 53.
- directing Secretary of State to furnish laws, 31.
- relative to the appointment of a select committee to divide the State into judicial districts, 37.
- relative to Assistant Secretary, 40.



## RESOLUTIONS—

- in relation to the election of Senators and Judges, 41, 43, 45 47.
- relative to printing bills, 42.
- instructing Committee on County Boundaries, 43.
- relative to adjournment, 46.
- relative to the penitentiary, 49, 57.
- in relation to reports of committees, 50.
- in relation to the Speaker of the House, 61.
- relative to roads, 72.
- in relation to the late census, 75.
- instructing Select Committee on Miners' Bank, 77.
- appointing a committee to prepare a catalogue of acts, 89.
- increasing the Committee on Internal Improvements, 121.
- instructing the Committee on Public Buildings, 160, 166.
- appointing a committee on the probate law, 181.
- instructing the Committee on Federal Relations, 193.
- relative to printing the journals, 228, 239, 262, 276.
- relative to the supreme court room, 269.
- relative to pay of Assistant Secretary, 285.
- allowing extra pay to the President, 286.
- concerning stationery, 289, 291.
- vote of thanks to the President, 297.
- relative to the use of the Senate Chamber, 298.

## REPORT—

- of committee on credentials, 8.
- to wait on Governor, 8, 306.
- on joint rules, 30.
- Senate file, No. 2, 35.
- Judiciary, relative to revision of laws, 39.
- on Senate file, No. 2, 41.
- select committee, on Senate file, No. 3, 42.
- Committee on County Boundaries, on H. R. file, No. 3, 43.
- select committee on judicial districts, 47.
- congressional districts, 50.
- Committee on Claims, on H. R. file, No. 12, 52.
- New Counties, 70.
- Judiciary, in relation to the practice of medicine, 71.

## REPORT--

- of select committee in relation to the practice of medicine, 72, 277, 258.
  - on Senate file, No. 7, 78.
  - No. 12, 90.
- Committee on Incorporations, 93, 120, 222, 244.
  - Internal Improvements, 94, 114, 116, 132, 174.
  - Elections, 106, 113, 174, 246.
- select committee on Senate file, No. 8, 109.
  - to prepare catalogue of acts, 110.
- Judiciary Committee on H. R. file, No. 33, 117.
  - select committee on Senate file, No. 27, 117.
  - H. R. file, No. 23, 119.
  - H. R. file, No. 24, 120.
- Committee on the Judiciary on Senate file, No. 29, 123.
  - petition of J. Meek, 127.
- Committee on Elections on H. R. file, No. 25, 127.
  - H. R. file, No. 13, 130.
- Committee on the Judiciary on Senate file, No. 31, 132.
  - Claims on Senate file, No. 21, 132.
- Committee on the Judiciary, 141, 143, 165, 195, 199, 209, 220, 221, 226, 231, 232, 235, 237, 238, 259, 265, 285, 287, 288, 292, 296.
- Committee on Schools, 141, 246, 265, 275, 276.
  - select committee on Miners' Bank, 144.
  - H. R. file, No. 29, 151.
- Committee on Roads, 154, 165, 180, 217, 244, 265.
  - select committee on Senate file, No. 21, 155.
  - Senate file, No. 38, 160.
  - H. R. file, No. 57, 165.
- Committee on County Boundaries, 174, 272.
  - select committee on petition in relation to mason work, 174.
  - H. R. file, No. 69, 186.
  - usury, 186.
  - H. R. file, No. 29, 189.
- Committee on Federal Relations, 193, 245.
  - select committee on collection of revenue, 198.
  - Senate file, No. 63, 202.
  - Senate file, No. 24, 203.

## REPORT—

- of select committee on Senate file, No. 50, 209.
  - H. R. file, No. 80, 209.
  - Senate file, No. 41, 210.
  - Senate file, No. 72, 211.
  - Senate file, No. 63, 211.
  - H. R. file, No. 51, 220.
- Committee on Public Buildings, 222, 245.
- select committee on seat of justice of Buchanan county, 222.
  - probate law, 223.
- Committee on Claims, 223.
- select committee on H. R. file, No. 52, 232, 271, 275.
  - Senate file, No. 87, 234.
  - territorial debts, 235.
  - H. R. file, No. 11, 245.
  - Senate file, No. 86, 245, 251.
  - H. R. file, No. 94, 251.
- Committee on Military Affairs, 266.
- select committee on Senate file, No. 80, 266.
  - Senate file, No. 104, 270.
  - to examine supreme court room, 271.
  - on H. R. file, No. 93, 272.
  - H. R. file, No. 126, 273.
  - H. R. file, No. 107, 273.
- Committee on Ways and Means, 292, 297.
- select committee on H. R. file, No. 140, 296, 302.
  - to wait on the House. 305.

## RIVERS—

- Committee on Internal Improvements instructed relative to the
  - Des Moines river grant, 53.
- report relative to the improvement of the Des Moines river,
  - 94.
  - dams across the Des Moines, 107.
  - for appointing engineer to survey the Des Moines, 267, 295.
  - Skunk river, improvement of, 200, 201.
  - Iowa river, improvement of, 137.
  - Cedar river, improvement of, 153.
  - Mississippi river, to change the name of, 242.

## RULES—

- adopted temporarily, 4.

## RULES—

- committee to report, 6.
- report of committee on, 23.
- ordered to be printed, 23.
- report of committee on joint, 30.

## SENATE—

- organization of, temporary, 3.
- permanent, 5, 6.

## SENATE CHAMBER—

- to be used for divine worship, 29.

## STANDING COMMITTEES, 7, 8.

- announcement of, 25.

## TREASURER—

- Report of, 310.

## WOODS—

- Rev. W. W., to use Senate Chamber for divine worship, 29.
- J. W., elected Assistant Secretary, 40.

YEAS AND NAYS CALLED FOR—5, 21, 29, 44, 46, 47, 48, 49, 51, 52, 54, 56, 58, 59, 60, 62, 63, 68, 70, 73, 79, 80, 81, 82, 84, 85, 86, 87, 90, 105, 109, 111, 114, 131, 133, 136, 138, 148, 149, 152, 154, 158, 163, 167, 169, 178, 182, 183, 186, 189, 190, 194, 202, 207, 208, 210, 211, 212, 213, 214, 225, 227, 231, 234, 236, 240, 242, 245, 247, 249, 251, 253, 258, 261, 262, 267, 268, 273, 274, 275, 279, 280, 284, 287, 289, 292, 294, 296, 297, 301, 302, 303, 305.