

EXCHANGE
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JOURNAL

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OF THE

SENATE

AT THE EXTRA SESSION

OF THE

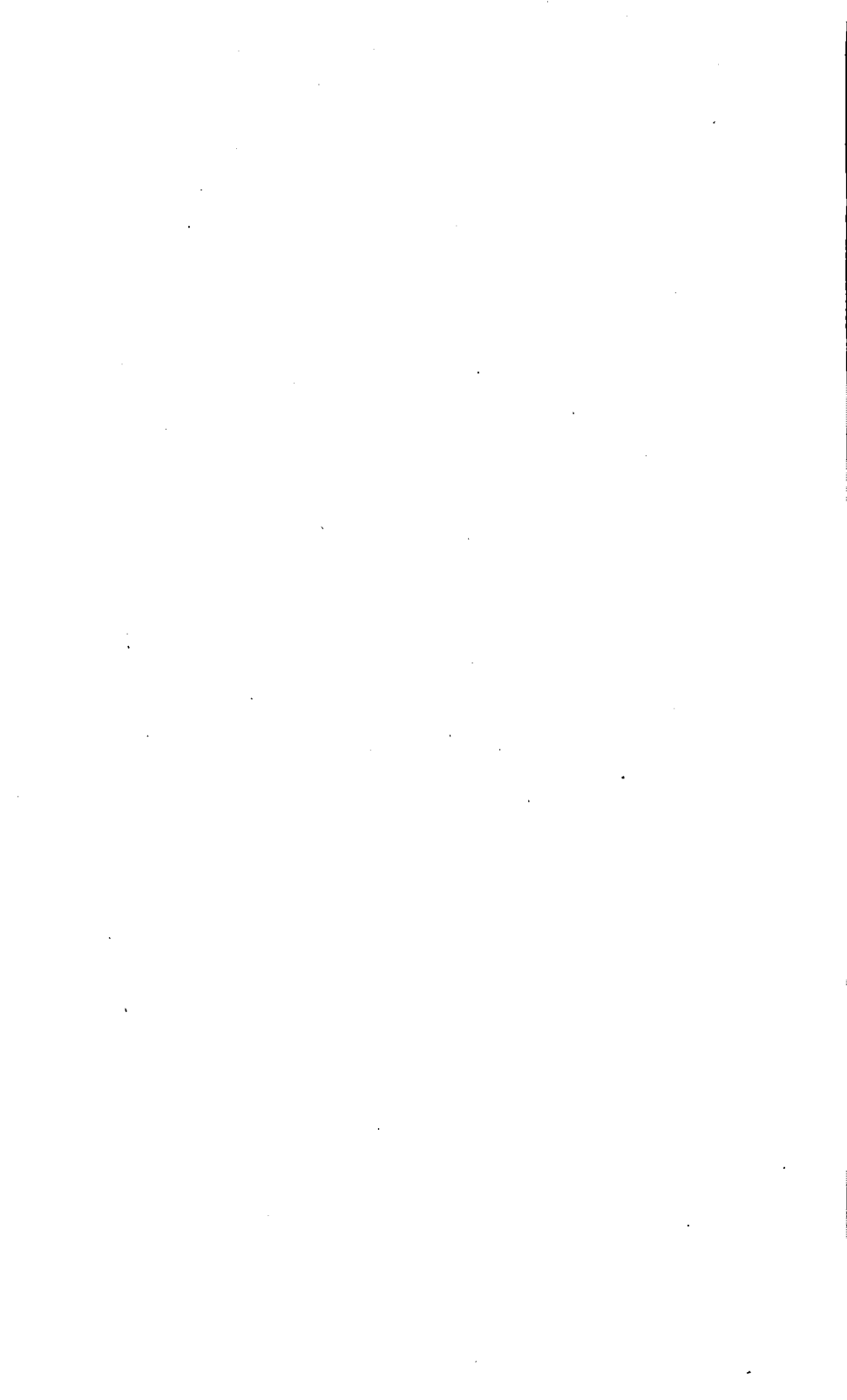
EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL IN DES MOINES, ON WEDNESDAY, THE 15TH
DAY OF MAY, 1861.

DES MOINES:
F. W. PALMER, STATE PRINTER.
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EXCHANGE

JOURNAL OF THE SENATE.

SENATE CHAMBER, DES MOINES, }
MAY 15th, 1861. }

Pursuant to a proclamation of the Governor of Iowa, the Senate met in the Senate Chamber at Des Moines, on Wednesday, May 15th, 1861, at 2 o'clock P. M., and was called to order by the Lt. Gov., Hon. N. J. Rusch.

Prayer was offered by Rev. Mr. Bird.

Hon. N. J. Rusch then stated that as he had been appointed to the office of Commissioner of Emigration, he had doubts as to his constitutional rights to exercise the functions of Lt. Gov. and President of the Senate, and that he would not therefore act in that capacity until those doubts were removed.

Mr. Jas. F. Wilson, was then called to the chair.

On motion of Mr. Anderson, J. H. Sanders of Keokuk Co., was elected Sec'y. pro tem.

On motion of Mr. Rankin, Mr. Wm. Ensley of Des Moines Co., was elected Sergeant-at-Arms, pro tem.

On motion of Mr. Ainsworth, Mr. R. Davis of Polk County, was elected Messenger, pro tem.

On motion of Mr. Davis of Polk, the question of the right of Hon. N. J. Rusch, to preside over the Senate, was referred to the Attorney-General for his opinion.

Mr. Angle moved that a Committee of five be appointed to report permanent officers for the Senate. Adopted, and Messrs. Angle, Bussey, Anderson, Wilson of Dubuque, and Scott were appointed said Committee.

Mr. Angle from Committee on nomination of permanent officers, reported as follows:

Your Committee respectfully beg leave to report the following nominations:

For Secretary, J. H. Sanders, of Keokuk Co.

For Assist. Secretary, R. T. Wellslager, of Mahaska Co.

For Sergeant-at-Arms, Wm. Ensley, of Des Moines Co.

For Janitor, F. Michael, of Polk Co.

For Messenger, R. Davis, of Polk Co.

Which report was received.

The Senate then proceeded to vote for Secretary, with the following result:

Those voting for J. H. Sanders, were—Senators Anderson, Angle, Ainsworth, Beuchel, Baily, Bussey, Brown, Davis of Polk, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Mann, Pattison, Powers, Rankin, Reiner, Scott, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—32.

Mr. Sanders having received all the votes cast, was declared duly elected to the office of Secretary.

On motion of Mr. Wilson of Dubuque, the Senate proceeded to vote for Assistant Secretary. Result as follows:

Those voting for R. T. Wellslager, were—Senators Anderson, Angle, Ainsworth, Bailey, Beuchel, Bussey, Brown, Davis of Polk, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Mann, Pattison, Powers, Rakin, Reiner, Scott, Taylor, Thompson, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—32.

Mr. Wellslager having received all the votes cast, was declared duly elected Assistant Secretary.

Mr. Johnson moved to proceed to the election of Sergeant-at-Arms, which was adopted, and the vote was as follows:

Those voting for Mr. Ensley were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Brown, Davis of Polk, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Man, Pattison, Powers, Rankin, Reiner, Scott, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—32.

Mr. Ensley having received all the votes cast was declared duly elected.

On motion of Mr. Bussey, the Senate proceeded to ballot for Messenger with the following result:

Those voting for R. Davis were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Brown, Davis of Polk, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Man, Pattison, Powers, Rankin, Reiner, Scott, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson, of Dubuque, and Wilson, of Jefferson—32.

Mr. Davis having received all the votes cast was declared duly elected.

On motion of Mr. Udell, the Senate proceeded to vote for Janitor, with the following result:

Those voting for F. Micheal were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Brown, Davis of Polk, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Mann, Pattison, Powers, Rankin, Reiner, Scott,

Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson, of Dubuque, and Wilson, of Jefferson—32.

Mr. Michael having received all the votes cast was declared duly elected.

On motion of Mr. Davis of Polk, a committee of two was appointed to notify the House that the Senate was organized, and ready to proceed to business.

Messrs. Davis of Polk, and Bussey were appointed said committee.

Mr. Udell moved that a committee of three be appointed to make arrangements for the postage of members of the Senate during the Session. Adopted—and Messrs. Udell, Anderson, and Wilson of Dubuque appointed as committee.

On motion of Mr. Anderson, the Rules of the last Session were adopted.

On motion of Mr. Anderson, the Senate took a recess of fifteen minutes.

After recess of fifteen minutes the Senate was called to order, and Mr. Udell, from Committee on Postage, reported as follows:

Your Committee, to whom was referred the matter of postage, would respectfully recommend that the Secretary of the Senate be directed to procure three dollars worth of postage stamps for each member of the Senate.

Mr. Johnson moved to lay the report on the table. Lost.

Mr. Kent moved that the report be adopted, upon which question Mr. Johnson called the yeas and nays, which were ordered and were as follows:

The yeas were, Senators Benchel, Hastings, Johnson, Kent, Mann, Udell, and Wilson of Dubuque—7.

The nays were Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Davis of Polk, English, Gray, Green, Hagans, Hammer, Henderson, Lewis, Pattison, Powers, Rankin, Scott, Taylor, Thompson, Trumbull, Watson, Williams, and Wilson, of Jefferson—23.

So the motion to adopt was lost.

Mr. Davis, from Committee appointed to notify the House that the Senate was organized, reported that they had performed that duty.

On motion of Mr. Hammer, the vote by which the report of Committee on Postage was rejected, was reconsidered.

The Report was then adopted.

Mr. Davis of Polk, moved that the Senate adjourn. Lost.

Mr. Brown moved that a Committee of two be appointed to wait on the Governor, and inform him that the Senate was organized. Adopted.

Messrs. Brown and Taylor were appointed as said Committee.

Mr. Johnson moved that the Secretary be instructed to furnish each member with 25 copies of Daily Newspapers or their equivalent in Weeklies.

Mr. Powers moved to amend by striking out 25 and inserting 15.
Lost.

Mr. Udell moved to strike out "twenty-five" and insert "five."
Lost.

Mr. Scott moved to strike out "twenty-five" and insert "one."
Adopted.

The question being on the motion as amended, Mr. Anderson called for the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Bussey, Gray, Green, Hagens, Henderson, Hastings, Kent, Lewis, Pattison, Rankin, Scott, Thompson, Udell, Watson, Williams, and Wilson of Jefferson—16.

The nays were—Senators Angle, Ainsworth, Beuchel, Bailey, Davis of Polk, English, Hammer, Johnson, Mann, Powers, Trumbull, and Wilson of Dubuque—12.

So the motion was lost.

Mr. Davis of Polk offered the following :

Resolved, That the Clergymen resident in the City of Des Moines, be requested to act as Chaplains to the Senate during the present session.

Adopted.

Mr. Brown, from Committee appointed to wait upon the Governor, reported that they had performed that duty.

Message from the House by Messrs. Witter and Curtis :

MR. PRESIDENT :—We are directed by the House to inform your Honorable body that the House is organized, and ready to proceed to business.

Message from the House by Mr. Robb :

MR. PRESIDENT :—We are directed to ask the Senate to appoint a Committee of three, to act with a similar Committee on the part of the House, to wait upon His Excellency the Governor and inform him that the General Assembly is organized, and ready to receive any communication he may have to make.

Mr. Bussey moved that the Committee asked for be appointed, and that Mr. Scott be Chairman.

Adopted.

Messrs. Scott, Bussey and Angle, were appointed as said Committee.

Mr. Taylor offered the following :

Resolved, That the Secretary be directed to furnish each member with a copy of the Journals of the last General Assembly.

Adopted.

Mr. Scott, from the Joint Committee appointed to wait on the Governor, reported that they had performed that duty, and that the Governor would send a communication in writing.

On motion of Mr. Davis the Senate adjourned until to-morrow, 9 o'clock A. M.

SENATE CHAMBER, DES MOINES, }
MAY 16th, 1861. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

A communication was received from the Governor.

Mr. Johnson introduced Senate File No. 1, a Memorial to the Congress of the U. S.

Mr. Davis of Polk moved to lay on the table.

Mr. Neal called for the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Angle, Bussey, Brown, Davis of Clinton, Davis of Polk, Henderson, Hastings, Kent, Lewis, Pattison, Powers, Rankin, Reiner, Thompson, Watson and Wilson of Jefferson—17.

The nays were—Senators Ainsworth, Beuchel, Bailey, English, Gray, Green, Hagans, Hammer, Johnson, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque.

Absent or not voting—Mr. Scott.

So the motion was lost.

Mr. Angle moved to refer to a Committee of nine.

Mr. Neal moved to amend by striking out nine and inserting three and that Mr. Johnson be Chairman. Lost.

Mr. Taylor moved to amend by striking out nine and inserting five, with Mr. Johnson Chairman. Adopted.

On motion of Mr. Bussey, the Message of the Governor was read as follows :

Gentlemen of the Senate and House of Representatives :—

The Constitution requires that I shall state to you the purpose for which you have been convened in Extraordinary Session.

When a little more than a year ago your regular Session closed, the whole country was in the enjoyment of peace and prosperity. At home, life, liberty, and prosperity were secure, and abroad, the title of an American Citizen was claimed with pride, and a full assurance that it was a sure guarantee of respect and protection to all who could make good the claim.

To-day Civil War is upon us. A wide spread conspiracy against the General Government which we know has been maturing for years, has been developed, and the whole country is filled with the din of arms. On the one hand and from one section of the country, men who should be loyal citizens, if benefits conferred by a Government should make men loyal to it, are mustering armed bands with the intent to dissolve the Union and destroy our Government ; and on the other hand, partially from the same section, and as one man from the other, our loyal people are rallying around our Union

and our Government, and pledging for their maintenance what our Fathers so freely periled to secure them—life, fortune, and honor.

In this contingency, Iowa must not and does not occupy a doubtful position.

For the Union as our Fathers framed it, and for the Government they founded so wisely and so well, the people of Iowa are ready to pledge every fighting man in the State, and every dollar of her money and credit; and I have called you together in Extraordinary Session for the purpose of enabling them to make that pledge formal and effective.

Those who to gratify their mad ambition have brought upon the country this great evil, seek to disguise their true intent; they say they do not desire to destroy our Government, that the Government has become hostile to them, and they only wish to peacefully withdraw themselves from it, which they claim the right to do whenever in their judgment their interest or safety may require such action, and for a time many loyal men, deceived by their professions and not perceiving that "peaceable secession" was destructive alike of the Constitution and Union, were unwilling that any coercive measures should be used to bring them back to a sense of their duty.

How are the facts? Our Government is based on these great central controlling ideas.

The people are the only true source of power. In the exercise of their power they have created our present form of government, retaining in their own hands its management and control; they have honesty enough to desire, and intelligence enough to discern the right, and if at any time they should by reason of excitement or passion, misdirect the action of Government and do wrong to any portion of themselves, their honesty and their intelligence can be surely relied upon to correct such wrong.

These are the fundamental ideas of our form of government, and when any section of our country or any portion of our people, alleging that wrongs have been done them, declare they can not and will not rely upon the honesty and intelligence of our people to right such wrongs, but will right their wrongs in their own way and by their own hands, they strike a blow, which, if not arrested, will crumble the fabric of our Government into ruins.

Has the Government been hostile to them? At the time this most unnatural rebellion commenced there was not on the Statute books of the United States a single law that had not been dictated or assented to by their Representatives. The recent election, of the result of which they so loudly complain, had placed in the Presidential Chair a person opposed to their policy upon one important question, but had left them in possession of two other independent and co-ordinate branches of the Government, so that it was utterly impossible any injury could result to them from the election of a President who was not their choice.

Under these circumstances without waiting to see what would be the disposition of the newly elected President, without trusting to Congress and the Judiciary yet under their control, without waiting an appeal to the honesty and intelligence of the people to right any wrongs that might be attempted against them, they rebelled against the Government and sought to destroy it by arms. They have seized by force the Forts, Arsenals, Ships and Treasure, and have set at defiance the laws and officers of the United States. They have sought to set up within the Union another and Independent Government. They have for months past been levying troops, building Forts and gathering Munitions of War, with intent to make war upon our Government, if it should attempt to perform its lawful functions, and after months of preparation have attacked with overwhelming numbers, and captured the troops of the United States, holding a Fortress of the United States, and have so far as in them lies dishonored that proud flag, which throughout the world, is the emblem of the power, the honor and the glory of our Nation.

What in the meantime has been the action of our Government towards these misguided men?

The history of the world can not show equal moderation and forbearance by any Government towards a portion of its people in rebellion against its laws.

For months some of these men were allowed to hold high positions in the Cabinet, and used their official power, only to betray the Government of which they were the sworn and trusted servants.

For months many of them were allowed to retain their seats in both branches of Congress, and used their position to defeat the enactment of wholesome laws necessary for the protection of the Government.

For months many of them were permitted to hold high commands in the Army and Navy, and used their positions to betray and dishonor the flag they had sworn to protect and defend.

For months the Government yielded step by step and had used only words of kindness and good will. But forbearance, moderation and kindness were regarded only as evidence of weakness, imbecility and cowardice, until at last the crowning outrage of Fort Sumter convinced all men that further forbearance had indeed ceased to be a virtue, and would make those charged with the safety of the Government as criminal as those who were seeking to destroy it. At last the Government has spoken and has called the loyal men of the country to rally to its support, and the answer has been such as to show the world the strength of a Government founded on the love of a free people.

On the 15th day of April last, the President issued his proclamation calling on the loyal States for aid to enforce the laws. On the 25th day of the same month, I received from the Secretary of War a requisition on this State, dated on the 15th, calling for one

Regiment of troops. Having been before advised by telegraph that such requisition had been issued, I felt well assured that I would but be carrying out your will and the will of the people of the State in responding to the call as promptly as possible. I therefore did not wait the receipt of the formal requisition, but proceeded at once to take such steps as seemed to me best adapted to speedily effect that object. I was met at the outset by two difficulties. There were not any funds under my control to meet the necessary expenses, nor was there any efficient Military Law under which to operate. Your action only could furnish these aids in a legal way, and yet to await your action would involve great, perhaps dangerous delay.

The first difficulty was obviated by the patriotic action of the chartered banks and citizens of the State, who promptly placed at my disposal all the money I might need, and I determined although without authority of law to accept their offer, trusting that you would legalize my acts. One difficulty was thus avoided. I trusted, and as the result shows safely to the patriotism of the people for the removal of the other; and on the 17th day of April issued my proclamation calling for the requisite number of troops.

The telegraphic dispatch of the Secretary of War informed me that it would be sufficient if the troops required of this State were in rendezvous at Keokuk by the 20th inst. The prompt and patriotic action of the people enabled me to place them there in uniform on the 8th, twelve days in advance of the time fixed, and they would have been there a week sooner had not the action of the mob at Baltimore cut off all communication with the seat of Government, and left me without any instructions for two weeks. I recommend that you make suitable appropriations to cover expenses thus incurred.

Tenders of troops were made altogether beyond the amount required, and learning from the newspapers and other sources that another requisition would probably be made on this State, I took the responsibility of ordering into quarters in the respective counties where raised, enough companies to form a Second Regiment in anticipation of such requisition, that they might acquire the necessary discipline and drill. The second requisition has not yet reached me, but I am expecting it daily, and am prepared to respond to it promptly when made.

The officers and men composing the first Regiment were in quarters for some time before being mustered into the service of the United States, and those called out in anticipation of a second requisition will have been in quarters a considerable time before they will be called into service if at all.

It is but just that provision be made for payment of the men who have thus promptly and patriotically stepped forth in defense of the country, for the time lost by them before being actually received by

the United States, and I recommend that you make the necessary appropriation for that purpose.

In addition to the two Regiments thus accepted by me, I have already received tenders of Companies enough to make up five Regiments more, and have been strongly urged by them and by many other good citizens, to accept the whole and place them in quarters at the expense of the State.

In view of the fact that all I had done was without authority of law, and the further fact that you the law making power of the State were so soon to assemble, I did not feel justified in so doing; but have recommended in all cases, that all such companies should, if possible, keep up their organization, and should devote as much of their time as possible to the drill without interfering materially with their ordinary business, thus keeping in reserve a large, organized, and partially drilled force to meet emergencies.

In several localities, patriotic citizens have at their own expense furnished subsistence for Companies thus organized and not accepted, and they have been in quarters drilling daily. Whether any of the expenses thus incurred shall be paid by the State, or whether any compensation shall be made to the men for the time thus spent in quarters is peculiarly within your province to determine.

In addition to the passage of laws legalizing what has thus far been done, and providing for expenses thus far incurred; it will be your duty carefully to examine what further the State should do to meet present necessities and future contingencies.

In my judgment there are two objects which in your deliberations you should keep steadily in view, and which I recommend to your serious consideration—the protection of our State against invasion and the prompt supply to the General Government of any further aid it may require.

Our State is supposed by many to be exposed to attack on two sides—our Southern and Western borders, on the South by reckless men from Missouri; on the West by Indians.

Missouri is unfortunately strongly infected with the heresy of Secession which is hurrying so many of the Southern States to ruin. What may be the ultimate result in that State we do not know. Should she unfortunately attempt to dissolve her connection with the Union, serious trouble may and probably will spring up along our Southern border. Even in that event I can hardly anticipate an armed invasion by regular Military forces from that State.

Surrounded as she is by Kansas, Illinois and Iowa, such invasion by her would be sheer madness, and it seems to me we are guarded against such danger, if not by her calm judgment and her neighborly good will, at least by her instinct of self preservation. But lawless, reckless men within her limits may take advantage of the unsettled condition of public affairs, to organize a system of border

warfare for the purpose of plunder, and it is your duty to properly guard against this danger.

The known facts that the troops have been wholly or in part withdrawn from the Forts in the Territories West of us, and the restraint of their presence thus removed from the Indian tribes on our border, that the Indians have received, probably, highly colored statements in regard to the War now upon us; and that since the massacre at Spirit Lake in our State some years since, which went wholly unpunished, they have shown an aggressive disposition, coupled with the probability that they may be tampered with by bad men, render it in my judgment, a matter of imperative necessity that proper measures be taken to guard against danger from that quarter.

I have already done what I could with the limited means at my command to furnish arms on both borders.

Two modes for the protection of the State and furnishing further aid if needed to the General Government suggest themselves to me.

One is mustering into the service of the State, arming, equipping and placing in camp to acquire discipline and drill a number of regiments of Volunteers. The advantages of this are that we would have at hand a disciplined force ready to meet any emergency, State or National. The disadvantages are its great expense and its inefficiency by reason of the great extent of our border, to protect our frontier against the lawless bands to which we are exposed.

The other plan is to organize along the Southern and Western frontier, arm and equip but not muster into active service a sufficient force of minute men, who may be called upon at any moment to meet any emergency that may arise at any point. This will be the more effective plan for home protection, but will not place the State in position to render such effective aid to the general government. Which, if either of these plans, or whether a combination of both, or whether something wholly distinct from either shall be adopted, I leave for your wisdom to decide.

It will be necessary that you enact a military law authorizing among other things the formation of a Military Staff under which I can have the assistance and advice of such officers as compose it in raising, arming, equipping and supporting such further troops as you may direct to be raised for the use of the State or as may be required by the United States. It will also be necessary to use the credit of the State to raise means to meet the extraordinary expenses incurred and to be incurred. You have the power to do this under that provision of the constitution which authorizes without a vote of the people the contracting of a debt "to repel invasion," "or to defend the State in war."

In most or all of the counties in which companies of volunteers have thus far been accepted, the Boards of Supervisors or public spirited citizens have raised means for the support of the families of volunteers who have left families dependent on them for support.

This action is eminently praiseworthy and yet its operation is partial and unequal. It is scarcely to be presumed that companies will be received from all the counties of the State, or equally from those counties from which they may be received, and it seems to me much more equitable and just that this expense be borne by the State, and the burden thus equally distributed among our people.

The procuring of a liberal supply of arms for the use of the State is a matter that I earnestly recommend to your early and serious consideration. The last few weeks have taught us a lesson which I trust we may never forget, that peace is the proper time in which to prepare for war.

I feel assured the State can readily raise the means necessary to place her in a position consistent alike with her honor and her safety. Her territory of great extent and unsurpassed fertility, inviting and constantly receiving a desirable emigration, her population of near three quarters of a million of intelligent, industrious, energetic and liberty-loving people, her rapid past and prospective growth, her present financial condition, having a debt of only about one quarter of a million of dollars unite to make her bonds among the most desirable investments that our country affords.

The people of Iowa, your constituents and mine, remembering that money is the sinews of war, will consider alike criminal a mistaken parsimony which stops short of doing whatever is necessary for the honor and safety of the State, and a wild extravagance which would unnecessarily squander the public treasure.

Our revenue law is in my judgment defective in some particulars, requiring perhaps some unnecessary expense, and not being sufficiently stringent to compel the prompt payment of taxes. At all times and more especially at a time like this every good citizen should cheerfully contribute his share of the public burden and those who are not disposed to do so should feel the force of stringent laws, ensuring the performance of that duty. A failure to pay taxes promptly compels the State to use her warrants instead of cash to carry on the operations of the government, and adds to the expense of the State not only the increased prices she is compelled to pay for articles purchased for her use over and above the price at which she could buy for cash, but also the interest upon the warrants issued until the same are paid. I earnestly recommend a careful examination and a full use of your constitutional powers to punish the men if any there be in our State, who may feel disposed to furnish aid in any way to those who are or may be in rebellion against the United States or engaged in acts of hostility to this State.

The great haste in which amidst the pressure of other duties I have been compelled to prepare this message renders it very probable that I may have overlooked some subjects that you may deem of importance in the present emergency. When convened in extra session your powers of legislation have the same scope and limit as

at your regular sessions and I feel confident your wisdom and foresight will supply all such omissions.

Permit me in conclusion to express the hope that what you do may be done promptly, calmly and thoroughly. Let us take no counsel from passion, give no way to excitement. Let us look our situation boldly and squarely in the face, and address ourselves to, and do our duty like men who believe that while we hold to our Fathers' faith and tread in our Fathers' steps, the God of our Fathers will stand by us in the time of our trial, as He stood by them in the time of theirs.

SAMUEL J. KIRKWOOD.

Mr. Powers moved that the Message be laid on the table and 2500 copies be printed.

Mr. Davis of Polk moved to amend by striking out 2500 and inserting 5000—Lost.

Mr. Bussey moved to amend by inserting 1000. Adopted.

Mr. Powers moved to print one-fourth in German. Lost. When the original motion as amended was adopted.

The President appointed a Committee of five on Memorial offered by Mr. Johnson, consisting of Messrs. Johnson, Angle, Rankin, Bussey and Davis of Polk.

Mr. Udell offered the following resolution:

Resolved, That the Senate will not receive or transact any business during this session except such as has been or may be recommended by the Governor as a Fee Bill.

Mr. Bussey moved to amend, so as to include amendment of Code in selection of Grand Juries.

Mr. Hammer moved to lay the resolution with the pending amendment on the table. Adopted.

Mr. Anderson offered the following:

Resolved, That the Committees as arranged at the last Session be adopted with the following, to-wit: That four additional members be added to the Committee on Military Affairs and that all vacancies be supplied by the President.

Which on motion of Mr. Rankin was adopted.

Mr. Brown had leave to introduce Senate File No. 2. Bill for an Act to pay expenses of organizing Military, &c. Referred to Committee on Military Affairs.

Mr. Rankin had leave to offer Senate File No. 3. An Act for the formation and calling into the service of the State a Regiment of Cavalry.

Referred to Committee on Military Affairs.

The President announced the following additional members of the Committee on Military Affairs. Messrs. Pusey, Anderson, Bussey and Brown.

A communication from the Attorney-General, was read as follows:

OFFICE OF ATTORNEY GENERAL, }
 May, 15, 1861. }

To the Honorable Senate of the State of Iowa :

Through your Secretary I am advised that the Senate has requested my opinion upon the matter of the right and duty of Hon. Nicholas J. Rusch to exercise the functions of Lieutenant Governor as President of your Honorable Body.

I am advised by the note of the Secretary that Mr. Rusch has heretofore been appointed Immigrant Commissioner under the Act of the General Assembly of 1860, and has accepted of said appointment and entered upon the duties of said Commission.

Act 4, Sec. 14, of the Constitution of the State of Iowa, provides that "No person shall, while holding any office under the authority of this State, execute the office of Governor or Lieutenant Governor."

If the Commission created by the act of 1860 is an office within the meaning of this provision of the Constitution it would seem clear that the acceptance of the same by the Lieutenant Governor would necessarily disqualify him from exercising the functions of Lieutenant Governor, and that having disqualified himself for executing the office of Lieutenant Governor by his own act, the office would become vacant by operation of law. Having once vacated the office the incumbent could not again resume the exercise of its duties unless re-elected in the manner provided by law.

The Act of 1860 provides for the appointment of a Commissioner of Immigration by the Governor of the State, by and with the advice and consent of the Senate; fixes the term of his office at two years; provides an annual salary for his compensation, and makes it the duty of the Governor to remove the incumbent for "inefficiency and misconduct."

The duties of the Commissioner do not relate to the administration of the law, and are not within the ordinary scope of Judicial or ministerial functions. But our Legislature has seen fit to create many offices in connection with the Educational and Agricultural interests of the State, and every department of our government has recognized these auxiliaries to the public welfare as legitimate subjects of Legislation. This office of Immigrant Commissioner would seem to be of the same general character, and requires the exercise of important duties involving the material interests and prosperity of our State.

Our law writers define an office to be "the right to exercise a public function or employment and to take the fees belonging to it."

The act creating this commission, I think, very properly calls it an office, and I am unable to see any distinction between this and other public offices which would render the spirit or letter of the Constitutional provision before cited inapplicable to it.

It is made the duty of the Governor to remove the Commissioner in case of inefficiency or misconduct.

The Lieutenant Governor upon the happening of a single contingency, may become the Governor of the State. If he may be Commissioner and Lieutenant Governor he may also be Commissioner and Governor. How then could he exercise the public trust of removing himself from office?

It would seem, indeed, that the provision of the Constitution has a peculiar applicability in such a case as this.

I am of the opinion that the acceptance and exercise of the office of Immigrant Commissioner by one holding the office of Lieutenant Governor necessarily created a vacancy in the latter office.

Very Respectfully, Submitted,

CHARLES C. NOBBE.

Which was laid on the table.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has ordered 10,000 copies of the Governor's Message to be printed in the English language, and 2,000 in German, for the use of the House.

WM. THOMPSON, Chief Clerk.

Mr. Mann moved to reconsider the vote of yesterday, by which the Senate refused to take any daily papers.

Adopted.

Mr. Mann moved to strike out "one" and insert "thirty."

Mr. Scott moved to amend by striking out "thirty" and inserting "eighteen."

Mr. Taylor called for the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Johnson, Mann, Neal, Taylor, Trumbull, and Wilson of Dubaque—7.

The nays were—Senators Anderson, Angle, Benchel, Bailey, Bussey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Powers, Rankin, Reiner, Scott, Thompson, Udell, Williams, and Wilson of Jefferson—31.

Absent or not voting—Senator Watson.

So the motion was lost.

Mr. Johnson moved to strike out "one" and insert "twenty."

Mr. Brown moved the following amendment:

Provided, That no paper shall be subscribed for or obtained at the public expense under this resolution, except such as are fully committed to the maintenance of the honor and integrity of the Government and the preservation of the Union.

Mr. Johnson offered the following amendment:

"That each Senator be allowed the high privilege of judging for himself of the loyalty of the paper he may desire to take."

When, on motion of Mr. Hammer, the resolution and amendments were laid on the table.

Mr. Johnson moved to take from the table the original resolution with amendments. Adopted.

The question recurring upon the adoption of the amendment proposed by Mr. Johnson, was lost.

Mr. Brown's amendment was also lost.

Mr. Davis of Polk, moved to amend by restricting members to papers published in this State.

Mr. Mann moved to amend by inserting papers published in Des Moines, daily or weekly. Adopted.

The resolution as amended was then adopted.

Mr. Bussey moved to reconsider the vote ordering the printing of 1000 copies of the Governor's Message. Lost.

Mr. Davis of Polk, gave notice that he would on to-morrow, or some future day, introduce a bill providing for further pay to the Volunteers called into the service of the United States by this State.

Mr. Rankin moved that that part of the Governor's message, relating to Military matters, be referred to a Committee on Military Affairs. Adopted.

Mr. Bussey moved that that part relating to finances, be referred to the Committee on Ways and Means. Adopted.

Mr. Scott moved to refer that part relating to the state of the country, to the Committee on Federal Relations. Adopted.

On motion of Mr. Wilson of Dubuque, the part relating to Revenue, was referred to Special Committee of five, with Mr. Hagans, Chairman.

Mr. Powers gave notice that he would on to-morrow or some subsequent day, introduce a bill giving power to the Supervisors of the several counties to make such provision out of the County Funds of their several counties for the support of the families of such Volunteers as may be called into the service of the State or Federal Authorities as they may see fit.

Mr. Bussey moved that the Secretary be authorized to make arrangements with the Post Master of this city for the payment of postage on newspapers. Adopted.

The Special Committee on that part of the Message relating to Revenue was appointed as follows:

Messrs. Hagans, Wilson of Dubuque, Henderson, Gray, and Davis of Clinton.

Mr. Neal offered the following:

Resolved, That T. M. Jones of Marion county, be appointed paper folder for the Senate. Laid on the table on motion of Mr. Udell.

Mr. Anderson moved that the Janitor be required to fold papers and carry the same to the Post Office. Adopted.

On motion of Mr. Bussey, the Senate adjourned to 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, }
 May 17th, 1861. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read, corrected and approved.

Mr. Reiner presented a petition of A. Gamble and 75 other citizens of Louisa county, praying for passage of adequate measures for protection of our frontier and putting down rebellion.

Referred to Committee on Military Affairs.

Message from the House by Mr. Thompson, Chief Clerk :

MR. PRESIDENT: I am directed to inform your honorable body that the House of Representatives has adopted the following resolution, in which the concurrence of the Senate is asked :

WHEREAS, The President of the United States has appealed to all loyal citizens to favor, facilitate and aid the effort to maintain the honor, the integrity and the existence of the National Union, suppress treason and rebellion against the General Government,

Therefore, Be it Resolved by the House of Representatives, (the Senate concurring herein) that the faith, credit and resources of the State of Iowa both in men and money are hereby irrevocably pledged to any amount and to every extent which the Government may constitutionally demand to suppress treason, subdue rebellion, enforce the laws, protect the lives and property of loyal citizens, and maintain inviolate the Constitution and sovereignty of the Nation.

Resolved, That the Governor and Secretary of State be and they are hereby authorized to forward a certified copy of these resolutions to the President of the United States.

WM. THOMPSON, Chief Clerk H. R.

Mr. Mann moved that the Committee on Military Affairs be authorized to have printed any bill or bills relating to Military Affairs which they may prepare. Adopted.

Mr. Rankin had leave to introduce Senate File No. 4, "A bill for an Act to provide for the issuing of State bonds. Read twice, and

On motion of Mr. Rankin was referred to Committee on Ways and Means with instructions to have their report printed.

Mr. Thompson was appointed on Committee of Ways and Means to fill vacancy.

On motion of Mr. Davis of Polk the Resolution from the House was taken up.

Mr. Bussey moved its adoption.

Mr. Bailey moved to amend by inserting the word "constitutionally" after the words "Government may." Adopted.

The question then recurring on resolution as amended, was adopted.

Mr. Ainsworth offered the following :

Resolved, That the Governor be requested to furnish to this body all the correspondence in his possession regarding an invasion of the State of Iowa, and also all regarding the purchase of arms for the use of the State.

Mr. Kent moved to amend by adding "if not incompatible with the public safety." Adopted.

The question then recurring on the Resolution as amended, it was adopted.

On motion of Mr. Rankin, the Senate adjourned to Monday at 9 o'clock A. M.

SENATE CHAMBER, DES MOINES, IOWA, }
 May, 20, 1861. }

Senate met pursuant to adjournment.

Called to order by the President.

Prayer by the Rev. Mr. Winan:

Journal of Friday read and approved.

Mr. Rankin presented credentials of Mr. Palmer of Henry, and Mr. Green of Muscatine, Senators elected to fill vacancies.

When on motion, they presented themselves and were sworn into office.

Mr. Kent presented a memorial in relation to School Lands in Tama county from Board of Supervisors of said county.

Which, on motion, was referred to Committee on Schools and Universities.

Mr. Bussey presented a petition from H. H. Trimble and others asking an appropriation "to arm the Home Guards" of Davis co.

Referred to Committee on Military Affairs.

Mr. Rankin presented petitions from Jon. A. McDonell and others asking for an appropriation to arm and equip the "City Rifles" of Keokuk.

Referred to Committee on Military affairs.

Mr. Rankin read a communication from the President of the Branch of the State Bank at Keokuk, protesting against any legislation favoring suspension of specie payment by banks.

Mr. Bussey moved that the Secretary be instructed to return the postage stamps purchased for the Senate, and that he make arrangements with the Postmaster of Des Moines for the payment of letter postage of Senators. Adopted.

Mr. Hagans from Committee on Military Affairs reported Senate File No. 5, a bill for "An Act for the organization, equipment and

subsistence of the militia-men of the State of Iowa." Read twice and

On motion of Mr. Hagans, was made the special order for to-morrow at 9, A. M.

Mr. Rankin introduced Senate File No. 6, a bill for "An Act requiring and authorizing the Governor to purchase arms, powder, clothing, &c., and provide the means of payment."

Which was read first and second time.

Mr. Davis of Polk introduced Senate File No. 7, a bill for "An Act to provide further compensation to volunteers called out by the Governor of the State of Iowa to serve in the army of the United States under the authority of the General Government." Read twice and

Referred to Committee on Military Affairs.

Mr. Powers had leave to introduce Senate File No. 8, a bill for "An Act empowering the Board of Supervisors to assist volunteers and families." Read twice and

Referred to Committee on Military Affairs.

Mr. Wilson, of Dubuque, moved to add Mr. Green of Muscatine to Committee on Ways and Means. Carried.

Mr. Rankin moved that Mr. Palmer be added to Committee on Judiciary. Carried.

Mr. Bussey had leave to introduce Senate File No. 9, "A Bill for An Act to amend Sec. 2729 of Chap. 115 of the Code of Iowa in relation to Jurors." Read twice and

Referred to Committee on Judiciary.

Mr. Udell had leave to introduce Senate File No. 10, a bill for "an An to amend the Code in regard to Grand Juries." Read twice and

Referred to Committee on Judiciary.

Mr. Powers had leave to introduce Senate File No. 11, "A Bill for An Act empowering the Board of Supervisors to purchase lands at tax sales under certain circumstances." Read twice and

Referred to Committee on Ways and Means.

Mr. Thompson from Committee on Ways and Means reported as follows:

The Committee of Ways and Means, to whom was referred Senate File No. 5, "A Bill for An Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in war," report that they have had the same under consideration jointly with the Committee of Ways and Means of the House of Representatives, that the Joint Committee report the same back with the accompanying substitute, and recommend that the substitute do pass.

JOHN. W. THOMPSON, Chairman.

On motion of Mr. Thompson the bill was made the special order for to-morrow at 2 P. M.

Mr. Pusey offered the following:

Resolved, That the Committee on Judiciary be required to report whether in their opinion an explanatory law should not be passed by this General Assembly in reference to the jurisdiction of County Boards of Supervisors over Swamp Lands, and if such act is required to report by bill."

Which on motion of Mr. Angle was adopted.

Mr. Brown offered a resolution as follows:

Resolved, That the Committee on Military Affairs be instructed to enquire into the expediency of providing by bill for exempting all persons who have or may hereafter be enrolled to aid the General or State Government to suppress insurrection or repel invasion from all civil process during the term of service, and for six months thereafter."

Mr. Scott moved that it be referred to the Committee on Judiciary.

Mr. Ainsworth moved to amend by inserting "criminal" between the words "civil" and "process." Lost.

Mr. Kent moved to amend by striking out the words, "six months thereafter." Adopted.

Mr. Ainsworth moved to indefinitely postpone and called the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, Beuchel, Bailey, Bussey, Duncomb, English, Gray, Johnson, McPherson, Neal, Udell, Williams—13.

The nays were—Senators Anderson, Bowen, Brown, Davis of Clinton, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, Pusey, Pattison, Powers, Rankin, Reiner, Scott, Taylor, Thompson, Trumbull, Palmer, Watson, Wilson of Dubuque and Wilson of Jefferson—25.

Absent or not voting—Davis of Polk.

So the motion to postpone was lost.

When a vote was had and the resolution adopted.

Mr. Bussey had leave to introduce Senate File No. 19: "A Bill to provide for the distribution of arms to the Southern and Western border Counties of Iowa."

Read twice and referred to Committee on Military Affairs.

Mr. Brown offered the following:

Resolved, That the Secretary of the Senate be authorized to subscribe for 1000 copies of the *Iowa Post* containing the late Message of the Governor of the State, for distribution by the Senators, *Provided* that the cost of such papers shall not exceed 5 cts. per copy. Lost.

Mr. Davis of Clinton moved to re-consider the vote by which the resolution was lost, upon which motion Mr. Davis of Clinton, called the yeas and nays which were as follows:

The yeas were—Senators Anderson, Angle, Beuchel, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Kent, Green of Muscatine, McPherson, Pattison, Powers, Rankin, Reiner,

Scott, Thompson, Trumbull, Palmer, Watson, Wilson of Dubuque, and Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hammer, Henderson, Johnson, Lewis, Mann, Neal, Pusey, Taylor, Udell and Williams—17.

So the vote was re-considered.

Mr. Bowen moved to strike out "5 cents," and insert "3 cents." Carried.

Mr. Powers moved to amend by striking out "1000" and inserting 800. Lost.

Mr. Neal moved to amend by adding "1000 copies of the Democratic Standard containing the Governor's Message in the Holland Language.

Mr. Rankin moved to amend by inserting "200."

Upon which motion Mr. Neal called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Pusey, Pattison, Powers, Rankin, Reiner, Scott, Taylor, Thompson, Palmer, Williams and Wilson of Jefferson—33.

The nays were—Senators Brown, Johnson, Neal, Trumbull, Udell, Watson and Wilson of Dubuque—7.

So the motion to amend was carried.

The vote then recurring on the resolution of Mr. Neal as amended, was lost.

Mr. Mann moved to amend original resolution by striking out "1000" and inserting "500." Lost.

The question then recurring on original resolution as amended, Mr. Hammer called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Beuchel, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Rankin, Reiner, Scott, Taylor, Thompson, Trumbull, Palmer and Wilson of Dubuque—24.

The nays were—Senators Ainsworth, Bailey, Bussey, Duncombe, English, Green of Jackson, Green of Muscatine, Hammer, Johnson, Mann, Pusey, Udell, Watson, Williams and Wilson of Jefferson—15.

Absent or not voting—Mr. Neal.

So the resolution was adopted.

A communication from the Governor was read as follows:

EXECUTIVE OFFICE, IOWA,
May 24th, 1861. }

Gentlemen of the General Assembly:

In my former communication to you, I omitted to mention the

obligation the State is under to the Chicago, Iowa & Nebraska; the Mississippi & Missouri, and the Burlington and Missouri Railroad Companies, for the handsome manner in which they placed their Roads at the disposal of the State, for the conveyance of the State troops free of charge; and the offer of other Railroad Companies to do the like.

The great importance of Railroad communication in its bearing upon the military strength of a State, by facilitating the rapid concentration of troops, has been strikingly shown in some of our sister States during the present crisis, and can hardly be over-estimated by the State of Iowa.

In this connexion I may state to you that the Dubuque & Sioux City Railroad Company, one of the Land Grant Roads of the State, which, by the terms of the grant, must carry troops and munitions of war free of charge, is desirous of some legislation at this Session to aid it in extending its line westward; and I recommend its application to you, for that purpose, to your favorable consideration.

SAMUEL J. KIRKWOOD.

Mr. Wilson of Dubuque had leave to introduce Senate File No. 13, "an Act extending the time of building the Dubuque and Sioux City R. R. Read twice, when Mr. Duncombe moved to suspend 11th rule and put the bill on its final passage.

Mr. Angle moved to refer to Committee on Railroads. Lost.

Mr. Rankin offered to amend as follows:

Provided, That the said Railroad Company shall in no way interfere with the lands heretofore granted to the State of Iowa in alternate sections by the Congress of the United States, for the improvement of the Des Moines River, supposed to extend to the source of the Des Moines River, or the North line of the State and provided that this proviso shall be accepted by the said Railroad Company as perpetually binding,

And provided further, That this proviso shall be of no force unless the Congress of the United States shall confirm the said stated Des Moines River Grant, to the State of Iowa, or any party or Company authorized by the State of Iowa, to receive and use the said lands, on or before the 1st day of June, 1863.

Upon which motion to amend, Mr. Rankin called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Davis of Clinton, Davis of Polk, English, Johnson, Kent, Lewis, Green of Muscatine, Neal, Rankin, Taylor, Udell, Williams, and Wilson of Jefferson—16.

The nays were—Senators Angle, Ainsworth, Bowen, Brown, Duncombe, Gray, Green of Jackson, Hagans, Hammer, Henderson, Hastings, Mann, McPherson, Pusey, Pattison, Reiner, Scott, Thompson, Trumbull, Watson, and Wilson of Dubuque—21.

Absent or not voting—Senators Beuchel, Palmer and Powers.

So the amendment was lost.

Mr. Bowen moved the bill be amended by adding the following :
That the provisions of this bill be extended to all other Land Grant Railroads in like manner.

Mr. Davis of Clinton moved to amend the amendment by excepting the Cedar Rapids & Mo. R. R. R.

Mr. Scott moved to lay the pending amendments on the table.

Pending which, on motion of Mr. Bussey, Senate adjourned to 2 P. M.

Two o'clock P. M.

Senate met pursuant to adjournment.

Question recurring on motion of Mr. Scott to lay the pending amendments on the table.

The motion prevailed.

Mr. Thompson moved to amend as follows: "insert after the words Dubuque & Sioux City R. R.," the words "Miss. & Mo. R. R." Upon which motion Mr. Thompson called for the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, Davis of Polk, Duncombe, Green of Muscatine, Hammer, Henderson, Kent, Lewis, McPherson, Pusey, Powers, Thompson, Taylor, Trumbull, Palmer, Watson, and Wilson of Dubuque—18.

The nays were—Senators Anderson, Beuchel, Bailey, Bussey, Davis of Clinton, English, Gray, Green of Jackson, Hagans, Hastings, Johnson, Mann, Pattison, Rankin, Reiner, Udell, Williams, and Wilson of Jefferson—18.

Absent or not voting—Messrs. Bowen, Brown, Neal, and Scott.
So the amendment was lost.

Mr. Angle offered a substitute for the bill, when
On motion of Mr. Johnston, the bill and substitute were referred to Committee on Rail Roads.

Mr. Rankin presented the following resolution:

Resolved, That the consideration of all subjects be and the same is hereby postponed until after the disposition of all matters that may be brought before the Senate, to which the attention of the Legislature is called in the Governor's Message.

Which was adopted.

Mr. Bussey moved to take up Senate File No. 6, "A Bill for an Act requiring and authorizing the Governor to purchase arms, clothing &c., and providing means of payment." Adopted.

On motion of Mr. Wilson of Dubuque, Senate went into committee of the whole for the consideration of the bill.

Mr. Wilson of Dubuque in the Chair.

After a short session, the Committee rose, reported the bill back to Senate with sundry amendments which were concurred in by the Senate. The Committee also recommended the passage of the bill.

Mr. Bussey moved to amend by adding the following as an additional section:

“The Governor and all agents appointed by him to carry out the provisions of the acts passed by the present General Assembly shall be required to make a true account of all monies received and disbursed by them, a copy of which shall be sworn to and filed in the office of Auditor of State.

Which was adopted.

Mr. Johnson moved to amend by inserting the following in Sec. 1. “To be used in defense of the State to repel an actual invasion of the same or to suppress insurrection and for no other purpose,”

Upon which motion Mr. Rankin called the yeas and nays which were as follows:

The yeas were Senators Bailey, English, Johnson, Mann, Neal and Williams—6.

The nays were, Senators Anderson, Angle, Ainsworth, Buechel, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Powers, Rankin, Reimer, Scott, Taylor, Thompson, Trumbull, Palmer, Watson, Wilson of Dubuque, and Wilson of Jefferson—33.

Absent or not voting—Udell.

So the amendment was lost.

Mr. Neal offered the following amendment to section No. 1.

“After the words “vested with authority,” insert the words “whenever it may be necessary to suppress insurrection or repel invasion.”

Mr. Palmer moved to amend the amendment by adding the following:

“Or suppress rebellion in this or any other State of the U. S. under any order constitutionally made by the President of the United States.

Which was lost.

Question then recurred on amendment of Mr. Neal, upon which Mr. Rankin called the yeas and nays which were as follows:

The yeas were, Senators Buechel, Bailey, English, Johnson, Mann, Neal, Taylor and Williams—8.

The nays were, Senators Anderson, Angle, Ainsworth, Bussey, Bowen Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green of Jackson, Green of Muscatine, Hagans Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Powers, Rankin, Reimer, Scott, Thompson, Trumbull, Udell, Palmer, Watson, Wilson of Dubuque and Wilson of Jefferson—32.

So the amendment was lost.

Mr. Neal moved to amend Section 5 as follows:

"After the words 'file vouchers' insert the words 'for expenses hereafter incurred authenticated by affidavit of the person furnishing such property his agent or attorney, that the bill furnished is just, true and correct and the articles therein contained estimated at their actual cash value.'"

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

Mr. Hammer called the yeas and nays which were as follows:

The yeas were—Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Palmer, Powers, Rankin, Reiner, Scott, Thompson, Trumbull, Udell, Watson and Wilson of Jefferson—26.

The nays were—Senators Ainsworth, Beuchel, Bailey, Duncombe, English, Green of Jackson, Hammer, Johnson, Mann, Neal, Pusey, Taylor, Williams and Wilson of Dubuque—14.

So the motion prevailed.

Mr. Duncombe offered the following amendment to Section 5:

"Provided that the entire expenditure shall not exceed \$250,000," upon which

Mr. Neal called the yeas and nays which were as follows:

The yeas were, Senators Ainsworth, Beuchel, Bailey, Duncombe, English, Gray, Green of Jackson, Hammer, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams, and Wilson of Dubuque—16.

The nays were, Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Powers, Rankin, Reiner, Scott, Thompson, Palmer, Watson, and Wilson of Jefferson—22.

Absent or not voting—Senators Hastings, and Johnson.

So the amendment was lost.

Mr. Bowen offered amendment as follows:

"That all agents appointed by the Governor for the purpose of purchasing the foregoing materials of War, shall give bond for the faithful performance of such duty, to be approved by the Governor, and take an oath for the faithful performance of their duties for the best interests of this State, according to the provisions of this Act."

Which was adopted.

Mr. Wilson of Dubuque moved to amend section 3 as follows:

"After 'Agents,' insert 'whose appointment shall be submitted to and confirmed by the Senate,' on which motion,

Mr. Wilson of Dubuque called for the yeas and nays, which were as follows:

The yeas were, Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Brown, Duncombe, English, Gray, Green of Jackson,

Hammer, Johnston, Mana, Neal, Pusey, Powers, Scott, Taylor, Thompson, Trumbull, Udell, Watson, Williams and Wilson of Du-
buque—24.

The nays were, Senators Bowen, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagana, Henderson, Hastings, Kent, Lewis, McPherson, Palmer, Pattison, Rankin, Reiner, and Wilson of Jefferson—15.

Absent or not voting—Mr. Angle.

So the amendment was adopted.

On motion of Mr. Thompson, the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Powers offered the following resolution :

Resolved, That the Post Master of the House of Representatives act as Post Master of the Senate. Adopted.

Mr. Henderson offered the following :

Resolved, That the Committee on County and Township organizations, be instructed to report as early as possible a bill regulating the fees and salaries of County officers."

Which was adopted.

Mr. Udell by leave introduced Senate File No. 14, "an Act amending an Act entitled an Act providing for the election of District Attorneys, prescribing their duties and fixing their compensation."

Read twice and referred to Committee on Judiciary with instructions not to report.

Mr. Rankin presented memorial from H. W. Sample of Keokuk, asking an appropriation to arm the "Keokuk Rangers."

Which was referred to Committee on Military Affairs.

On motion of Mr. Neal the Senate adjourned until to-morrow, morning 9 o'clock A. M.

SENATE CHAMBER, DES MOINES, }
May 21, 1861. }

Senate met pursuant to adjournment.

Called to order by the President.

Prayer by the Rev. Mr. Shaw.

Journal of yesterday read and approved.

Mr. Bowen asked and obtained leave of absence for Mr. Scott, for to-day and to-morrow.

Mr. Hagans from Committee on Military Affairs reported back Senate File No. 5, without recommendations.

On motion of Mr. Bussey Senate went into Committee of the

Whole on special order Senate File No. 5, and Senate File No. 12.

Mr. Duncomb in the Chair.

Message from the House by Mr. Thompson, Chief Clerk, as follows:

MR. PRESIDENT: I am directed to inform your Honorable Body that the House of Representatives has passed House File No. 2, "A Bill to legalize the acts of certain Boards of Supervisors and Municipal Corporations in certain cases," and House File No. 8, "A Bill to amend the Militia law of this State." In which the concurrence of your Honorable Body is requested.

WM. THOMPSON, Chief Clerk.

MR. PRESIDENT: I am also directed to inform your Honorable Body that the House has concurred in the amendment of the Senate to the Concurrent Resolution adopted by the House on the 16th instant.

WM. THOMPSON, Chief Clerk.

At 12 o'clock Committee rose and asked leave to sit at 2, P. M.

Mr. Rankin announced the death of C. J. Price, member of the House of Representatives, and upon motion the following committee was appointed to prepare suitable resolutions thereon:

Messrs. Rankin, Duncombe, Thompson, Pusey, and Mann.

Mr. Neal offered resolution as follows:

Resolved, That the Governor be requested to report to the Senate as soon as practicable,

1st, The number, description and quality of arms and munitions of war furnished by the Government of the United States to the State of Iowa.

2d, The disposition that has been made of said arms and munitions of war.

2d, How many of said arms and munitions are yet on hand at the disposal of the State, and the place where said arms and munitions are located.

Which was adopted.

On motion of Mr. Taylor Senate adjourned till 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Called to order by the President.

On motion of Mr. Bussey the special order Senate File No. 4, was postponed.

Senate again went into Committee of the whole.

Mr. Duncombe in the chair.

After short session, Committee rose, reported back bill with sundry amendments and recommended passage.

Mr. Rankin moved that the Senate concur in amendments.
Adopted.

Mr. Mann moved to amend Sec. 11, by striking out all after the word "practicable" in the second line.

Mr. Mann called the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Beuchel, Bailey, English, Gray, Green of Jackson, Johnson, Mann, Neal, Taylor, Trumbull, Williams and Wilson of Dubuque—13.

The nays were, Senators Anderson, Angle, Bussey, Bowen, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Powers, Rankin, Reiner, Thompson, Palmer, Watson, and Wilson of Jefferson—25.

Absent or not voting, Messrs. Brown, and Udell.

Excused, Mr. Scott.

So the amendment was lost.

Mr. Angle moved to amend Sec. 2d by adding "Provided that not more than one company be taken from any one Senatorial district."

On which Mr. Rankin called the yeas and nays which were as follows:

The yeas were, Senators Angle, Ainsworth, Davis of Clinton, English, Gray, Green of Jackson, Hastings, Johnson, Mann, Neal, Thompson, Udell, Watson, and Williams—14.

The nays were, Senators Anderson, Beuchel, Bailey, Bussey, Bowen, Coolbaugh, Davis of Polk, Duncombe, Green of Muscatine, Hagans, Hammer, Henderson, Lewis, McPherson, Palmer, Pusey, Pattison, Rankin, Reiner, Taylor, Trumbull, Wilson of Dubuque, and Wilson, of Jefferson—23.

Absent or not voting, Messrs. Brown, Powers, and Kent.

Excused, Mr. Scott.

So the amendment was lost.

Mr. Udell moved to amend Sec. 2d, as follows: "Provided the Governor shall first select one company of Infantry from each Senatorial district which has now offered or may offer a company before the forming of said regiments, and provided such Senatorial district has not a company in the three regiments already formed."

Upon which Mr. Rankin called the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, English, Gray, Green, of Jackson, Hastings, Johnson, Kent, Mann, Neal, Powers, Udell, Watson, and Williams—14.

The nays were—Senators Anderson, Beuchel, Bailey, Bussey, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Green of Muscatine, Hagans, Hammer, Henderson, Lewis, McPherson, Neal, Pusey, Pattison, Rankin, Reiner, Taylor, Thompson, Trumbull, Palmer, Wilson of Dubuque and Wilson of Jefferson—25.

Absent or not voting, Mr. Brown.

Excused Mr. Scott.

So the amendment was lost.

Mr. Thompson moved to amend by adding an additional Section, as follows:

SECTION 13. The troops raised under this Act shall be paid by the Governor monthly during their respective service, and subsisted out of the "War and Defense Fund," raised at the Special Session of the General Assembly commencing on the 15th, May, 1861, and file vouchers for said payment with the Auditor of State. Lost.

Mr. Palmer moved to amend by adding additional Section providing for the manner of payment, &c. Adopted.

Mr. Rankin moved that the bill be engrossed and read third time to-morrow. Carried.

Committee on Engrossed Bills reported Senate File No. 6, "A Bill for An Act requiring and authorizing the Governor to purchase arms, powder, clothing, and providing the means of payment." Correctly Engrossed.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 15, "An Act providing for Auditing all accounts and disbursements arising under the call for volunteers from Iowa—and, also, for all men organized as State Militia for Iowa." Read twice and

Referred to Committee on Judiciary.

Mr. Anderson moved to take up Senate File No. 6, "A Bill for An Act requiring and authorizing the Governor to purchase arms, powder, and clothing—and providing the means of payment."

Read the third time, and on the question "shall the Bill pass," the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison, Powers, Palmer, Rankin Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—34.

The nays were—Senators Bailey, English, Johnson, and Williams—4.

Absent or not voting, Mr. Brown.

Absent and excused, Mr. Scott.

So the Bill was passed and the title agreed to.

On motion of Mr. Wilson of Dubuque, the Secretary was directed to take the Bill to the House immediately.

Mr. Bussey moved to take up the House File No. 8, "An Act to amend the Military Law of this State." Carried.

Mr. Bussey moved to take up bill by sections. Carried.

Mr. Ainsworth moved to amend Sec. 3, by adding after the word "year" in the 2d line the words "after the year 1861." Adopted.

Mr. Duncombe moved to amend Sec. 5, by inserting after the word "elect" in the 3d line the words "their commissioned."

On which Mr. Neal called yeas and nays, which were as follows

The yeas were, Senators Angle, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green of Muscatine, Hammer, McPherson, Pusey, Powers, Rankin, Taylor, and Watson—13.

The nays were, Senators Anderson, Ainsworth, Beuchel, Bailey, Bowen, Brown, English, Green of Jackson, Hagans, Hastings, Johnson, Kent, Lewis, Mann, Neal, Palmer, Reiner, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque, and Wilson of Jefferson—23.

Absent or not voting, Senators Bussey, Henderson, and Pattison;—3.

Excused, Senator Scott—1.

So the amendment was lost.

Mr. Angle moved to amend section 7, by providing that each Company elect four musicians. Lost.

Mr. Mann moved to amend by inserting two musicians. Lost.

Mr. Udell moved to amend section 5, by striking out the words, "and who shall be furnished with arms and equipments by the State." Lost.

Mr. Angle moved to amend section 5, by inserting after the word "service" in the 6th line, the words "of the State or of the United States." Lost.

Mr. Angle moved to amend section 5, by adding "and provided further that not more than one Company from each Senatorial District shall be armed and equipped at the expense of the State, unless it be expressly ordered by the Governor."

On which Mr. Angle called for the yeas and nays, which were as follows:

The yeas were, Senators Angle, Ainsworth, Bailey, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Jackson, Hammer, Henderson, Hastings, Johnson, Mann, McPherson, Neal, Pusey, Powers, Reiner, Taylor, Udell, Watson, and Williams—23.

The nays were, Senators Anderson, Beuchel, Bussey, Bowen, Brown, Green of Muscatine, Hagans, Lewis, Pattison, Rankin, Thompson, Trumbull, Palmer, Wilson of Dubuque, and Wilson of Jefferson—14.

Absent or not voting, Senator Kent.

Excused, Senator Scott.

So the amendment was adopted.

Mr. Duncombe moved to amend section 7, by "providing that the Commissioned Officers should appoint the Sergeants and Corporals," upon which

Mr. Duncombe called for the yeas and nays, which were as follows:

The yeas were—Senators Angle, Bailey, Bussey, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Gray, Hammer, Henderson, McPherson, Pusey, Pattison, Powers, Rankin, Taylor, and Watson—17.

The nays were—Senators Ainsworth, Beuchel, Brown, English,

Green of Jackson, Green of Muscatine, Hagans, Hastings, Johnson, Lewis, Mann, Neal, Reiner, Thompson, Trumbull, Udell, Palmer, Williams, Wilson of Dubuque, and Wilson of Jefferson—20.

Absent and not excused—Senators Anderson, and Kent—2.

Excused—Senator Scott—1.

So the amendment was lost.

Mr. Angle moved to amend section 16, by adding to the 2d line the words "consisting of three persons." Adopted.

Mr. Mann moved to amend section 16, by striking out the words "one of whom shall be the professor of Surgery in the Medical Department of the Iowa State University." Lost.

Mr. Angle moved to amend section 16, by providing that the Board shall hold its sessions at Iowa City.

Mr. Duncombe moved to amend, providing that they shall hold their sessions in the Medical Department of the State University. Both of which amendments were lost.

On motion of Mr. Powers the bill was made the special order for to-morrow, at 9 o'clock, A. M.

Mr. Rankin from Special Committee, submitted the following report, which was adopted:

Death of Hon. Calvin J. Price.

The undersigned, a Committee appointed by the Senate, beg leave to report the following preamble and resolutions:

WHEREAS, Since the adjournment of the Legislature in April, 1860, the Almighty has seen fit in His divine wisdom, to remove from this life the HON. CALVIN J. PRICE, an able, useful and upright member of the House of Representatives, from Lee County, therefore,

Resolved, That in the death of the HON. CALVIN J. PRICE, the Legislature has lost a useful, able and upright member; the State, an honest citizen; and the family of the deceased, a loving husband and a tender hearted father.

Resolved, That we deeply sympathise with the family of the deceased, and hereby tender them our sincere sympathy.

Resolved, That the Secretary of the Senate be instructed to forward a copy of these resolutions to the widow of the deceased.

J. W. RANKIN,
JNO. W. THOMPSON,
J. MANN,
W. H. M. PUSEY,
JOHN F. DUNCOMBE.

Message from the Governor by his Private Secretary:

Gentlemen of the Senate:—

I herewith transmit copies of communications from the Officers the First Regiment of Iowa Volunteers, now in camp at Keokuk, to which I invite your speedy and favorable consideration.

Very Respectfully,

SAMUEL J. KIRKWOOD.

Communication referred to was read, and on motion of Mr. Wilson of Dubuque, was referred to a Special Committee of five.

The President announced as said Committee, Messrs. Wilson of Dubuque, Angle, Ainsworth, Green of Muscatine and Palmer.

Message from the Governor by his Private Secretary.

EXECUTIVE CHAMBER, DES MOINES, }
 May 20th, 1861. }

Gentlemen of the Senate.

I herewith transmit you certain letters in answer to your resolution of the 18th inst. as follows:

“Resolved, That the Governor be requested if not incompatible with the public safety; to furnish to the Senate, all the correspondence in his possession regarding an invasion of the State of Iowa, and also all regarding the purchase of arms for the use of the State.”

I find that I did not bring with me to Des Moines all my letters and can therefore give you only a portion of them, “regarding an invasion of the State of Iowa.” I have also received some letters on this subject from citizens of Missouri which I do not deem it “compatible with the public safety” to make public. I have also been visited personally by several of our own citizens from the Southern border of the State, who have in conversation strongly represented to me the danger of the invasion of our State by marauding parties of evil disposed persons. I am well satisfied that the danger of the “invasion” of our State is so imminent as to require prompt and decided action to “repel” it.

SAMUEL J. KIRKWOOD.

On motion the correspondence referred to was laid upon the table.

Message from the Governor by his Private Secretary.

Gentlemen of the Senate.

I herewith transmit a communication from the Warden of the Penitentiary, to which I ask your favorable consideration.

SAMUEL J. KIRKWOOD.

EXECUTIVE CHAMBER, }
 MAY 20th, 1861. }

On motion of Mr. Powers the communication referred to, was referred to Committee on Public Buildings.

Mr. Green of Muscatine had leave to introduce Senate File No. 16, “an Act in aid of families of volunteers.”

Read twice and referred to Committee on Ways and Means.

On motion of Mr. Bussey, Senate adjourned to 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES,
MAY 22d, 1861. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Dr. Peet.

Journal of yesterday read and approved.

Mr. Green of Muscatine was appointed to fill vacancy on Committee on Enrolled Bills.

Senate took up special order, House File No. 8.

Mr. Taylor moved to amend Section 17, by inserting after the words "Quarter Master General," the words "Paymaster General."

Motion prevailed.

Mr. Angle moved to amend section 18 by adding at the end of 1st line the words, "shall receive when assembled for drill or parade one dollar per day." Lost.

Mr. Neal moved to amend section 19, by striking out in 8d line the word "cavalry" and inserting "infantry," on which

Mr. Neal called the yeas and nays which were as follows:

The yeas were, Senators Angle, Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, English, Gray, Green of Jack., Hammer, Hastings, Johnston, Kent, Lewis, Mann, Neal, Palmer, Pattison, Rankin, Taylor, Thompson, Trumbull, Udell, Watson, Williams, and Wilson of Jefferson—26.

The nays were, Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Green of Jackson, Green of Muscatine, Hagan, Henderson, Pusey, Powers, Reiner, and Wilson of Jefferson—12.

Absent or not voting—Senators McPherson, Wilson of Dubuque and Scott.

So the amendment prevailed.

Mr. Davis of Clinton moved to amend section 19 by striking out the word "allowance." Adopted.

Mr. Bowen moved to strike out "\$300," and insert "\$500," on which

Mr. Neal called the yeas and nays which were as follows:

The yeas were, Senator Bowen—1.

The nays were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hagan, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Williams, and Wilson of Jefferson—36.

Absent—Senators McPherson and Wilson of Dubuque.

Absent and excused, Senator Scott.

So the amendment was lost.

Mr. Taylor moved to amend by striking out "\$300," and inserting "\$200," on which

Mr. Taylor called the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Buechel, Bailey, Duncombe, English, Gray, Green of Jackson, Hammer, Hastings, Johnson, Mann, Neal, Pusey, Taylor, Thompson, Udell, and Williams—17.

The nays were—Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Palmer, Powers, Rankin Reiner, Trumbull, Watson and Wilson of Jefferson—21.

Absent and not excused, Mr. Wilson of Dubuque.

Absent and excused, Mr. Scott.

So the amendment was lost.

Mr. Ainsworth moved to amend section 19 by striking out the words, "full pay and allowance of Col. of infantry in U. S. Army," and inserting "one hundred dollars per month." Lost.

Mr. Bussey moved to amend section 21 by striking out the words, "cavalry and allowances," and inserting "infantry." Amendment adopted.

Mr. Taylor moved to amend section 26 by striking out "six" and inserting "four." Lost.

Mr. Davis of Clinton moved to amend section 26 by striking out all after the word "invasion." Lost.

Mr. Palmer moved to amend section 28 by adding after the word "willfully," the word "corruptly." Lost.

Mr. Watson moved to amend section 28 by striking out all after the word "office," in the 3d line.

Mr. Taylor moved to amend the amendment by striking out all after the word "dollars." Lost.

Question recurring on motion of Mr. Watson, amendment was lost.

Mr. Kent moved to reconsider the vote by which Mr. Watson's amendment was lost. Carried.

When amendment of Mr. Watson prevailed.

Mr. Angle moved to amend section 29, by adding:

"Provided, That when troops are assembled only for parade and drill, punishments for the violation of the rules and regulations shall only extend to fines, (to be collected by the proper civil officers) or imprisonment during the term for which the troops are thus assembled, or to expulsion from the service."

Mr. Mann moved to amend the amendment by adding the words, "of five dollars," after the word "fines." Lost.

Mr. Angle called the yeas and nays on his amendment which were as follows:

The yeas were Senators Angle, Ainsworth, Buechel, Bailey, Bussey, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Neal,

Palmer, Powers, Reiner, Taylor, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque, and Wilson of Jefferson—32.

The nays were, Senators Pattison, Rankin, Watson—3.

Absent and not excused—Senators Anderson, Brown, Johnson, and Pusey.

Excused, Senator Scott.

So the amendment prevailed.

Mr. Palmer moved to further amend section 29, by adding :

“Provided further that volunteers shall adopt their own by-laws, for their government, not inconsistent with law.” Lost.

Mr. Davis of Polk moved to amend the bill by adding an additional section as follows :

“It shall be the duty of the Governor to appoint a Chaplain to each regiment organized under this act whenever said regiment shall be called into active service. The Chaplain so appointed shall receive pay equal to the compensation of 1st Lieutenant of Cavalry.” Lost.

Mr. Pusey moved to reconsider the vote. Carried.

Mr. Davis of Clinton moved to amend the amendment of Mr. Davis of Polk by striking out “Lieut. of Cavalry,” and inserting “thirty dollars per month.” Adopted.

Question recurred on amendment of Mr. Davis of Polk as amended, when

Mr. Bailey moved to amend by adding :

“Provided that no political preacher be appointed as Chaplain, “on which

Mr. Ainsworth called for the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Duncombe, English, Gray, Green of Jackson, Hammer, Hastings, Johnson, Mann, Neal, Pusey, Trumbull, Udell, Williams, and Wilson of Dubuque—19.

The nays were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Palmer, Powers, Rankin, Reiner, Taylor, Thompson, Watson and Wilson of Jefferson—20.

Excused—Senator Scott—1.

So the amendment was lost.

Question again recurring on amendment of Mr. Davis of Polk, on which

Mr. Lewis called the yeas and nays which were as follows :

The yeas were, Senators Anderson, Bussey, Bowen, Brown, Davis of Polk, Gray, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Powers, Rankin, Trumbull, Watson, Wilson of Dubuque, and Wilson of Jefferson—19.

The nays were, Senators Ainsworth, Beuchel, Bailey, Davis of Clinton, Duncombe, English, Green of Jackson, Hammer, Hastings,

Johnston, Mann, Neal, Pusey, Palmer, Reiner, Taylor, Thompson, Udell, and Williams—19.

Absent and not excused—Senator Angle.

Excused, Mr. Scott.

So the amendment was lost.

Mr. Pusey moved to amend the bill by adding section 30, as follows :

Where battalions or regiments are placed in encampment, or ordered into actual service in accordance with the provisions of this Bill, they shall be entitled to a Band of Musicians not to exceed 14 pieces, who shall receive pay same as musicians in United States Army. Adopted.

Mr. Rankin moved to amend section 33, by adding after the word "act" in first line, the words "being deemed of immediate importance." Adopted.

Mr. Bussey moved to amend section 30 by inserting after the word "musician" the words "one Chaplain, whose salary shall be \$50 per month."

Mr. Udell moved to amend by adding "Provided said Clergyman shall incorporate into each prayer he may offer up in behalf of the troops, the following words: "Prepare and turn O God, the hearts of the rulers and leaders on both sides of this unnatural strife to adopt some measures by honorable compromise or otherwise, to bring this warfare to an early close without bloodshed," on which

Mr. Bussey called the yeas and nays, which were as follows :

The yeas were—Senators Ainsworth, Bailey, Duncombe, English, Hammer, Johnson, Mann, Neal, Taylor, Udell, and Williams—11.

The nays were—Senators Anderson, Angle, Beuchel, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Green of Jefferson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Palmer, Powers, Rankin, Reiner, Thompson, Trumbull, Watson, Wilson of Dubuque, and Wilson of Jefferson—28.

So the amendment was lost.

Mr. Palmer moved to amend by "Providing that said Chaplain be elected by the members of the companies composing the regiments." Adopted.

Question recurring on amendment of Mr. Bussey to Sec. 30 as amended, it was adopted.

Mr. Neal moved to amend Section 18, by inserting the words "except to Commissioned Officers the compensation allowed in lieu of rations." Lost.

On motion of Mr. Taylor, the 11th Rule was suspended and bill put on its passage.

The yeas were—Senators Anderson, Ainsworth, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Palmer, Powers,

Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—30.

The nays were—Senators Angle, Buechel, Bailey, English, Johnson, Mann, Neal, and Williams—8.

Absent or not voting, Mr. Hammer.

Absent and excused, Mr. Scott.

So the bill was passed and the title agreed to.

On motion of Mr. Bussey, the Secretary was authorized to carry the bill to the House at once.

Mr. Hastings from Committee on Engrossed Bills, reported Senate File No. 5, "An Act for the organization, equipment and subsistence of the Militia-men of the State of Iowa." Correctly Engrossed.

Mr. Bussey, by unanimous consent, amended bill by inserting "battallions" in Section 6.

Mr. Rankin, by unanimous consent, amended Section 6, by inserting this Act "being deemed of immediate importance."

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

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Davis of Clinton, Gray, Green, of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison, Palmer, Powers, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—33.

The nays were—Senators Bailey, Duncombe, English, Johnson, and Williams—5.

Absent and not excused, Mr. Davis of Polk.

Absent and excused, Mr. Scott.

So the bill was passed and title agreed to.

Message from the House by Mr. Aldrich, 1st Assistant Clerk.

MR. PRESIDENT: I am directed to inform your Honorable Body that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 4, "A Joint Resolution instructing our Senators, and requesting our Representatives to procure the establishment of an Arsenal and Armory at Rock Island."

CHAS. ALDRICH, 1st Assiat. Clerk.

Mr. Duncombe offered the following resolutions:

WHEREAS, At this time nearly one-third of the States of this Union have taken upon themselves the responsibility of withdrawing their allegiance to the Federal Government and established a Confederate Government separate from the Government of the United States, and established a Constitution, Republican in form, and have sent commissioners to the Federal Government to negotiate relative to the property and rights of the belligerent parties. And

WHEREAS, It is not only desirable, but indispensable to the secu-

city and welfare of the people of the United States, that terms of peace be arranged between the portions of the country now in state of war before the bitterness of fraternal bloodshed shall make such arrangement impossible. And

WHEREAS, The necessary consequence of such war would be the ruin of thousands of loyal citizens in the States now seceded, and in other portions of the Union who are in no way responsible for the fratricidal war now commenced in our unfortunate country—and believing as we do that calm patriotism and reason of the American people may yet settle upon honorable terms the existing trouble—and believing that civil war, if persisted in, pushed with the bitter malignity which universally characterizes all civil war, will only terminate in an overwhelming indebtedness, public and private, without benefiting either of the parties to the controversy, and in a military despotism in which the liberties of the people will be disregarded, the butchery of the patriotic and innocent citizen as well as the guilty, and that such a war, if possible to be honorably avoided, is impolitic, unreasonable, and anti-Christian. Therefore

Resolved, That the Senate of the State of Iowa recommend to the Government of the United States, in this, their most earnest appeal, that while every preparation for the defense of the Government shall be made a cessation of active hostilities until Congress shall have time to act in the premises.

2. That we recommend to Congress the calling of a National Convention for the settlement of our national difficulties, and that every possible honorable means shall be first exhausted by the General Government before our prosperous people be plunged into a civil war; the ultimate result of which the wisest cannot foresee.

3. That we are opposed to a war prosecuted for the purpose of the subjugation of the Seceded States while it is possible amicably to settle the existing difficulties.

4. That we are opposed to the prosecution of a war against the Seceded States waged under any circumstances for the purpose of emancipating the slaves of the Southern Slave-holding States.

5. That the Secretary of the Senate be requested to forward a copy of these resolutions to the President of the United States, and to each of our Representatives in Congress.

Mr. Bowen moved to lay the resolutions on the table, and called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—18.

The nays were—Senators Ainsworth, Beuhel, Bailey, Bussey, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Hammer, Hastings, Johnson, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque—21.

Absent and excused, Mr. Scott.

So the motion to lay on the table was lost.

On motion of Mr. Brown, the resolutions were then referred to Committee on Federal Relations.

To which Committee the President added Mr. Brown to fill vacancy.

Senate took up House File No. 2, a bill for An Act to legalize the acts of certain Boards of Supervisors and Municipal Corporations. Read twice and referred to Committee on Township Organizations.

On motion of Mr. Davis of Polk, Senate adjourned till 2 o'clock, P. M.

Two o'clock P. M.

Senate met pursuant to adjournment.

Called to order by the President.

Senate took up House File No. 4, Joint Resolution instructing our Senators and requesting our Representatives to procure the establishment of an Armory and Arsenal at Rock Island. Read twice, and 11th Rule suspended, when it was read 3d time and passed.

Senate File No. 12, "A Bill for the distribution of arms to the Southern and Western border counties of Iowa," was taken up.

Mr. Bussey moved to lay on the table. Adopted.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 17, "a Joint Resolution directing the Governor to procure additional clothing for 1st Regiment of Iowa volunteers. Which was read first and second time—when

Mr. Pusey moved to amend by striking out the words "raised in great haste." Which motion prevailed.

Mr. Thompson moved to amend by including only non-commissioned officers and privates. Which motion prevailed.

Mr. Ainsworth moved to amend by inserting "Provided they shall enlist for three years if required by this State or the United States." Lost.

On motion of Mr. Angle, the 11th Rule was suspended and Joint Resolution put upon its final passage.

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Pattison, Palmer, Powers, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—85.

The nays were none.

Absent and not excused—Messrs. Brown, Neal, Rankin, and Udell.

Absent and excused—Mr. Scott.

So the Joint Resolution passed.

On motion of Mr. Mann, the correspondence in relation to the purchase of arms and the invasion of Iowa, was taken up.

On motion of Mr. Bussey, correspondence was laid on the table. Mr. Taylor offered the following:

Resolved, By the Senate, the House concurring, that this General Assembly will adjourn *sine die* on Tuesday, May 28th, at 10 o'clock, A. M.

Mr. Duncombe moved to amend by striking out "Tuesday" and inserting "Saturday." Lost.

Mr. Thompson moved to strike out "Tuesday" and insert "Monday." Motion adopted.

Mr. Davis of Polk, introduced Senate File No. 18, "An Act in relation to the Penitentiary."

Mr. Davis of Clinton moved to amend by providing that the pay of all the watchmen be Forty Dollars per month." Lost.

Mr. Angle moved to amend by providing that the pay be Thirty Dollars per month. Which prevailed.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT: I am directed to inform your Honorable Body that the House of Representatives has passed the following bills: to-wit:

House File No. 6, "A Bill to appropriate money to pay expenses now or hereafter incurred by the State in calling out, organizing, uniforming, subsisting, and equipping the Militia of the State, and purchasing arms and munitions of war for the State, and in complying with the present or any future requisitions of the President of the United States for volunteers from this State. And

House File No. 15, "A Bill for the relief of volunteers who have been or may be mustered into the service of the United States."

In which the concurrence of your Honorable Body is requested.

WM. THOMPSON, Chief Clerk.

On motion of Mr. Pusey the bill was referred to Committee on Public Buildings.

On motion of Mr. Bowen, Mr. Angle was added to Committee on Public Buildings.

On motion of Mr. Angle, House File No. 6, "A Bill for An Act to appropriate money, &c., was taken up and referred to Committee on Ways and Means. Also House File No. 16, a bill for An Act for the relief of volunteers, &c. Referred to same Committee.

Mr. Neal, by leave, introduced Senate File No. 19, "An Act in relation to Sheriffs." Read twice and referred to Committee on Judiciary.

Mr. Angle presented credentials of Joseph Dysart, Senator elect

from Benton county to fill the unexpired term of Thos. Drummond, resigned.

Mr. Dysart then appeared and took the oath of office.

On motion of Mr. Thompson Senate adjourned till to-morrow morning at 9 o'clock.

SENATE CHAMBER, DES MOINES, IOWA,
May, 23, 1861. }

Senate met pursuant to adjournment.

Called to order by the President.

Prayer by the Rev. Mr. Peet.

Journal of yesterday read and approved.

Senate took up special order.

Substitute for Senate File No. 4, "A bill for an act to provide for the issue and sale of State bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in war."

Bill taken up by Sections.

Mr. Rankin moved to amend section 1 by striking out "Eight Hundred Thousand Dollars" and insert "One Million."

Mr. Neal moved to amend the amendment by inserting "Two Hundred and Fifty Thousand Dollars," instead of "One Million," on which

Mr. Neal called the yeas and nays which were as follows :

The yeas were, Senators Bailey, English, Johnson, Mann, Neal, and Williams—6.

The nays were, Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagens, Hamner, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Palmer, Powers, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque and Wilson of Jefferson—34.

Absent and not excused, Senator Coolbaugh.

Absent and excused, Senator Scott.

So the amendment to the amendment was lost.

Mr. Bussey moved to amend by inserting "\$500,000," on which

Mr. Taylor called the yeas and nays which were as follows :

The yeas were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Hamner, Johnson, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque—21.

The nays were, Senators Bowen Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagens, Henderson, Hastings,

Kent, Lewis, McPherson, Pattison, Palmer, Powers, Rankin, Reiner, Thompson, Watson and Wilson of Jefferson—20

Absent and excused—Senator Scott.

So the amendment was adopted.

Mr. Angle moved to amend the amendment by striking out "five hundred thousand," and inserting "six hundred thousand," on which

Mr. Williams called the yeas and nays which were as follows:

The yeas were—Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Palmer, Powers, Rankin, Reiner, Thompson, Watson and Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Beuchel, Bailey, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Johnson, Mann, Neal, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque—16.

Excused, Senator Scott—1.

So the amendment to the amendment prevailed.

Question recurring on the amendment of Mr. Rankin as amended:

Mr. Powers called for the yeas and nays, which were as follows:

The yeas were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Palmer, Rankin, Reiner, Udell, Watson, and Wilson of Jefferson—28.

The nays were, Senators Coolbaugh, Duncombe, English, Johnston, Mann, Neal, Pusey, Powers, Taylor, Thompson, Trumbull, Williams and Wilson of Dubuque—13.

Excused, Mr. Scott.

So the amendment was adopted.

Mr. Angle moved to amend section 2d, by providing that one-eighth of the bonds be issued in bonds of ten dollars each, on which Mr. Angle called for the yeas and nays, which were as follows:

The yeas were, Senators Angle, Ainsworth, Beuchel, Bussey, Dysart, Hammer, Mann, Taylor, and Wilson of Jefferson—9.

The nays were, Senators Anderson, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Johnson, Kent, McPherson, Neal, Pusey, Pattison, Palmer, Powers, Rankin, Reiner, Thompson, Trumbull, Udell, Watson, Williams and Wilson of Dubuque—30.

Absent and not excused—Senator Lewis.

Excused, Senators Bailey and Scott.

So the amendment was lost.

Mr. Duncombe moved to amend, section 2 by providing that "no One Hundred Dollar bonds shall be issued," on which

Mr. Angle called the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Ainsworth, Duncombe, Hammer, and Mann—5.

The nays were—Senators Angle, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Neal, Pusey, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque and Wilson of Jefferson—33.

Absent and not excused—Senators Bailey, Johnson, and Williams.

Excused, Senator Scott.

So the amendment was lost.

Mr. Davis of Polk moved to amend same section, sixth line, by striking out "One Hundred," and inserting "Fifty," on which

Mr. Angle called for the yeas and nays, which were as follows :

The yeas were—Senators Angle, Ainsworth, Bussey, Brown, Davis of Polk, Dysart, Hammer, Hastings, Kent, Lewis, McPherson, Pusey, Reiner, and Wilson of Jefferson—14.

The nays were—Senators Anderson, Beuchel, Bailey, Bowen, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Henderson, Johnson, Mann, Pattison, Powers, Rankin, Taylor, Thompson, Trumbull, Watson, Williams, and Wilson of Dubuque—24.

Absent and not excused, Senators Neal, Palmer, and Udell.

Excused, Senator Scott.

So the amendment was lost.

Mr. Powers moved to amend section 2, by striking out "Treasurer" and inserting "Secretary of State." Lost.

Message from the House by Mr. Aldrich, Assistant Clerk :

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

House File No. 28 : A Bill for An Act in relation to the custody and control of the Public Buildings of the Counties.

I am also directed to return Senate File No. 17 : "A Joint Resolution requiring the Governor to provide Clothing for the First Iowa Regiment," the same having passed the House without amendment.

CHAS. ALDRICH, 1st Assistant Clerk.

Mr. Angle moved to amend section 2, by providing as follows, that "no bonds shall be signed and perfected prior to the time when they are actually wanted for the purpose of negotiation, and then only in such quantities as may be needed at the time,"

Which amendment was adopted.

Mr. Coolbaugh moved to amend section 2, by adding after the word "coupons" the words "which coupons shall be signed by the Treasurer of State." Adopted.

On motion of Mr. Udell the Senate adjourned till 2 o'clock, P. M.

Two o'clock, P. M.

Senate met pursuant to adjournment.

Called to order by the President.

Senate resumed consideration of Senate File No. 4: "A Bill for An Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in War."

On motion of Mr. Angle the vote by which the Senate amended section 2, was reconsidered.

Mr. Mann moved to strike out "Treasurer" and insert "Auditor." Amendment adopted.

Question recurring on amendment as amended. It was adopted.

Mr. Angle moved to strike out "may" and insert "shall," in section 4, line 5. Lost.

Mr. Mann moved to strike out the three last lines in section 4.

On which Mr. Taylor called for the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, Beuchel, Bailey, Duncombe, English, Gray, Green of Jackson, Hagans, Hammer, Hastings, Johnson, Mann, Neal, Pusey, Palmer, Taylor, Udell, and Williams—19.

The nays were—Senators Anderson, Bussey, Bowen, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Lewis, McPherson, Powers, Rankin, Reiner, Thompson, Trumbull, Watson, Wilson of Dubuque, and Wilson of Jefferson—20.

Not excused—Senators Brown, Kent, and Pattison—3.

Absent and excused—Senator Scott—1.

So the amendment was lost.

On motion of Mr. Angle section 4 was amended by striking out of the 3d line the words "taxable property" and inserting "revenue."

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives have had under consideration the Senate's amendments to House File No. 8: "A Bill to amend the Militia Law of this State."

And have concurred in the following amendments, to-wit:

First—In Section 3, second line, after the word "year" insert "after the year 1861."

Second—In Section 16, at the end of second line, insert “consisting of three persons.”

Third—In Section 32, after “Act” insert “being deemed by the General Assembly of immediate importance.”

In all other amendments made by the Senate to the Bill the House refused to concur.

WM. THOMPSON, Chief Clerk.

Mr. Davis of Clinton, moved to amend section 4, by striking out the third line the words “of, or.” Amendment adopted.

Mr. Taylor moved to amend section 6, by striking out all of 1st line to the word “agent” and insert “The Treasurer of State is hereby appointed an.”

On which Mr. Ainsworth called for the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Angle, Beuchel, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green of Jackson, Hagans, Hammer, Henderson, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Reiner, Taylor, Trumbull, Watson, and Wilson of Dubuque—27.

The nays were—Senators Ainsworth, Bailey, Bussey, Bowen, Davis of Polk, Dysart, Green of Muscatine, Pusey, Rankin, Thompson, Udell, Williams and Wilson of Jefferson—13.

Absent and not excused—Senator Brown—1.

Absent and excused—Senator Scott—1

So the amendment prevailed.

On motion of Mr. Coolbaugh, section 7 was amended by striking out “Treasurer,” in the fourth line, and inserting “Secretary of State.”

Mr. Coolbaugh moved to amend section 5, by providing that the funds be paid and disbursed in specie. Amendment adopted.

Mr. Taylor moved to strike out “Treasurer” and insert “Secretary of State” wherever the word “Treasurer” occurs, except in section 6. Lost.

Mr. Mann moved to strike out “Treasurer” and insert “Secretary of State,” in 1st line of section 5. Lost.

Mr. Mann moved to insert the words “good and sufficient” before the word “sureties,” in 1st line section 7. Lost.

Mr. Ainsworth moved to amend section 10, by striking out “N. Y. Tribune” and inserting “Herald.”

Mr. Palmer moved to amend the amendment by striking out the three papers named and inserting “three daily papers.” Lost.

Question recurring on amendment of Mr. Ainsworth,

Mr. Johnston called for the yeas and nays, which were as follows :

The yeas were—Senators Ainsworth, Beuchel, Bailey, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Hammer, Johnston, Mann, Neal, Pusey, Taylor, Trumbull, Udell Williams and Wilson of Dubuque—18.

The yeas were—Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—23.

Absent and excused—Senator Scott—1.

So the amendment was lost.

Mr. Udell moved to strike out the words "New York Tribune" and "or at least two of them."

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

The yeas were—Senators Ainsworth, Benchel, Bailey, Bussey, Duncombe, English, Gray, Green of Jackson, Hagans, Hammer, Johnson, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams, and Wilson of Dubuque—19.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—22.

Absent and excused—Senator Scott—1.

So the amendment was lost.

Mr. Coolbaugh moved to amend section 10 by inserting:

"Inviting sealed proposals for said loan, which shall be received and opened by him at the Metropolitan Bank in said City, where it shall be the duty of said agent to deposit for public inspection a copy of this Act with such other documents relating thereto as may be necessary.

Which amendment was adopted.

On motion of Mr. Ainsworth Sec. 11th was amended by inserting after "this act" the words "being deemed of immediate importance."

Message from the House by Mr. Thompson, Chief Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that House File No. 4, "Joint Resolution instructing our Senators and requesting our Representatives to procure the establishment of an Arsenal and Armory at Rock Island, has been passed by both houses of the General Assembly, enrolled in the House and signed by the Speaker of the House of Representatives, and I herewith present it for your signature.

WM. THOMPSON, Chief Clerk, H. R.

On motion of Mr. Thompson, the word "Treasurer" was stricken out of section 10, and "Secretary of State" inserted.

On motion of Mr. Bussey, Senate reconsidered the vote by which the motion to strike out the three last lines of section 4 was lost.

Motion recurring on striking out three last lines from section 4,

Mr. Angle called the yeas and nays which were as follows:

The yeas were, Senators Angle, Ainsworth, Benchel, Bailey, Dun-

combe, English, Green of Jackson, Hammer, Hastings, Johnston, Mann, Neal, Pusey, Palmer, Reiner, Taylor, Udell, and Williams—18.

The nays were, Senators Anderson, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Powers, Rankin, Thompson, Trumbull, Watson, Wilson of Dubuque, and Wilson of Jefferson—23.

Absent and excused, Senator Scott.

So the amendment was lost.

Mr. Dysart moved to strike out of Sec. 7 in 2d and 3d lines the words "paying over" and insert "safe keeping and disbursement." Lost.

Mr. Mann moved to strike out of Sec. 1, the words "City of N. Y." Lost.

On motion of Mr. Thompson the word "Treasurer" was stricken out and the words "Secretary of State" inserted wherever it occurs in Sec. 2.

On motion of Mr. Thompson, Section 5 was amended in like manner.

Mr. Johnston offered the following additional section :

"Before the issuance and sale of any of the bonds provided for in this Act an election shall be held as required by the Constitution of the State of Iowa, and if a majority of the legal voters of this State shall vote in favor thereof, then the proper officers shall proceed to issue and sell the same as hereinbefore provided."

On which Mr. Johnston called for the yeas and nays, which were as follows :

The yeas were—Senators Beuchel, Baily, Duncombe, English, Johnston, Mann, Neal, Pusey, Taylor and Williams—10.

The nays were—Senators Anderson, Angle, Ainsworth, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Green of Jackson, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—31.

Excused—Senator Scott—1.

So the amendment was lost.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read a third time and put on its passage.

The yeas were, Senators Anderson, Angle, Ainsworth, Beuchel, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Green of Jackson, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pusey, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—22.

The nays were, Senators Bailey, Duncombe, English, Johnston, Mann, Neal, Taylor and Williams—8.

Excused, Senators Scott and Coolbaugh.

So the bill was passed and the title agreed to.

On motion of Mr. Green of Jackson, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER, DES MOINES, }
MAY 24th, 1861. }

Senate met pursuant to adjournment.

Called to order by the President.

Prayer by the Rev. Mr. Shaw.

Pending the reading of the Journal, Mr. Angle moved to correct the Journal by adding the three last lines in section 4, Senate File No. 4, to the motion of Mr. Mann.

The Chair decided the motion of Mr. Angle out of order.

Mr. Mann appealed from the decision, and the Senate sustained the Chair.

The Journal was then approved.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT: I am directed to inform your Honorable Body that the House of Representatives has passed the following bill:

House File No. 5, "A Bill for an Act for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in war."

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

Mr. Udell offered the following:

Resolved, That the new members of the Senate be supplied with the Revised Code and Reports furnished to other members at the last session. Adopted.

On motion of Mr. Anderson, Senate took up House File No. 5, "A bill for an Act to provide for the issue and sale of State bonds to procure a loan of money for the State of Iowa to enable it to repel invasion and defend itself in war."

Mr. Bussey moved to refer to special Committee of three, Mr. Coolbaugh to be chairman.

Mr. Angle moved to amend by instructing the Committee to expunge from section 4 of the bill the following words:

"No tax shall ever be levied by the State of Iowa on the stock hereby created, nor on the interest which may be payable thereon, and the value of this stock shall in no wise be impaired by the authority of this State," on which

Mr. Angle called the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, Beuchel, Bailey, Bussey, Duncombe, English, Green of Jackson, Hammer, Hastings, Johnston, Mann, Neal, Palmer, Pusey, Taylor, and Udell—17.

The nays were—Senators Anderson, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Henderson, Kent, Lewis, McPherson, Pattison, Powers, Rankin, Reiner, Thompson, Trumbull, Wilson of Dubuque and Wilson of Jefferson—22.

Excused, Senator Scott.

Absent and not excused—Senators Watson and Williams.

So the amendment was lost.

Question recurring on motion to refer to Special Committee, motion prevailed.

Messrs. Coolbaugh, Anderson and Pusey were appointed said Committee.

On motion of Mr. Bussey, House File No. 8, an Act to amend the Militia Law of Iowa, was taken up.

Mr. Bussey moved that the Senate insist on its amendments to the bill.

Mr. Taylor moved to recede from the amendment to section 5, on which

Mr. Johnston called for the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Beuchel, Bussey, Brown, Duncombe, Green of Muscatine, Hagans, Hammer, Henderson, Lewis, McPherson, Pattison, Palmer, Pusey, Rankin, Scott, Taylor, Thompson, Trumbull, Wilson of Dubuque and Wilson of Jefferson—21.

The nays were—Senators Angle, Ainsworth, Bailey, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, English, Gray, Green of Jackson, Hastings, Johnston, Kent, Mann, Neal, Reiner, Udell, Watson and Williams—19.

Absent and not excused, Senators Bowen, and Powers.

So the Senate receded from amendment to section 5.

Mr. Udell moved that the Senate recede from its amendments to sections 18 and 19 of the Bill, striking out "allowances," on which

Mr. Davis of Clinton called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Bussey, Brown, Green of Muscatine, Hagans, Henderson, McPherson, Pattison, Palmer, Powers, Rankin, Scott, Thompson, Udell, and Wilson of Jefferson—15.

The nays were—Senators Angle, Ainsworth, Beuchel, Bailey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, English, Gray, Green of Jackson, Hammer, Hastings, Johnston, Kent, Lewis, Mann, Neal, Pusey, Reiner, Taylor, Trumbull, Watson, Williams and Wilson of Dubuque—26.

Absent and not excused—Senator Bowen.

So the Senate refused to recede from its amendments to sections 18 and 19, striking out "allowances."

Mr. Taylor moved to recede from Senate amendments to same sections, striking out "cavalry," and inserting "infantry," on which

Mr. Ainsworth called the yeas and nays, which were as follows:

The yeas were, Senators Anderson, Bussey, Green of Muscatine, Hagans, Henderson, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Taylor, Thompson, Udell, Watson, and Wilson of Jefferson—16.

The nays were, Senators Angle, Ainsworth, Beuchel, Bailey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, English, Gray, Green of Jackson, Hammer, Hastings, Johnston, Kent, Lewis, Neal, Pusey, Reiner, Trumbull, Williams and Wilson of Dubuque—24.

Absent and not excused, Senators Bowen, and Scott.

So the Senate refused to recede from amendments to sections 18 and 19.

Mr. Pusey moved to recede from Senate amendment to section 17. Lost.

Mr. Taylor moved to insist on amendment to section 28 of the bill. Adopted.

Mr. Angle moved to insist on Senate amendment to section 29. Adopted.

Mr. Udell moved to recede from amendment to the bill inserting additional section, on which

Mr. Bussey called the yeas and nays which were as follows:

The yeas were—Senators Ainsworth, Beuchel, Bailey, Davis of Polk, Dysart, English, Henderson, Johnston, Mann, Neal, Palmer, Reiner, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque—17.

The nays were—Senators Anderson, Angle, Bussey, Brown, Coolbaugh, Davis of Clinton, Duncombe, Gray, Green of Jackson, Green of Muscatine, Hagans, Kent, Lewis, McPherson, Pattison, Powers, Pusey, Rankin, Watson and Wilson of Jefferson—20.

Absent and not excused, Senators Bowen, Hammer, Hastings, Scott and Thompson.

So the motion to recede was lost.

Mr. Bussey moved to inform the House of the action of the Senate upon the bill, House File No. 8. Adopted.

Mr. Hagans offered the following:

Resolved, That there be appointed a Joint Committee of Senate and House on mileage, whose duty it shall be to find the mileage to which the several members are entitled, and report the same as early a day as possible. Adopted.

Mr. Green of Muscatine, from the Committee on Enrolled Bills, reported Senate File No. 17, "A Joint resolution instructing the Governor to provide clothing for 1st Iowa Regiment," correctly enrolled.

Mr. Davis of Polk, from Committee on Public Buildings, reported back Senate File No. 19, "An Act in relation to the duties of Warden of the Penitentiary," with the following recommendation:

Strike out the Senate amendments and the words "and turnkey" in 7th line, section 2.

Mr. Mann moved to adopt report of the Committee, on which

Mr. Rankin called for the yeas and nays, which were as follows:

The yeas were, Senators Anderson, Beuchel, Bussey, Bowen, Davis of Clinton, Davis of Polk, Dysart, Gray, Henderson, Kent, Lewis, Pattison, Powers, Rankin, Thompson and Wilson of Jefferson—16.

The nays were, Senators Angle, Ainsworth, Bailey, Brown, Coolbaugh, Duncombe, English, Green of Jackson, Green of Muscatine, Hagans, Hastings, Johnson, Mann, McPherson, Neal, Pusey, Palmer, Reiner, Taylor, Trumbull, Udell, Watson, Williams and Wilson of Dubuque—24.

Absent and not excused, Senators Hammer and Scott.

So the motion to adopt was lost.

The bill was then ordered to be placed upon the calendar.

Mr. Udell had leave to offer the following:

Resolved, That the Secretary of State furnish to the new Senators the Revised Code, Supreme Court Reports, Geological Survey and bound documents so far as they may be on hand belonging to the State and not needed for other distribution provided by law, Provided, this shall not include any documents not distributed to the members of the last session.

Adopted.

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

The Committee on Ways and Means, to whom was referred House File No. 16, "A Bill for An Act for the relief of volunteers who have been or may be mustered into the service of the United States Government," having had the same under consideration, instruct me to report the same back with the following amendments, to-wit:

1st amendment, section 1, by striking out the words, "and commutations for rations not furnished by the State."

2d amendment, section 3, by inserting in 1st line thereof after the word "been," the words, "by the Governor."

3d amendment, Insert as section 4, the following: "No person shall be entitled to any compensation under the provisions of this Act who shall have received or be entitled to any compensation for same services under any law of the United States, or any other law of this State."

4th amendment, Change number of section 4 to 5, and when so amended, recommend that it do pass. Thompson dissenting from amendment to 1st section.

JOHN. W. THOMPSON, Chairman.

Mr. Bowen moved to amend section 1st by inserting, "That no commissioned or non-commissioned officer or private who has deserted from the ranks or refused to take the oath required, shall receive pay for any service he may have rendered. Adopted.

The bill then went on the calendar.

Mr. Powers from Committee on Township and County Organization, reported Senate File No. 20, "An Act to provide for the compensation of certain officers."

Read twice and placed on Calendar.

Mr. Watson from Committee on Schools and Universities reported back Memorial in "reference to sale of School Lands in Tama county," with recommendation to refer the same to Committee on Judiciary. Report adopted.

Mr. Hagans from Committee on Military Affairs to whom was referred sundry petitions, &c., reported same back, what was asked for being supplied by other bills, and asked to be discharged from further consideration of the same. Report adopted.

Mr. Hagans from Committee on Military Affairs reported House substitute for House Files Nos. 1 and 2.

Mr. Powers moved the 11th Rule be suspended and the bill be read a third time. Carried.

The yeas were, Senators Anderson, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dy-sart, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Taylor, Thompson, Watson, Wilson of Dubuque and Wilson of Jefferson—30.

The nays were, Senators Bailey, Duncombe, English, Johnston, Mann, Neal, Trumbull, Udell, and Williams—9.

Absent and not excused—Senators Angle, Reiner, and Scott.

So the bill passed and title was approved.

Mr. Hagans from Committee on Military Affairs, reported back Senate File No's. 2, 3, 7 and 8, with recommendation that they be no further considered.

On motion the report was laid on the table.

Mr. Wilson of Dubuque presented petition of A. Levi for change of law in relation to assignments. Referred to Committee on Judiciary.

Mr. Taylor from Judiciary Committee, reported back Senate File No. 9: "A Bill for an Act in relation to Grand Juries," with a substitute for the same, and recommend that its substitute be adopted. Substitute adopted and bill placed on the calendar.

Also, Senate File No. 10: "An Act in relation to Grand Juries," with recommendation that the same be indefinitely postponed.

Laid upon the table.

Mr. Brown had leave to introduce Senate File No. 21: "An Act for the Relief of the Volunteer Soldiers of this State." Read 1st and 2d time and placed upon the calendar.

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

The Committee on Ways and Means, to whom was referred House File No. 6: "A bill to appropriate money to pay expenses now or hereafter incurred by the State, in calling out, organizing, uniforming, subsisting and equipping the Militia of the State, and purchasing arms and munitions of war in the State, and complying with the present or any future requisition of the President of the United States for Volunteers from this State:" Having had the same under consideration, instruct me to report the same back with the following amendment, to-wit: In 8th line of 1st section strike out the word "one" and insert "two," and when so amended, recommended that it do pass. Mr. Neal dissenting.

JOHN W. THOMPSON, Chairman.

Mr. Neal moved to amend the amendment by striking out the words "two hundred" and inserting "one hundred and fifty." Lost.

Mr. Mann moved to strike out "two hundred" and insert "one hundred and sixty."

On which Mr. Neal called for the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Beuchel, Bailey, English, Green of Jackson, Johnson, Mann, Neal, and Williams—9.

The nays were—Senators Anderson, Angle, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagens, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—31.

Absent and not excused—Senators Duncombe and Scott—2.

So the amendment was lost.

The original amendment was then adopted.

Mr. Rankin moved to amend section 2, by adding the following: "Any portion of the sum of two hundred thousand appropriated by the 1st section of this Act, not expended under the provisions of said section may be applied to the purposes named in this section." Which amendment was adopted.

On motion of Mr. Ainsworth, section 2 was amended, by striking out of first line the word "future" and after the word "which" insert "have been or."

On motion of Mr. Thompson the 11th rule was suspended, and the Bill put upon its passage.

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagens, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor,

Thompson, Trambull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson.—35.

The nays were—Senators English, Johnson, Neal and Williams—4.

Absent and not excused—Senators Bailey and Scott—2.

So the Bill passed and the title was approved.

On motion of Mr. Angle, Senate adjourned till 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Called to order by the President.

Message from the Governor by his Private Secretary :

Gentlemen of the Senate:—

In answer to your resolution inquiring as to the number, description, and quality of arms furnished to this State by the General Government, I have the honor to submit a communication from the Adjutant General.

SAMUEL J. KIRKWOOD.

EXECUTIVE OFFICE, IOWA, }
May 23d, 1861. }

On motion of Mr. Brown the communication referred to was laid on the table.

House File No. 28 : "An Act in relation to the custody and control of Public Buildings in the Counties," was taken up.

On Motion of Mr. Neal the bill was amended by adding a section, providing that the bill should take effect immediately after its publication in the Daily Iowa State Journal and Daily Iowa State Register.

On motion of Mr. Rankin the bill was amended, by striking out "Sheriff" wherever it occurs, and inserting "Clerk of the District Court."

Message from the House by Mr. Thompson, Chief Clerk :

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

House File No. 31 : A Joint Resolution requesting the President of the United States to accept and muster into service a Regiment of Volunteer Cavalry from the State of Iowa.

WM. THOMPSON, Chief Clerk.

On motion of Mr. Rankin the bill was further amended, by striking out "Public Buildings" and inserting "Court House."

On motion of Mr. Neal the bill was so amended as to provide for an office for the Sheriff in the Court House.

On motion of Mr. Neal the 11th rule was suspended, the bill read a third time, and put upon its passage :

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Brown, Coolbaugh, Duncombe, Dysart, Gray, Green of Jackson, Green of Muscatine, Hammer, Henderson, Hastings, Johnston, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Taylor, Trumbull, Udell, and Williams—29.

The nays were—Senators Davis of Clinton, Davis of Polk, English, Kent, Thompson and Wilson of Jefferson—6.

Absent and not excused—Senators Angle, Bowen, Hagans, Reiner, Scott, Watson and Wilson of Dubuque—7.

So the Bill passed and the title amended by substituting "Court House" for "Public Buildings," and then approved.

On motion of Mr. Bussey, the Joint Resolution from the House was taken from the table.

Read twice, when on motion of Mr. Neal the word "organization" was stricken from the Resolution.

Message from the House by Mr. Aldrich, Assistant Clerk :

MR. PRESIDENT:—I am directed to inform your honorable body that the House insists upon its amendments to House File No. 5: "A Bill for an Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in War," and that Messrs. Culbertson, Caldwell and Hall have been appointed as such Committee on the part of the House.

CHAS. ALDRICH, 1st Assistant Clerk.

Mr. Ainsworth offered the following amendment :

Provided, That the same is necessary for the defense of the public property, suppression of rebellion, maintenance of the Government, or enforcement of the laws of the United States.

Which amendment was lost.

On motion of Mr. Davis of Clinton, the preamble was stricken out and another inserted as follows :

"*Whereas*, Several Volunteer Companies of Cavalry are already organized for the purpose of serving in the contest between the revolted States and the General Government."

Message from the House by Mr. Aldrich, Assistant Clerk :

MR. PRESIDENT:—I am directed by the House to inform the Senate that the House insists upon its amendments to House File No. 8, and asks a Committee of Conference, and that Messrs. Baker, Goodrell and Noble have been appointed as such Committee on behalf of the House.

CHAS. ALDRICH, 1st Assistant Clerk.

Message from the Governor by his Private Secretary :

Gentlemen of the Senate and House of Representatives :

Since the commencement of your session I have engaged as fully as my other duties would permit, in collecting and comparing information from different parts of our exposed frontier, as to what is necessary for the protection of that portion of our State, and in making estimates of the sums necessary, in my opinion, for that and other purposes connected with the present and possibly future emergency. The pressing need upon our border is for arms and ammunition. The people are willing and confident of their ability to defend themselves against what they most fear—the depredations of Indians and plunderers, providing they are promptly furnished with good arms and ammunition; and until this shall be done they will be in a state of uneasiness and alarm to a greater or less degree, as the various localities are more or less exposed. I consider it a matter of primary importance that your action on this matter be as speedy as may in your judgment be consistent with proper deliberation. I would have sent an Agent to find and contract for arms for this purpose in anticipation of your action, but for the fact that the provisions of the bill for that purpose pending before you require that said Agent shall be nominated to and confirmed by the Senate. The appointment by me of an Agent for that purpose, and the sending of him on his mission in advance of the passage of the law, under these circumstances, would have been improper and highly censurable.

I fear that the present great demand for arms by the United States and the different States, will cause considerable delay in procuring arms after I have authority to act, and I therefore again respectfully recommend that your action on this subject be as speedy as possible. I am decidedly of opinion that in view of our present condition and the uncertainty of the future, it is highly desirable with reference both to our duty to our State and to the General Government, that you make provision for the organization, encampment and drilling for a limited time, of not less than three skeleton Regiments, at the expense of the State. With a liberal provision for the purchase of arms and ammunition for the use of mounted men for the defense of the border, and a provision for three Regiments for a limited time at the expense of the State, I think Iowa will be placed in a position consistent alike with her honor and safety.

But to do this and at the same time make prudent provision for the uncertain future, will, in my judgment, require that you make provision for a loan of at least a million of dollars.

The best estimates I can make are that the expenses already incurred and that must be incurred in case the measures above recommended be adopted, will amount to half a million, and it seems to me very clear that to leave me with all this machinery on hand, for the purposes above indicated, and without leaving under my

control the means necessary to use the machinery, for the purposes for which it was provided, will not be either safe or prudent.

SAMUEL J. KIRKWOOD.

EXECUTIVE CHAMBER, }
MAY 24th, 1861. }

On motion of Mr. Powers the 11th Rule was suspended, and the Joint Resolution read a third time and put upon its passage.

On which Mr. Bailey called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Buechel, Bussey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—33.

The nays were—Senators Bailey, Duncombe, English, Green of Jackson, Johnston, and Williams—6.

Absent and not excused, Messrs. Bowen, Hastings, and Scott.

So the Joint Resolution was adopted.

On motion of Mr. Bussey the Message from the Governor was taken up and read.

When on motion of Mr. Bussey, it was referred to Committee on Military Affairs with instructions to report to-morrow morning.

On motion of Mr. Bussey, the Message from the House, on House File No. 8, was taken from the table, and on motion of same Senator, a Committee of Conference was appointed.

The Chair announced the following said committee: Messrs. Bussey, Watson, and Taylor.

On motion, the Message from the House on House File No. 5, was taken up, and on motion of Mr. Anderson, was laid upon the table.

On motion of Mr. Rankin the Secretary was instructed to inform the House that the Senate asks a Joint Committee on "Loan Bill."

On motion of Mr. Powers, Senate File No. 20, was taken up and on motion of Mr. Brown, was read by sections.

On motion of Mr. Neal, the words "revised and" were stricken from the 3d line Section 1st.

On motion of Mr. Duncombe, Section one was amended by inserting "4137" after "4136."

On motion of Mr. Taylor, Section three was amended by inserting in 2d line the words "and all other officers in the county."

On motion of Mr. Duncombe, the vote by which 3d Section was so amended was reconsidered.

When Mr. Duncombe moved to strike out "January 1st, 1861" and insert "and the day of taking effect of this act where they have not previously been taxed or collected."

Mr. Ainsworth moved to refer bill back to Committee on Township and County Organization. Lost.

Mr. Brown moved to refer to Committee on Judiciary. Lost.

Question recurring on Mr. Duncombe's amendment it was adopted.

On motion of Mr. Taylor, the following amendment was made to Section three: "Provided, however, the Clerk of the District Court shall only charge and collect fees under the provisions of Chapter 29 of the Revision of 1860."

Mr. Brown moved to amend by striking out provision for collecting fees according to "Code of 1851" and inserting Code of "1860."

Mr. Mann moved to refer bill to Special Committee with instructions to report to-morrow morning. Lost.

On motion of Mr. Ainsworth, the Section was amended as follows: "Strike out of 4th line Section three the words "Section 2527 of the Code of 1851" and insert "those portions of Chapter 162 hereby revived, and Chapter 29 of Revision of 1860." Also strike out amendment made on Mr. Taylor's motion.

On motion of Mr. Taylor "\$1,50" was stricken from 4th line Section 4 and "75 cts." inserted.

On motion of Mr. Duncombe, the same Section was amended by striking from the 10th line "1,50" and inserting "1,00."

Mr. Taylor moved to strike out the 9th line Section 4. Adopted.

On which Mr. Taylor called the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Beuchel, Bailey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Gray, Green of Jackson, Hammer, Johnston, Kent, Lewis, Mann, McPherson, Neal, Pattison, Pusey, Taylor, and Wilson of Dubuque—22.

The nays were—Senators Anderson, English, Green of Muscatine, Hagans, Powers, Palmer, Rankin, Reiner, Thompson, Udell, Watson, Williams, and Wilson of Jefferson—13.

Absent and not excused—Messrs. Angle, Bussey, Bowen, Henderson, Hastings, Scott, and Trumbull.

So the amendment prevailed.

Mr. Neal moved to strike out Section 4 of the bill. Lost.

Mr. Ainsworth moved to amend the bill by adding Section as follows: "Any officer who may be called upon to issue subpoenas in a civil case shall be allowed 25 cts. for each subpoena, provided that but one subpoena returnable on the same day be taxed for."

On which Mr. Ainsworth called the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, English, Gray, Green, of Jackson, Green of Muscatine, Hagans, Hammer, Powers, Rankin, Thompson, Udell, Williams and Wilson of Jefferson—13.

The nays were—Senators Anderson, Beuchel, Bailey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Johnston, Kent, Lewis, Mann, McPherson, Neal, Pattison, Palmer, Pusey, Reiner, Taylor, Watson, and Wilson of Dubuque—22.

Absent and not excused, Messrs. Angle, Bussey, Bowen, Henderson, Hastings, Scott, and Trumbull.

So the amendment was lost.

On motion of Mr. Neal, 5th line of Section 4 was amended by striking out "1,00" and inserting "50 cts."

Mr. Neal moved to amend 13th line same Section by striking out "1,00" and inserting "75 cts." Lost.

On motion of Mr. Taylor, the bill was amended by adding the following as an additional Section: "Section 4145 of the Revision of 1860 shall be amended as follows: 'The Sheriff shall be allowed for conveying persons to Penitentiary ten cents per mile going and returning, to be allowed and paid out of the County Treasury.'"

Mr. Palmer moved to amend Section 4, 9th line, by adding the following: "For issuing subpoena with any number of names, 10 cts." Lost.

On motion the 11 Rule was suspended—bill read a 3d time and put upon its passage.

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bussey, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Kent, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—31.

The nays were—Senators Baily, Brown, and Johnston—3.

Absent and not excused, Messrs. Angle, Bowen, Coolbaugh, Duncombe, Hastings, Lewis, and Scott.

So the bill was passed and the title agreed to.

M. Udell asked and obtained leave of absence for Mr. Scott, for the remainder of the Session.

On motion the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, }
May 25, 1861. }

Senate met pursuant to adjournment. Called to order by the President.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

Mr. Hammer had leave to introduce the following:

Resolved, That the Governor be requested to inform the Senate if he has employed an agent to purchase clothing for the two first regiments now stationed at Keokuk, Iowa.

Resolution adopted.

The Chair announced the following Special Committee on Mileage: Messrs. Hagans, Powers and Hammer.

Mr. Duncombe offered the following:

“Whereas, the bill known as the “Morrill Tariff” passed by the last Congress of the U. S., is unjust in its discriminations and oppressive in its operations upon the people of the Northwest,

Therefore be it resolved, by the Senate, the House of Representatives concurring, that our Senators be instructed and our Representatives in Congress be requested to use their influence for the repeal of said law.”

Mr. Angle moved to lay the resolution on the table.

Upon which Mr. Duncombe called the yeas and nays, which were as follows:

The yeas were—Senators Angle, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Rankin, Reiner, Thompson, Watson and Wilson of Jefferson—19.

The nays were—Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Duncombe, English, Green of Jackson, Hammer, Johnston, Mann, Neal, Palmer, Pusey, Taylor, Trumbull, Udell, Williams, Wilson of Dubuque—20.

Absent and not excused—Messrs. Bowen and Gray.

Absent and excused—Mr. Scott.

So the Senate refused to lay the resolution on the table.

Message from the House by Mr. Aldrich, Assistant Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the recommendations of the Committee of Conference upon House File No. 8. A bill for an Act to amend the Militia Law of the State of Iowa.

C. ALDRICH, Assistant Clerk.

Resolution of Mr. Duncombe laid over under the rule.

Mr. Bussey from Special Committee of Conference on Senate File No. 8, “an Act to amend the Militia Law of the State of Iowa,” submitted the following report.

The joint Committee of Conference on the bill entitled “an Act to amend the Militia Law of the State of Iowa,” report and advise to amend as follows:

In Section 15 in the 2d line by inserting after word “Quartermaster,” the word “one Paymaster.”

In Section 17, the Senate’s amendment to be so amended that said section shall read:

SEC. 17. The Quartermaster-General, Paymaster-General, and Assistant Quartermaster-Generals and the Quartermasters and Paymasters of Regiments, shall file with the Governor satisfactory bonds, &c., &c.

In Sections 19, 20 and 21, we recommend that the Senate recede from their amendments, and that there be added to each of said

Sections this proviso: "*Provided*, That the time so employed shall be determined by the Governor."

We recommend that the Senate recede from their amendment to Section 28.

We recommend that the House recede from their disagreement with the Senate, with an amendment so that said Section 31 shall read as follows:

SEC. 31. When battallions or regiments are placed in encampments or ordered into actual service in accordance with the provisions of this bill, there shall be allowed to each battallion or regiment four musicians, who shall receive pay the same as musicians in the United States Army, and also one Chaplain to be appointed by the Colonel and Major, and said Chaplain shall receive pay at the rate of fifty dollars per month while in actual service.

(signed)

CYRUS BUSSEY,

Chairman Com. on part Senate.

(signed)

N. B. BAKER,

Chairman on part of House.

On motion report was taken up and bill read by sections.

On motion the Senate concurred in amendment to Sec. 15—2d line of the bill.

Mr. Udell moved to concur in amendment reported by Committee to Section 17.

On which Mr. Davis of Clinton called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Bussey, Brown, Coolbaugh, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Pusey, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, and Wilson of Jefferson—28.

The nays were—Senators Ainsworth, Beuchel, Bailey, Davis of Clinton, Duncombe, English, Green of Jackson, Johnson, Mann, Neal, Williams and Wilson of Dubuque—12.

Absent and excused—Senator Scott—1

Absent and not excused—Senator Bowen—1.

So the amendment was concurred in.

Mr. Watson moved to concur in amendment to Section 31. Carried.

The report was then adopted and amendments to the bill concurred in.

And upon the question shall the bill pass.

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—35.

The nays were—Senators Bailey, English, Johnson, and Williams—4.

Absent and excused—Senator Scott—1.

Absent and not excused—Senators Bowen, and Henderson.

So the bill was passed and title agreed to.

Mr. Coolbaugh from Special Committee on House File No. 5, "a Bill for an Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in war," reported back the same with the following amendments:

Add in line 6, sec. 2, "to be determined by the Board of Commissioners, provided for in Section 5 of this Act."

In line 28, Section 2, strike out "Treasurer" and insert "Auditor."

In line 35, strike out "or any two of them."

SEC. 4. In 6th line add "revenue arising from the," and add to section: "*Provided* nothing herein contained shall be so construed as to exempt from taxation any part of the capital stock of the branches of the State Bank of Iowa."

SEC. 5. Strike out first 4 lines and insert the following: "The Governor of the State, Chas. Mason of Des Moines County, Wm. Smyth of Linn County, C. C. Cole of Polk County and C. W. Slagle of Jefferson County, are hereby appointed a Board of Commissioners, who, or a majority of whom shall cause to be issued and sold from time to time only so many of the bonds hereby authorized as in their judgment the wants and necessities of the State may require." Adopted.

"Any vacancy in the Board of Commissioners, authorized in this Section, arising from death, resignation or otherwise, shall be filled by the remaining members of the Board." Adopted.

SEC. 6. In the 1st, 2d and 3d lines strike out "Maturin L. Fisher of Clayton County, and Geo. O. Stone of Muscatine County," and insert "Edward Johnston of Lee County." Adopted.

SEC. 9. In line 5, strike out "one-half of one per cent," and insert "one-eighth of one per cent."

Also, a substitute for Section No. 11.

On motion the bill was taken up by Sections, with report of Committee.

On motion of Mr. Powers the Senate concurred in amendment recommended to Section 2.

On motion of Mr. Angle the amendment to Section 4 was concurred in.

On motion of Mr. Duncombe the amendment to Section 5, providing for appointment of Commissioner was concurred in.

Mr. Davis of Polk offered an amendment to the amendment reported by the Committee, by inserting "the Governor to have the right to nominate persons to fill said vacancies."

On which Mr. Rankin called for the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson and Wilson of Jefferson—21.

The nays were—Senators Anderson, Beuchel, Bailey, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Hammer, Johnston, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque—18.

Absent and not excused—Senator Bussey.

Excused, Senator Scott—1.

So the amendment prevailed.

Mr. Angle moved to strike the words "in their judgment" out of amendment reported by the Committee in Sec. 5, line 6th.

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

The yeas were—Senators Anderson, Angle, Bussey, Davis of Clinton, Green of Muscatine, Hastings, Kent, Pattison, Watson, and Wilson of Jefferson—10.

The nays were—Senators Ainsworth, Beuchel, Bailey, Bowen, Brown, Coolbaugh, Davis of Polk, Duncombe, Dysart, English, Gray, Green of Jackson, Hagans, Hammer, Henderson, Johnson, Lewis, Mann, McPherson, Neal, Powers, Palmer, Pusey, Rankin, Taylor, Thompson, Trumbull, Udell, Williams, and Wilson of Dubuque—30.

Absent and excused—Senators Scott and Reiner.

So the amendment to the amendment was lost.

Question recurring on concurring in amendment to report by committee as amended by Mr. Davis, of Polk, it was concurred in.

Mr. ——— moved to concur in amendment to Section 6.

On which Mr. Angle called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Brown, Coolbaugh, Davis of Polk, Duncombe, Gray, Green of Jackson, Henderson, Johnson, Lewis, Mann, McPherson, Neal, Powers, Palmer, Pusey, Reiner, Trumbull, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—27.

The nays were—Senators Angle, Bowen, Davis of Clinton, Dysart, English, Green of Muscatine, Hagans, Hammer, Hastings, Kent, Pattison, Rankin, Taylor, and Thompson—14.

Excused—Senator Scott—1.

So the motion prevailed.

Mr. Taylor moved to amend amendment reported by the Committee to Section 9 by striking out "3-8th" and inserting "4."

On which Mr. Neal called the yeas and nays, which were as follows:

The yeas were—Senators Angle, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Brown, Davis of Clinton, Duncombe, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans,

Henderson, Hastings, Johnston, Neal, Powers, Palmer, Reiner, Taylor, Thompson, Udell, Williams, and Wilson of Jefferson—27.

The nays were—Senators Anderson, Coolbaugh, Davis of Polk, Hammer, Kent, Lewis, Mann, McPherson, Pattison, Pusey, Rankin, Trumbull, Watson, and Wilson of Dubuque—14.

Excused—Senator Scott—1.

So the amendment prevailed.

Mr. Palmer moved to reconsider the vote. Lost.

Question recurring on amendment as amended, was adopted.

Message from the House by Mr. Thompson, Chief Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked, to-wit:

House File No. 7, a bill to amend An Act entitled "An Act in relation to Revenue, being Chapter 45 of the Revision of 1860."

WM. THOMPSON, Chief Clerk, H. R.

Mr. ——— moved to concur in amendment to Section 11.

Mr. Neal moved to strike out "Metropolitan Bank" and insert "Banking House of A. N. Atwood & Co." Lost.

Question recurring on amendment to Section 11, when it was adopted.

Mr. Rankin moved to amend the 1st Section of the bill by striking out "Six Hundred Thousand" and inserting "One Million."

On which Mr. Williams called the yeas and nays, which were as follows:

The yeas were, Senators Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—22.

The nays were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Duncombe, English, Green of Jackson, Johnston, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams and Wilson of Dubuque—19.

Absent and excused—Senator Scott.

So the amendment prevailed.

On motion of Mr. Angle Section 5 was amended by striking out of the 4th line the first two "ands."

Mr. Rankin moved to amend Section 5 by striking out all in reference to filling vacancies, and inserting "in case of the death or resignation of any one of the four Commissioners named in connection with the Governor, or his refusal to serve, the Governor shall fill the vacancy."

On which Mr. Angle called for the yeas and nays which were as follows:

The yeas were, Senators Bowen, Brown, Davis of Clinton, Dysart, Green of Muscatine, Henderson, Hastings, Kent, Lewis, Mc-

Pherson, Pattison, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—17.

The nays were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Duncombe, English, Gray, Green of Jack., Hagans, Hammer, Johnston, Mann, Neal, Powers, Pusey, Taylor, Trumbull, Udell, Williams, and Wilson of Dubuque—23.

Absent and not excused, Senator Davis of Polk.

Absent and excused, Mr. Scott.

So the amendment was lost.

Mr. Angle moved to amend section 6 by striking out the words "Edward Johnston are agents" and inserting "appointed an Agent."

On which Mr. Taylor called for the yeas and nays which were as follows :

The yeas were—Senators Angle, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Henderson, Hastings, Kent, Pattison, Taylor, Thompson, Watson, and Wilson of Jefferson—13.

The nays were, Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Brown, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Hagans, Hammer, Johnston, Lewis, Mann, McPherson, Neal, Powers, Palmer, Pusey, Rankin, Reiner, Trumbull, Udell, Williams and Wilson of Dubuque—28.

Absent and excused, Senator Scott.

So the amendment was lost.

Mr. Hagans moved to amend section 6 by inserting the words "or either of them." Lost.

Mr. Thompson moved to strike out of section 11 that portion authorizing private sales of bonds.

On which Mr. Thompson called for the yeas and nays, which were as follows :

The yeas were, Senators Ainsworth, Beuchel, Bailey, Duncombe, Dysart, English, Green of Jackson, Hammer, Hastings, Pattison, Powers, Palmer, and Thompson—13.

The nays were, Senators Anderson, Angle, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Green of Muscatine, Hagans, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Rankin, Reiner, Taylor, Trumbull, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—27.

Absent and excused, Senator Scott.

Not excused, Senator Johnson.

So the amendment was lost.

On motion of Mr. Anderson the last section was amended by adding "Des Moines Commonwealth or any two of them."

On motion of Mr. Taylor the 11th rule was suspended and the bill put upon its passage.

On the question shall the bill pass, the yeas and nays were as follows :

The yeas were—Senators Anderson, Bussey, Bowen, Brown,

Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Trumbull, Watson, Wilson of Dubuque and Wilson of Jefferson—26.

The nays were—Senators Angle, Ainsworth, Beuchel, Bailey, Coolbaugh, Duncombe, English, Green of Jackson, Johnson, Mann, Neal, Pusey, Taylor, Udell, and Williams—15.

Absent and excused, Mr. Scott.

So the Bill was passed and the title was agreed to.

On motion of Mr. Rankin the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

Called to order by the President.

House File No. 7: An Act to amend an Act entitled "An Act in relation to Revenue." Read twice and referred to Committee on Ways and Means.

Mr. Bussey moved to reconsider the vote by which House File No. 5: "A Bill for an Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in War," was passed.

On which Mr. ——— called for the yeas and nays; pending which,

On motion of Mr. Pusey, a call of the House was had, and the following were found absent:

Messrs. Bailey, Green of Muscatine, Neal, Scott, and Taylor.

Excused, Senators Bailey, Scott and Taylor.

Not excused, Senators Green and Neal.

Mr. Neal appearing on motion of Mr. Udell further proceedings under the call were dispensed with.

The yeas and nays were then called as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Brown, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Hagans, Hammer, Johnston, Mann, McPherson, Neal, Pusey, Trumbull, Udell, Williams, and Wilson of Dubuque—22.

The nays were, Senators Bowen, Davis of Clinton, Davis of Polk, Dysart, Henderson, Hastings, Kent, Lewis, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—16.

Absent and excused, Senators Bailey, Scott and Taylor—3.

Absent and not excused, Senator Green of Muscatine.

So the vote to reconsider prevailed.

Mr. Bussey moved to amend section 1 of the Bill by striking out "one million" and inserting "eight hundred thousand."

On which Mr. Thompson called for the yeas and nays which were as follows:

The yeas were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Hammer, Johnston, Mann, Neal, Pusey, Trumbull, Udell, Williams and Wilson of Dubuque—22.

The nays were, Senators Bowen, Brown, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—18.

Absent and excused, Senators Scott and Taylor—2.

So the amendment prevailed.

The Bill was then put upon its passage:

The yeas were—Senators Anderson, Angle, Ainsworth, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—32.

The nays were—Senators Beuchel, Bailey, English, Green of Jackson, Johnston, Mann, Neal, and Williams—8.

Absent and excused—Senators Scott and Taylor.

So the bill passed and title was agreed to.

Mr. Pusey moved to reconsider the vote by which the bill was just passed.

Which motion Mr. Rankin moved to lay on the table.

On which Mr. Neal called for the yeas and nays which were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Lewis, Mann, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, and Wilson of Jefferson—32.

The nays were—Senators Bailey, Beuchel, English, Green of Jackson, Johnston, Kent, Neal and Williams—8.

Absent and excused—Senators Scott and Taylor—2.

So the motion to lay on the table prevailed.

On motion the Secretary was directed to carry the bill at once to the House.

Mr. Rankin from Special Committee, to whom was referred Senate File No. 1, "Memorial to Congress," submitted the following report:

To the President of the Senate:

The majority of the Committee to which was referred the memo-

rial presented by the Senator from Wapello county, report they deem it unnecessary to take any action with reference to said memorial at the present time. Could the specified object be accomplished in the manner suggested, and the States be restored to their recent unity and prosperity, your Committee would rejoice to sustain the Chairman. They do not believe that such would be the result of a Convention of the States. Eleven States are in open rebellion against the National Government. They have not sought to have the Constitution amended according to its own provisions, or have any grievances remedied in this way. This being the case, it is the first and paramount duty of all loyal States to call on the General Government to suppress the rebellion, and the further duty to aid the National Government with men and money in accomplishing this object. When the Constitution is maintained, the supremacy of law asserted and loyal citizens protected in life, limb, and property, no State will interpose against a Convention of States to amend the Constitution, should amendments be deemed necessary. Article five of the Constitution provides that when two-thirds of both Houses shall deem it necessary, they shall propose amendments to the Constitution; or on the application of the Legislatures of two-thirds of the several States, the Congress shall call a convention for proposing amendments. No amendment is valid until ratified by three-fourths of the States. There are thirty-four States; eleven are in open rebellion, while great disaffection exists in four others. There is but one loyal State more in number than two-thirds of all, regarding as loyal such disaffected States as Missouri, Kentucky, Maryland and Delaware. As it requires three-fourths of all the States to ratify an amendment to the Constitution—at least twenty-five States—and as there are but twenty-three States loyal to the Union, no amendment could be ratified without the votes of some of the rebel States. The State of Iowa has never passed any act in violation of the Constitution or subversive of the rights of any State in the Union. The State of Iowa is satisfied with the Constitution, and has no amendment to propose. The State of Iowa will not ask Congress to call a Convention of the States when her loyal citizens as delegates will be compelled to occupy seats with rebels who denounce the National Constitution, and trample on its laws and flag. Your Committee, that is a majority, believe that the consideration of the memorial should be postponed, and that if any voice should go up to the National Government from the State of Iowa, it should be in favor of the support of the Constitution, the enforcement of the laws and the suppression of all rebellion.

J. W. RANKIN,

W. P. DAVIS,

H. G. ANGLE.

Mr. Johnston from same Committee submitted a Minority Report as follows:

MINORITY REPORT.

The undersigned, a minority of the Special Committee to which was referred Senate File No. 1, a "Memorial to Congress," beg leave to report. The minority of your Committee consider that it is the part of wisdom for the people of this State, through their accredited Representatives, to avail themselves of the opportunity which the Federal Constitution presents for the redress of alleged grievances, and if possible, the restoration of our country from a terrible and unnatural war, to a condition of peace and renewed prosperity. The undersigned does not choose to express the opinion whether the grievances alleged to have been borne by States claiming to have dissolved their connection with the Federal Government have in fact existed, nor is it necessary. He believes that justice demands such claims should be heard and passed upon—and he may be allowed further to express the opinion that had the course indicated by this memorial been taken before our land had resounded with the clangor of war, that internal peace which for nearly a century has gladdened the heart of the Nation, would never have forsaken the standard of our country. The experience derived from eleven years existence under the Articles of Confederation impressed the framers of the Constitution with a sense of the need of providing a prompt and efficient way by which unforeseen difficulties could be remedied and to provide, also, against a vacillating and capricious sentiment, it was declared that only by the action of two-thirds of our National Congress, or of the Legislatures of the several States, could this be done. It can hardly be urged when war is being waged by the Federal Government against eleven States of the Union that a difficulty does not exist plainly within the meaning of the framers of this instrument. Differences have arisen between different sections of our country, complaints have been made by the minority which the majority have refused to hear until, as the former allege, safety demands that they should appeal from legislation to the arbitrament of arms—from civil to military adjudication—while the undersigned, the minority of your committee, firmly believe that wrongs have been committed which, are as yet, unredressed—that constitutional rights have been denied to one party through the unconstitutional legislation of an opposing party. While he might feel disposed to reprobate in the severest language so plain a departure from the spirit and letter of the supreme law of the land, he cannot justify the party aggrieved in its present hostile position. While, too, he may believe that those grievances complained of are oppressive to them and that in the condition of the country at the time of the last Presidential election they could hope but little from the action of our National Congress, he still thinks that the part of wisdom and patriotism alike dictated adherence to the Union and obedience to the laws until relief from the wrongs complained of could be obtained in the mode provided by the Con-

stitution of the United States. The minority of your committee is unable, however, to see how wrong procedure on the part of the seceding States can justify the non-performance of duty on the part of the remaining States of the Union. If wrongs have been committed in violation of the Constitution, Congress should redress them. If they have been committed and Congress is powerless to act, is not the line of duty clearly pointed out by the memorial and such action imperatively demanded at our hands by the highest and holiest dictates of humanity. It is undeniable that a war such as is now regarded as being waged will signally fail to entirely eradicate the spirit of revolt against evils real or imaginary. No one will attempt to assert that with a conclusion of this unnatural war some steps will not be taken for the redress of ills. Why may it not now be done before the fruitful fields of our fair land are deluged with the fraternal blood of a common revolutionary ancestry—before cities are laid waste and whole districts depopulated and destroyed? Why may it not be done now, as all concede it must sooner or later, before the progress of the Nation is arrested at so honorable, so prosperous a point in her career, and before she shall have retrograded into a fourth rate power with no influence, with no vigor, with nothing but a history of years of glorious recollections and unparalleled prosperity—a few years of unjust temper and bearing on the part of one section as displayed toward the other—a few years of aggression and resistance, closing fearfully in internecine war and wide-spread ruin. Nothing is hazarded of what is falsely claimed to be the dignity of the Government. Not one right or privilege of the people of any section is in any way jeopardized or prejudiced by following the course contemplated by this memorial, for whatever a National Convention may do as by the memorial in charge, must by the same constitutional provisions which authorize this procedure be virtually submitted to the people for ratification. If it transcends the authority vested in it, how easy to reject any objectionable proposed amendments. If it can restore peace to our country, is it not a duty we owe to humanity, to the legators of this rich gift of freedom to demand it? Nay, more, would it not be criminal for us to refuse to grant it? Dissenting therefore, from the views of the majority, the Special Committee to which your memorial was referred, the undersigned respectfully recommend its passage.

J. A. JOHNSTON.

Mr. Bussey from same Committee submitted a minority report as follows:

Resolved, By the Senate, the House concurring, that the people of the State of Iowa are in favor, so soon as the rebellion which now exists in several of the States against the authority of the General Government is suppressed, of holding a National Convention to be participated in by all of the States in the Union for the pur-

pose of making such amendments to the Constitution of the United States as experience may have shown to be necessary for the restoration of harmony and good feeling amongst the States and the perpetuity of the Union."

All the reports took their place on the calendar.

On motion Senate File No. 6, "A bill for an Act authorizing and requiring the Governor of Iowa to purchase arms, powder, clothing, &c., and providing the means of payment," was taken up by sections.

Mr. Powers moved to concur in House amendment to section 1.

On which Mr. Ainsworth called for the yeas and nays, which were as follows :

The yeas were, Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Duncombe, English, Gray, Green of Jackson, Hammer, Johnston, Mann, Neal, Pusey, Trumbull, Williams and Wilson of Dubuque—17.

Absent and excused—Senators Scott and Taylor.

Absent and not excused—Mr. Udell.

So the amendment was concurred in.

Mr. Davis of Polk moved to concur in House amendment to section 4. Lost.

Message from the House by Mr. Thompson, Chief Clerk :

MR. PRESIDENT—I herewith return Senate File No. 6, a Bill for an Act requiring and authorizing the Governor to purchase arms, powder, clothing, &c., and providing the means of payment: To which the House has made the following amendments, in which the concurrence of the Senate is asked.

In Section 2, strike out the words "whose appointment shall be submitted to and confirmed by the Senate."

In Section 4, strike out "either for State or National purposes," and insert "for actual service."

Strike out seventh and eighth sections.

In Section 9 after "Act" insert "being deemed by the Legislative Assembly to be of immediate importance." Also strike out "daily" wherever it occurs in said section 9.

I am also directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked :

House File No. 25 : "A Bill to authorize the Boards of Supervisors to rebate taxes in certain cases."

And House File No. 30 : "a bill providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as State Militia of Iowa."

The House has also passed Senate File No. 20, "A Bill to provide for the compensation of certain officers."

With the following amendments to-wit:

First—Add to title the words "and legalizing certain acts of officers relating thereto."

Second—Amend Section 3 by inserting after the words "but not yet satisfied" the words "except in those cases where there were judgments by agreement and in which no costs are claimed and in those cases which were settled without costs."

Third—Amend Section 5 by inserting at the end of the Section the words "except in cases where the costs are taxed to the private prosecutor."

Fourth—By striking out Section 6.

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

Mr. Bowen moved to concur in House amendment striking out Sections 6 and 7.

On which Mr. Williams called the yeas and nays, which were as follows:

The yeas were—Senators Bowen, Dysart, Hagana, Hastings, Lewis, McPherson, Pattison, Watson, and Wilson of Jefferson—9.

The nays were—Senators Ainsworth, Beuchel, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green of Jackson, Green of Muscatine, Hammer, Johnston, Mann, Neal, Palmer, Pusey, Rankin, Reiner, Thompson, Trumbull, Udell, Williams and Wilson of Dubuque—24.

Absent and not excused, Messrs. Anderson, Angle, Bailey, Brown, Henderson, Kent, Powers, and Taylor.

Excused—Senator Scott—1.

So the amendment was not concurred in.

On motion of Mr. Ainsworth a call of the House was had:

Absent—Messrs. Anderson, Angle, Bailey, Brown, English, Hammer, Henderson, Neal, Powers, Scott, Taylor.

Excused—Messrs. Bailey, Scott and Taylor.

On motion of Mr. Rankin the Sergeant-at-Arms was required to bring in the absentees.

On motion of Mr. Rankin the absentees were required to appear before the President and render excuse for absence.

On motion of Mr. Bowen further proceedings under the call were dispensed with.

Mr. Mann moved to adjourn until Monday morning at 9 o'clock. Lost.

On motion the Senate concurred in House amendment to the last Section of bill, under consideration.

On motion of Mr. Rankin the Secretary was instructed to return the bill to the House and inform that body of the action of the Senate thereon.

Mr. Rankin had leave to introduce Senate File No. 22, an Act to provide for the publication of the Acts passed at the present Session of the General Assembly.

Read twice and on motion of Mr. Neal the word "Legislature" was stricken out and the words "General Assembly" inserted.

On motion of Mr. Udell the 11th rule was suspended and the bill put upon its passage as follows :

The yeas were—Senators Anderson, Ainsworth, Buechel, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Johnston, Kent, Lewis, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Thompson, Trumbull, Udell, Williams and Wilson of Jefferson—33.

The nays were—Senators Johnston and Mann—2

Absent and not excused—Senators Angle, Bailey, Bussey, Coolbaugh, Taylor, Watson, and Wilson of Dubuque.

Absent and excused—Senator Scott—1.

So the bill was passed and title agreed to.

Mr. Neal had leave to introduce Senate File No. 23, "Joint Resolution for additional mail facilities."

On motion of Mr. Mann the rule was suspended and Joint Resolution taken up, read twice, and on motion of Mr. Powers the 11th rule was suspended and Joint Resolution passed.

On motion of Mr. Brown Senate File No. 21 : "An Act for the Relief of the Volunteer Soldiers of this State," was taken from the table, read twice, and on motion of Mr. Bowen was amended by inserting after the word "defendant," the words "his agent or attorney."

When on motion of Mr. Duncombe 11th rule was suspended and vote on passage was as follows :

The yeas were—Senators Anderson, Beuchel, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Dysart, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, and Wilson of Jefferson—24.

The nays were—Senators Ainsworth, Coolbaugh, English, Gray, Johnston, Neal, Pusey, Trumbull, Watson, Williams and Wilson of Dubuque—11.

Absent and not excused—Senators Angle, Taylor, Udell.

Absent and excused—Senators Scott and Lewis.

So the bill was passed and the title agreed to.

On motion of Mr. Powers, Senate took up Senate File No. 20, "An Act in relation to county officers."

On motion, the House amendments to the bill were concurred in.

On the question shall the bill pass as amended by the House :

The yeas were—Senators Anderson, Angle, Ainsworth, Buechel, Bussey, Davis of Clinton, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings,

Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—33.

The nays were—None.

Absent and not excused—Senators Bailey, Brown, Bowen, Coolbaugh, Davis of Polk, Duncombe, Johnston, and Taylor.

Excused, Mr. Scott.

So the bill passed and the title was agreed to.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT:—I am directed by the House of Representatives to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 26, "A bill providing for a State Arsenal and the safe keeping of the arms of the State."

House File No. 27, "A Bill making appropriations for the payment of a private Secretary to the Governor, and for extraordinary expenses in the Executive Department."

House File No. 34, "A bill relating to the publication of the laws of the extra session, 1861."

House File No. 15, "A bill for the benefit of volunteer soldiers of this State."

WM. THOMPSON, Chief Clerk.

On motion of Mr. Mann the Senate adjourned to 9 o'clock Monday morning.

SENATE CHAMBER, DES MOINES, IOWA, }
 May, 27, 1861. }

Senate met pursuant to adjournment.

Called to order by the President.

Prayer by the Rev. Mr. Shaw.

Journal of Saturday read and approved.

On motion of Mr. Thompson the opinion of the Attorney General, with reference to the Lieutenant Governor, was taken up.

Mr. Thompson offered the following:

"Resolved, That in the opinion of the Senate the Hon. Nicholas J. Rusch is not disqualified to discharge the duties of his office as Lieutenant Governor, by reason of his having assumed the discharge of the duties of "Commissioner of Immigration," and that Lieutenant Governor Rusch be requested to resume the President's Chair."

On motion of Mr. Thompson the opinion of the Attorney General and Resolution just offered, were referred to the Committee on Judiciary, with instruction to report as soon as possible.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has had under consideration the Senate's Resolution, providing for the adjournment of both Houses of the General Assembly on Monday the 27th inst., and has refused to concur therein; but has amended the same by providing that both Houses of the General Assembly will adjourn at 9 o'clock and 45 minutes A. M., of Wednesday the 29th inst.

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

On motion of Mr. Bussey the Secretary was authorized to employ an additional Assistant.

On motion of Mr. Rankin the Senate took up Senate File No. 6: "An Act authorizing and requiring the Governor to purchase arms, powder, clothing, &c., and providing the means of payment."

On motion of Mr. Rankin a Committee of Conference was appointed.

The Chair appointed the following as said Committee:

Senators Rankin, Trumbull and Green of Muscatine.

On motion of Mr. Hammer Senate took up House File No. 5: "A Bill for an Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in War."

On motion of Mr. Udell the Senate concurred in House amendment to Section 5 striking out "C. C. Cole," and inserting "James Baker."

Message from the House by Mr. Thompson Chief Clerk:

MR. PRESIDENT—I am directed to inform your honorable body that the House has had under consideration the Senate's amendments to House File No. 5, "A Bill to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in war," and have concurred in the following of the Senate's amendments, to-wit:

First—In the last line of Section 1 to strike out "six hundred thousand dollars" and insert "eight hundred thousand dollars."

Second—In 6th line of section 2 to insert after the word "require" the words "to be determined by the Board of Commissioners provided for in section 5 of this Act."

Third—In 28th line section 2 to strike out the word "Treasurer" and insert the word "Auditor."

Fourth—In the 25th line of section 2 to strike out the words "or any two of them."

Fifth—In the 6th line of section 4 to insert after the words "of

the" at the first of the line, the words "Revenue arising from the."

Sixth—To add to section 4 the following proviso to-wit: "Provided nothing herein contained shall be so construed as to exempt from taxation any part of the capital stock of the branches of the State Bank of Iowa."

Seventh—In striking out section 11 and inserting Senate's substitute.

Eighth—In section 12 to insert after the word "Journal" the words "and Commonwealth or any two of them."

The House has also concurred in the following amendments of the Senate, after having amended them as follows, in which amendments to the Senate's amendments the concurrence of the Senate is requested, to-wit:

First—In 3d line of Senate's first amendment to section 5, strike out the words "O. C. Cole of Polk County" and insert "James Baker of Lucas County."

Second—In Senate's last amendment to section 5 strike out all after the words "filled by" and insert "the Governor."

Third—In Senate's amendment to section 6 strike out "Edward Johnston of Lee County" and insert "Maturin L. Fisher of Clayton County."

Fourth—In the 5th line of section 9 strike out "eighth" and insert "one fourth."

I am also instructed to inform your honorable body that the House of Representatives has had under consideration the Senate's amendments to House File No. 6: "A bill to appropriate money to pay expenses now or hereafter incurred by the State, in calling out, organizing, uniforming, subsisting and equipping the Militia of the State, and purchasing arms and munitions of war for the State, and complying with the present or any future requisition of the President of the United States, for Volunteers from this State." and have concurred therein.

I am also instructed to inform the Senate that the House of Representatives has refused the recede from their amendments to sections 4, 7 and 8, in which the Senate refused to concur.

Senate File No. 6: "A Bill requiring and authorizing the Governor to purchase arms, powder, clothing, &c., and providing the means of payment." And have appointed a Committee of Conference consisting of Messrs. Baker, Bowdoin and Clark of Johnston, from the House to act with a similar Committee on the part of the Senate in reference to said Bill; and ask that a similar Committee may be appointed by the Senate.

WM. THOMPSON, Chief Clerk.

Mr. Rankin moved to concur in House amendment to section 5, wherein occurs the last Senate amendment to that section.

On which Mr. Ainsworth called for the yeas and nays which were as follows:

The yeas were, Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—23.

The nays were, Senators Ainsworth, Beuchel, Bailey, Coolbaugh, English, Gray, Green of Jackson, Hammer, Johnston, Mann, Neal, Pusey, Taylor, Trumbull, Udell, Williams Wilson of Dubuque—17.

Absent and excused, Senators Duncombe, and Scott.

So the amendment was concurred in:

Mr. Pusey asked and obtained leave of absence for Duncombe for the remainder of the session.

On motion of Mr. Powers, Senate concurred in House amendment to section 6.

Mr. Rankin moved to concur in House amendment to section 8, striking out "1" and inserting "2," on which

Mr. Johnston called for the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Henderson, Hastings, Mann, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Trumbull, Watson, Wilson of Dubuque and Wilson of Jefferson—24.

The nays were—Senators Ainsworth, Beuchel, Bailey, Bussey, English, Green of Jackson, Hagans, Hammer, Johnston, Kent, Lewis, Neal, Taylor, Thompson, Udell, and Williams—16.

Absent and excused, Senators Duncombe and Scott.

So the amendment was concurred in.

The amendments by the House to the bill being concurred in by the Senate, upon the question shall the bill pass?

The yeas were—Senators Anderson, Angle, Ainsworth, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque and Wilson of Jefferson—32.

The nays were—Senators Beuchel, Bailey, English, Green of Jackson, Johnston, Mann, Neal, and Williams—8.

Absent and excused—Senators Duncombe and Scott.

So the bill passed and the title was agreed to.

On motion of Mr. Angle, Senate concurred in House amendment to Joint Resolution fixing time for adjournment.

Mr. Thompson offered the following:

Resolved, That the Committee on Public Buildings be instructed to inquire whether any repairs are necessary to be made to the building now used as a Capitol, before the next regular session of

the General Assembly, and if any, what they are, and what sum will be necessary to make the same.

Mr. Angle moved the following amendment:

"And by instructing said Committee to enquire if the new building on the west side of the river, in Des Moines, supposed to have been constructed for a Court House, can be obtained for the use of the State, at the next regular meeting of the General Assembly."

Amendment adopted.

Question then recurring on Resolution as amended, when it was adopted.

House File No. 34: "An Act relating to the publication of the laws of the Extra Session of 1861," was taken up, and

On motion of Mr. Rankin the 11th Rule was suspended and the bill read a third time, and upon the question shall the bill pass?

The yeas were, Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque and Wilson of Jefferson—35.

The nays were, Senators Bailey, English, and Williams—3.

Absent and not excused—Senators Coolbaugh, and Johnston.

Absent and excused, Senators Duncombe and Scott.

So the bill passed and the title was agreed to.

Senate took up House File No. 25: "An act to authorize Boards of Supervisors to rebate taxes in certain cases. Read twice and referred to Judiciary Committee.

Senate took up House File No. 27, "An Act making appropriations for the payment of a Private Secretary to the Governor, and for extraordinary expenses in the Executive Department." Read twice, and

On motion of Mr. Powers, the 11th Rule was suspended, and bill read a third time and put upon its passage.

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque and Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Beuchel, Bailey, English, Johnston, Mann, Neal, Taylor, and Williams—9.

Absent and not excused—Senators Angle, Bussey, Coolbaugh, Pusey and Udell.

Absent and excused—Senators Duncombe and Scott.

So the bill was passed and title agreed to.

Senate took up House File No. 26, "a bill providing for a State Arsenal, &c.

Read twice when Mr. Bussey moved to suspend 11th rule and put the bill upon its passage. Motion lost.

On motion of Mr. Angle the bill was referred to Committee on Public Buildings.

Senate took up House File No. 15, "an Act for the benefit of the volunteer soldiers of this State."

Read twice and on motion was referred to Committee on Judiciary.

Senate took up House File No. 30, "an Act providing for auditing all accounts and disbursements, &c."

Read twice and on motion of Mr. Taylor the 11th rule was suspended the bill read 3d time and put upon its passage.

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Brown, Coolbaugh, Davis of Polk, Dyeart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—37.

The nays were—Senators Davis of Clinton, and Johnston—2.

Absent and not excused, Mr. Angle.

Absent and excused, Senators Scott and Duncombe.

So the bill passed and the title was approved.

Mr. Dysart had leave to introduce Senate File No. 24: Joint Resolution for additional Mail facilities.

Read twice and on motion of Mr. Udell the 11th Rule was suspended—bill read a 3d time and passed.

Mr. Hagans had leave to introduce Senate File No. 25, "Joint Resolution to change the eastern terminus of the overland mail route."

Read 1st and 2nd time.

Mr. McPherson moved to amend by striking out words "some point on Western border of Iowa," and inserting "Omaha City."

Mr. Udell moved to amend amendment by striking out "Omaha City" and inserting "Nebraska City." Lost.

Question recurring on amendment to Resolution, Mr. Hagans called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Ainsworth, Davis of Clinton, Davis of Polk, Dysart, Gray, Henderson, McPherson, Neal, Pusey, Thompson, Watson, Wilson of Dubuque and Wilson of Jefferson—13.

The nays were—Senators Angle, Beuchel, Bailey, Bussey, Bowen, Coolbaugh, English, Green of Jackson, Green of Muscatine, Hagans, Johnston, Kent, Lewis, Mann, Pattison, Powers, Palmer, Rankin, Taylor, Trumbull, Udell and Williams—22.

Absent and excused—Messrs. Scott and Duncombe.

Absent and not excused—Messrs. Brown, Hammer, Hastings, Reiner and Wilson of Dubuque.

So the amendment was lost.

Question recurring on original Resolution.

On motion the 11th rule was suspended, resolution read a third time and passed.

Senate took up House File No. 16: "An Act for the relief of Volunteers," read third time, and upon the question "shall the Bill pass?" the yeas and nays were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagens, Henderson, Kent, Lewis, Mann, McPherson, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque and Wilson of Jefferson—33.

The nays were—Senators English, Johnston, Neal, and Williams—4.

Absent and not excused, Senators Bowen, Hammer, and Hastings—3.

Absent and excused—Senators Duncombe, and Scott—2.

So the bill passed and the title was agreed to.

Senate took up Senate File No. 19: "An Act in relation to the duties of Warden of the Penitentiary."

Mr. Davis of Polk, offered substitute for the Bill. Substitute adopted.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT—I am directed to inform the Senate that the House of Representatives has passed the following:

House File No. 37: A Joint Resolution to change the eastern terminus of the Overland Mail Route.

Also, House File No. 38: "A Bill for An Act to provide for the distribution of the Journals of the Senate and House of Representatives."

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

On motion of Mr. Davis of Polk, the Bill was amended by adding "this Act being deemed of immediate importance shall take effect immediately after its publication in the Iowa State Journal, Iowa State Register and Commonwealth, or any two of them."

On motion of Mr. Powers the 11th rule was suspended, the Bill read third time, and upon the question "shall the bill pass?" the yeas and nays were ordered and were as follows:

The yeas were—Senators Angle, Benchel, Bailey, Bussey, Bowen, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Taylor, Thompson, Trumbull, Udell, Wilson of Dubuque and Wilson of Jefferson—26.

The nays were—Senators Ainsworth, Coolbaugh, English, Ha-

gans, Johnston, Mann, Neal, Pusey, Reiner, and Williams—10.
Absent and not excused—Senators Anderson, Brown, Hammer,
and Watson—4.

Absent and excused—Senators Duncombe, and Scott—2.

So the Bill passed and the title was agreed to.

Mr. Green of Muscatine, from Committee on Enrolled Bills, reported Senate File No. 20: "An Act to provide for the compensation of certain officers," correctly enrolled.

Substitute for Senate File No. 9: "A Bill for an Act to amend section 2729 of chapter 115 of the Code of Iowa, in relation to jurors," was taken up, and on motion of Mr. Udell the 11th rule was suspended, Bill read third time, and upon the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Johnston, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—39.

The nays were—None.

So the Bill passed and the title was agreed to.

Senate took up House File No. 25: "An Act to authorize the Board of Supervisors to rebate taxes in certain cases," which

On motion of Mr. Udell was referred to Committee on Judiciary, with instructions to report to-morrow morning.

Senate took up House File No. 37: "A Joint Resolution for additional Mail facilities."

On motion of Mr. Udell the 11th rule was suspended, Resolution read a third time and passed.

Senate took up House File No. 38: "A Bill for an Act to provide for the distribution of the Journals of the Senate and House of Representatives."

On motion of Mr. Taylor the Bill was referred to Select Committee of five.

The President appointed as said Committee, Senators Taylor, Pattison, Gray, Reiner, and Dysart.

Mr. Hagans from Special Committee on Mileage, reported as follows:

NAMES.	MILES.	NAMES.	MILES.
Anderson,.....	190	Johnston,.....	200
Angle,.....	260	Kent,.....	340
Ainsworth.....	600	Lewis,.....	266
Beuchel,.....	380	Mann,.....	360
Bailey,.....	300	McPherson,.....	74
Bussey,.....	300	Neal,.....	100
Bowen,.....	260	Pattison,.....	120

NAMES.	MILES.	NAMES.	MILES.
Brown,	400	Powers,	485
Coolbaugh,	340	Palmer,	300
Davis of Clinton,	412	Pusey,	300
Davis of Polk,	6	Rankin,	360
Duncombe,	180	Reiner,	300
Dysart,	300	Scott,	80
English,	400	Taylor,	280
Gray,	700	Thompson,	380
Green of Jackson,	480	Trumbull,	560
Green of Muscatine,	326	Udell,	300
Hagans,	200	Watson,	220
Hammer,	600	Williams,	160
Henderson,	50	Wilson of Dubuque,	560
Hastings,	460	Wilson of Jefferson,	240

On motion of Mr. Rankin the report was adopted.

Mr. Rankin from Judiciary Committee, reported Senate File No. 26: "An Act giving control of Swamp Lands in the several counties in the State to the Boards of Supervisors." Which was read first and second time, when

On motion of Mr. Powers the 11th rule was suspended, the Bill read a third time, and put upon its passage:

The yeas were, Senators Anderson, Angle, Ainsworth, Beuchel, Bailey, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Johnston, Kent, Lewis, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Williams and Wilson of Jefferson—37.

The nays were—None.

Absent—Senators Hammer, Mann, and Wilson of Dubuque—3.

Absent and excused—Senators Duncombe, and Scott—2.

So the Bill passed and the title was agreed to.

On motion of Mr. Udell the Senate adjourned till 2 o'clock, P. M.

Two o'clock P. M.

Senate met pursuant to adjournment.

Called to order by the President.

The President ordered a call of the Senate, and the following Senators were found absent:

Messrs. Angle, Aninswerth, Baily, Bowen, Davis of Clinton, Davis of Polk, English, Gray, Green of Jackson, Hammer, Hen-

derson, Hastings, Lewis, Powers, Rankin, Reiner, Trumbull and Wilson of Dubuque.

On motion of Mr. Brown, the Sergeant at Arms was ordered to bring in the absentees.

Several of the absentees appearing, on motion of Mr. Brown, further proceedings under the call were dispensed with.

Leave of absence was granted for Messrs. Udell and Gray, from to-morrow at noon.

Mr. Udell had leave to introduce Senate File No. 27, a Joint Resolution for additional mail facilities. Read 1st and 2d time, and on motion of Mr. Udell, the 11th Rule was suspended, Resolution read a 3d time and passed.

Mr. Rankin had leave to introduce Senate File No. 28, Memorial to the President of the United States asking "for authority to constitute a brigade out of the Iowa Regiments called into the National service, or out of the Iowa and Nebraska Regiments, and for the appointment of a General for the Brigade." Read twice, and on motion of Mr. Rankin, read a third time and passed.

Mr. McPherson had leave to introduce Senate File No. 29, "Joint Resolution for additional mail facilities." Read twice, and on motion of Mr. McPherson, read a third time and passed.

Mr. Rankin, from Committee of Conference, on Senate File No. 6, submitted the following report:

The Committee of Conference on the bill entitled An Act requiring and authorizing the Governor to purchase arms, powder, clothing, &c., and providing the means of payment, recommend that the Senate recede from their non-concurrence with the House amendment to Section 4th with an amendment as follows:

Strike out the whole of 4th Section, and insert two new Sections, as follows:

SECTION 4. The Governor of the State is hereby authorized to purchase such clothing, tents, arms, and camp equipage for the use of, and all articles necessary for the subsistence of Iowa Regiments now organized or accepted, or that may hereafter be organized and accepted into the service of the United States Government, as he may deem necessary for military effectiveness and comfort of the troops, *Provided* that the furnishing of said subsistence shall only extend to the time of mustering said regiments into the United States service.

SECTION 5. The Governor of the State is hereby authorized to purchase tents and camp equipage for the use of, and all articles necessary for the subsistence of Iowa Regiments, battalions, or companies now organized and accepted, and hereafter organized and accepted for encampment and drill and discipline duty as he may deem necessary for military effectiveness and for the comfort of the troops.

The Committee recommend that the Senate recede from their disagreement to the House amendments, striking out the 7th and

8th Sections in said bill, and that the Senate do concur in striking out said Sections.

J. W. RANKIN, Chairman, from Senate Com.

N. B. BAKER, from House Committee.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT: I herewith present for your Signature,

“An Act in relation to the custody and control of the Court Houses of the counties.” And

“An Act to legalize the acts of certain Boards of Supervisors and Municipal Corporations in certain cases.”

The same having been passed by both Houses of the General Assembly and enrolled in the House of Representatives.

The House has also passed the following Resolutions in which the concurrence of the Senate is requested:

Resolved, By the House of Representatives, the Senate concurring, that a Joint Committee of three from each branch of the General Assembly be appointed whose duty it shall be to compare the bills at this Session, inquire if the bills passed have been enrolled and reported to each branch thereon.

Resolved, By the House of Representatives, the Senate concurring, that the Secretary of State be directed to cause all the laws passed at this Session to be published immediately in the newspapers as directed by said laws, and to send to each member three copies of each newspaper until the publication of said laws is completed.

WM. THOMPSON, Chief Clerk.

On motion the report of the Committee of Conference was adopted, and the bill as amended put upon its passage.

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bussey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Gray, Green of Jackson, Green of Muscatine, Hagans, Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Palmer, Pusey, Rankin, Reiner, Taylor, Trumbull, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—31.

The nays were—Senators Bailey, English, Johnston, and Williams—4.

Absent and not excused—Senators Bowen, Hammer, Henderson, Hastings, and Thompson.

Absent and excused—Senators Duncombe and Scott.

So the bill was passed and title agreed to.

Mr. Green, of Muscatine, presented petition from Joseph Crane, and others praying for prohibition of circulation of notes of foreign banks of less denomination than five dollars.

On motion of Mr. Pusey, the petition was referred to Committee on Banks with instructions to enquire into the expediency of reporting a bill in accordance with the prayer of the petitioners.

Mr. Powers had leave to introduce Senate File No. 30, "Joint Resolution for additional Mail facilities. Read twice and on motion of Mr. Powers, 11th Rule was suspended, and Resolution read a 3d time and passed.

The Chair appointed Mr. Green of Muscatine, to fill vacancy on the Committee on Banks.

Mr. Taylor offered the following resolution which was adopted:

Resolved, That the Committee on Ways and Means be instructed to report all appropriation bills by to-morrow morning."

On motion of Mr. Rankin, Mr. Dysart was added to the Committee on Banks.

Mr. Brown from Committee on Federal Relations to whom was referred the resolutions offered by Mr. Duncombe, submitted the following resolutions as a majority report:

WHEREAS, A large number of persons, citizens of the United States, residents of certain of the Southern States, are now engaged in an open and unjustifiable attempt to overthrow this Government of the United States in violation of the Constitution: And

WHEREAS, In the opinion of the Senate, the doctrine that any State of the Union can dissolve its connection with the General Government, at the pleasure of its citizens, is in violation of the Constitution, and if recognized as a right, would result in the final dissolution of the Union and the destruction of the Federal Government: Therefore

Resolved, By the Senate of Iowa, that it is the duty of the General Government to maintain the supremacy of the Constitution and laws of the United States within each of the States, and to protect the public property within the same, and that when it becomes necessary for accomplishing the above objects, it is the duty of this Government to employ the entire resources of the Nation.

Resolved, That in its action towards the people who are now engaged in resistance to its laws we recognize a patriotic wish on the part of the Government to adjust the unhappy difficulty in which the country is now involved.

Resolved, That so long as any number of the citizens of this country continue in a state of rebellion we do not regard it as consistent with the duty of the Government to attempt to treat with such persons in any other manner than to demand of them an unconditional submission to the Constitution and the laws of the United States.

[Signed.]

A. F. BROWN,
GEO. M. DAVIS, } Committee.
J. C. HAGANS.

Mr. Mann from same Committee reported back the Resolutions referred to the Committee as a Minority Report.

The Reports were ordered to be placed upon the Calendar.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT:—I am directed to inform the Senate that the House of Representatives has passed Senate File No. 23: "Joint Resolution for additional Mail facilities."

WM. THOMPSON, Chief Clerk.

Mr. McPherson from Committee on Railroads, reported substitute for Senate File No. 13: "An Act extending the time of building Land Grant Railroads." Laid over under the rule.

Mr. Ainsworth moved to take up the concurrent resolution of the House, relating to a Joint Committee to compare Bills passed. Which motion prevailed.

Senators Ainsworth, Brown, and Dysart were appointed said Committee on the part of the Senate.

Also concurrent resolution directing the Secretary of State to cause Laws to be published in newspapers and forwarded to members.

Mr. Johnson offered the following Resolution:

Resolved, That the Secretary of State be requested to furnish each member of the Senate with 8th, 9th and 10th volumes of Iowa Reports, if the same are in his possession.

Which was adopted.

Leave of absence was granted to Senators Hammer and Lewis from to-morrow at noon.

Mr. Neal had leave to introduce Senate File No. 31: An Act to preserve the peace, and protect the lives and property of the citizens of the State of Iowa and Missouri on the boundary of said States, which was read first and second time, when Mr. Davis of Polk moved to lay the Bill upon the table, on which Mr. Johnston called for the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Beuchel, Bailey, Bussey, English, Gray, Green of Jackson, Johnston, Mann, Neal, Taylor, Trumbull, Udell, Williams, and Wilson of Dubuque—15.

Absent—Senators Angle, Bowen, and Pusey—3.

Absent and excused—Senators Duncombe, and Scott—2.

So the motion to lay on the table prevailed.

Mr. Wilson of Dubuque moved to suspend the rule and take up Senate File No. 13: "An Act to extend the time of building the Dubuque & Sioux City Railroad."

On which Mr. Wilson of Dubuque called for the yeas and nays which were as follows:

The yeas were, Senators Ainsworth, Beuchel, Bussey, Brown, Coolbaugh, Davis of Polk, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings,

Kent, Lewis, Mann, McPherson, Neal, Pattison, Powers, Pusey, Rankin, Reiner, Taylor, Trumbull, Udell, Williams, Wilson of Dubuque and Wilson of Jefferson—31.

The nays were, Senators Angle, Bailey, Johnston, Palmer and Thompson—5.

Absent and not excused—Senators Anderson, Bowen, Davis of Clinton, and Watson.

So the motion to suspend the rule prevailed.

Mr. Thompson moved to amend by inserting "Mississippi and Missouri Railroad" after "Sioux City Railroad."

Mr. Johnston moved to postpone the further consideration of the Bill until the 4th of July, which motion prevailed.

Mr. Green from Committee on Enrolled Bills reported Senate File No. 23: "Joint Resolution for additional Mail facilities," correctly Enrolled.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT:—I am directed to inform the Senate that the House of Representatives has appointed Messrs. Baker, Kellogg and Williamson of Warren, a Committee on the part of the House, to act with a similar Committee to be appointed on the part of the Senate, to report in regard to Bills passed and enrolled.

WM. THOMPSON, Chief Clerk.

Mr. Angle moved to adjourn.

On which motion Mr. Ainsworth called the yeas and nays which were as follows:

The yeas were, Senators Bailey, Davis of Clinton, Davis of Polk, Dysart, McPherson, Palmer, Reiner, and Taylor—8.

The nays were, Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Brown, Coolbaugh, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Hastings, Johnston, Kent, Lewis, Mann, Neal, Pattison, Powers, Pusey, Rankin, Thompson, Trumbull, Udell, Watson, Williams Wilson of Dubuque and Wilson of Jefferson—30.

Absent and not excused, Senator Bowen.

So the motion to adjourn was lost.

Mr. Powers moved to reconsider the vote by which Senate File No. 13 was postponed.

On which Mr. Wilson of Dubuque called for the yeas and nays which were as follows:

The yeas were—Senators Ainsworth, Beuchel, Brown, Coolbaugh, Gray, Green of Jackson, Hagans, Hammer, Henderson, Hastings, Mann, Neal, Pusey, Taylor, Thompson, Trumbull, Williams, and Wilson of Dubuque—18.

The nays were, Senators Anderson, Angle, Bailey, Davis of Clinton, Davis of Polk, Dysart, English, Green of Muscatine, Johnston, Kent, Lewis, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Watson, and Wilson of Jefferson—19.

Absent and not excused, Senators Bussey, Bowen, and Udell.

So the motion to reconsider was lost.

Mr. Watson had leave to introduce Senate File No. 32: "An Act to legalize the Acts of County Judges in the sale of Swamp Lands." Read twice and referred to the Committee on Judiciary.

On motion the Senate adjourned till 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, }
 May 28, 1861. }

Senate met pursuant to adjournment. Called to order by the President.

Prayer by the Rev. Mr. Shaw.

Journal of yesterday read and approved.

On motion of Mr. Bussey leave of absence was granted for Mr. Pusey for remainder of the Session.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT: I am instructed to inform your Honorable Body that the House of Representatives has passed without amendment the following bills:

Senate File No. 28: Memorial to the President of the United States, asking for authority to constitute a Brigade out of the Iowa Regiments called into the National service, or out of the Iowa and Nebraska Regiments, and for the appointment of a General for the Brigade.

Substitute for Senate File No. 19, "a Bill for an Act to amend section 5176, of the Revision of 1860."

Senate File No. 9, "A Bill for an Act to amend Section 2729 of Chapter 115 of the Revision of 1860, in relation to Grand Juries."

The House has concurred in the recommendation of the Committee of Conference on Senate File No. 6, "A Bill requiring and authorizing the Governor to purchase arms, powder, and clothing, &c., and providing the means of payment."

And has concurred in the amendment striking out Section 4 and substituting therefor Sections 4 and 5 and passed the bill.

The House passed the following bills in which the concurrence of the Senate is asked:

House File No. 1. "A bill to relieve indigent persons and families."

House File No. 35: "A Bill for an Act to provide for the payment of certain Commissioners and others."

House File No. 41: Joint Resolutions for additional Mail facilities.

The House has also passed Senate File No. 24: A Joint Resolution for Mail service.

I also herewith return Senate File No. 5 with certain amendments made by the House, annexed thereto, in which the concurrence of the Senate is asked.

WM. THOMPSON, Chief Clerk.

Mr. Green of Muscatine from Committee on Enrolled Bills reported as follows:

"Your Committee on Enrolled Bills, report that they have presented to His Excellency the Governor for his signature the following Enrolled Bills:

Joint Resolution instructing the Governor to provide Clothing for the First Regiment Iowa Volunteers. Also an Act to provide for the compensation of certain officers and legalizing certain acts of officers relating thereto." Also Senate File No. 23: Joint Resolution for additional Mail facilities.

Message from the House by Mr. Thompson Chief Clerk:

MR. PRESIDENT:—I am directed by the House to inform the Senate that the House of Representatives has had under consideration

Senate File No. 26, "A Bill giving control of the Swamp Lands in the several Counties of the State to the Boards of Supervisors."

And have passed the same after having amended the bill by inserting two additional Sections. In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

Mr. Taylor from Select Committee on House File No. 38: "An Act to provide for the distribution of Journals of Senate and House of Representatives," submitted the following report:

MR. PRESIDENT—The Select Committee to whom was referred House File No. 38, have had the same under consideration and have instructed me to report the same back with sundry amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

TAYLOR, Chairman of Committee.

On motion the amendments recommended were concurred in and the report of the Committee adopted.

Mr. Taylor moved to amend the bill by striking out "\$250" and inserting "\$300."

On which Mr. Neal called for the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Angle, Beuchel, Bailey, Bussey, Bowen, Brown, Coolbaugh, Dysart, English, Gray, Green of

Jackson, Green of Muscatine, Hagans, Hammer, Henderson, McPherson, Pattison, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—29.

The nays were—Senators Ainsworth, Davis of Clinton, Johnston, Kent, Lewis, Mann, Neal—7.

Absent and excused—Senators Pusey, Duncombe and Scott.

Not excused—Senators Davis of Polk, Hastings and Powers.

So the amendment was adopted.

On motion of Mr. Taylor, the 11th Rule was suspended, and bill read a third time and upon the question shall the bill pass:

The yeas were—Senators Anderson, Angle, Bailey, Bussey, Bowen, Brown, Coolbaugh, Davis of Polk, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hagans, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Pattison, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—32.

The nays were—Senators Ainsworth, Davis of Clinton, Johnston and Neal—4.

Absent and not excused—Senators Hastings and Powers.

So the bill passed and title was agreed to.

On motion of Mr. Thompson, Mr. Gray was added to the Committee on Banks and Banking.

Mr. Davis of Polk from Committee on Public Buildings, submitted the following report:

The Committee on Public Buildings to whom was referred House File No. 26, a bill providing for a State Arsenal, and for the safe keeping of the arms of the State, instruct me to report back the bill and recommend its indefinite postponement. In the above recommendation the undersigned does *not* agree.

W. P. DAVIS, Chairman.

On motion of Mr. Neal the bill was indefinitely postponed.

Mr. Wilson of Dubuque from Committee on Judiciary reported back House File No. 25: "A Bill to authorize the Boards of Supervisors to rebate taxes in certain cases," and recommended that the same be amended so as to be made applicable to "buildings and nothing else."

On motion Senate concurred in amendments recommended by the Committee.

Mr. Kent moved to re-consider the vote by which Senate concurred in report of Committee. Lost.

Mr. Brown moved to amend Section 1 by adding "*Provided* that the provisions of this Act shall only extend to such assessments as have been made in the year in which the loss may have occurred.

Mr. Udell moved to indefinitely postpone the farther consideration of the bill.

Mr. Davis of Clinton called the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Bailey, English, Gray, Hagans, Johnston, Neal and Udell—8.

The nays were—Senators Anderson, Angle, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Pattison, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—30.

Absent and not excused, Mr. Powers.

So the motion to indefinitely postpone was lost.

When on motion of Mr. Brown the 11th rule was suspended the bill read 3d time and upon the shall the bill pass?

The yeas were—Senators Anderson, Angle, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hammer, Henderson, Hastings, Kent, Lewis, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, and Wilson of Dubuque—30.

The nays were—Senators Ainsworth, Bailey, English, Gray, Hagans, Johnston, Neal, Udell and Wilson of Jefferson—9.

So the bill passed and the title was agreed to.

On motion of Mr. Powers the vote by which report of Committee on Mileage was adopted, was re-considered.

Mr. Powers offered the following substitute:

NAMES.	MILES.	DOLLARS.
Anderson.....	200	\$30 00
Angle.....	260	39 00
Ainsworth.....	600	90 00
Beuchel.....	380	57 00
Bailey.....	300	45 00
Bussey.....	300	45 00
Bowen.....	260	39 00
Brown.....	400	60 00
Coolbaugh.....	340	51 00
Davis of Clinton.....	420	63 00
Davis of Polk.....	20	3 00
Duncombe.....	180	27 00
Dysart.....	300	45 00
English.....	400	60 00
Gray.....	700	105 00
Green of Jackson.....	480	72 00
Green of Muscatine.....	340	51 00
Hagans.....	200	30 00
Hammer.....	600	90 00
Henderson.....	60	9 00

NAMES.	MILES.	DOLLARS.
Hastings,	460	69 00
Johnson,	200	30 00
Kent,	340	51 00
Lewis,	280	42 00
Mann,	360	54 00
McPherson,	80	12 00
Neal,	100	15 00
Pattison,	120	18 00
Powers,	500	75 00
Palmer,	300	45 00
Pusey,	300	45 00
Rankin,	360	54 00
Reiner,	300	45 00
Scott,	80	12 00
Taylor,	280	42 00
Thompson,	380	57 00
Trumbull,	560	84 00
Udell,	300	45 00
Watson,	220	33 00
Williams,	160	24 00
Wilson of Dubuque,	560	84 00
Wilson of Jefferson,	240	36 00
		<hr/>
		\$963 00
Lieutenant Governor	400	60 00
		<hr/>
		\$1023 00

Mr. Johnston moved to refer to Committee on Ways and Means.
Lost.

Question recurred on substitute, when it was adopted.

Report was then adopted as amended by the substitute.

Mr. Gray from the Committee on Banks and Banking, reported as follows :

The Committee on Banks to whom was referred a petition of certain citizens of Muscatine county, praying for the "passage of a law prohibiting, under heavy penalties, the passage or receipt of any foreign Bank notes of a less denomination than five dollars," have had the same under consideration, and have instructed me to report that the Committee entertain different opinions with regard to the efficiency of such legislation, but are unanimously of the opinion that it is inexpedient to legislate upon the subject at this session of the General Assembly.

G. W. GRAY, of the Committee.

On motion, report was adopted.

Mr. Rankin from Judiciary Committee, reported back House File No. 15, "An Act for the relief of volunteer soldiers of this

State," and recommended the indefinite postponement of the same.

Report concurred in.

Mr. Rankin from the Committee on Judiciary to whom was referred petition "in relation to sale of school lands in Tama county," reported, recommending that the same be indefinitely postponed.

Report adopted.

Mr. Rankin from Judiciary Committee, reported back House File No. 15, "An Act for the benefit of volunteer soldiers of this State," recommending that the same be indefinitely postponed. On motion to adopt the report,

Mr. Brown called the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Beuchel, Bailey, Bussey, Coolbaugh, Davis of Clinton, Dysart, English, Gray, Green of Jackson, Green of Muscatine, Hastings, Johnston, Lewis, Mann, Neal, Rankin, Taylor, Trumbull, Udell, Williams, and Wilson of Dubuque—22.

The nays were—Senators Anderson, Brown, Davis of Polk, Hagens, Hammer, Henderson, Kent, McPherson, Pattison, Palmer, Reiner, Thompson, Watson and Wilson of Jefferson—14.

Absent and not excused—Senators Davis of Polk and Powers.

So the report was adopted.

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

The undersigned, a majority of the Judiciary Committee, would respectfully report that they have had under consideration the opinion of the Atty. General, with regard to the right of N. J. Rusch to act as Lieut. Governor, also the resolution upon the same subject referred to them and they find that the said N. J. Rusch is entitled to the office of Lieut. Governor.

In the opinion of the undersigned, the position of emigrant agent is not an office within the meaning and purview of the Constitution. The Governor is by law made one of the trustees of the Agricultural College, which is termed an office, but no sensible man would claim that he was thereby disqualified from acting as Governor, or that a vacancy was created in the office of Governor. Even if the position of emigrant agent were an office as is claimed by the Attorney General, then the acceptance of that office by the Lieut. Governor was illegal, but no vacancy was created in the office of Lieut. Governor. We therefore recommend the adoption of the resolution referred to said committee.

L. L. AINSWORTH,
D. S. WILSON,
JNO. W. THOMPSON,
M. L. MCPHERSON.

Mr. Rankin from same committee submitted the following minority report:

"The undersigned, members of the Judiciary Committee to whom

was referred the resolution introduced by Senator Thompson, report: The resolution contains two propositions:

1st—Nicholas J. Rusch is not disqualified to discharge the duties of his office as Lieut. Governor, by reason of his position as Commissioner of Immigration.

2d—Nicholas J. Rusch is invited to resume the President's chair.

They do not deem it necessary to discuss the second proposition. Nicholas J. Rusch was elected Lieutenant Governor by a large majority of the voters of the State. He became constitutionally the President of the Senate, and as such officer he discharged his duties with great fidelity, impartiality and signal success. If it rested with them to invite Nicholas J. Rusch to resume his seat as President of the Senate, and nothing beyond, they would not hesitate for a moment. So far as they have been subject to his powers and directions as an officer of the Senate, they have been highly delighted with his conduct. They do not however regard such matters as submitted to them. They are called on to consider a single legal proposition, or constitutional question.

The Constitution provides, Article 4, Section 14:

“No person shall, while holding any office under the authority of the United States, or of this State, execute the office of Governor, or Lieutenant Governor, except as hereinafter provided.”

They believe that any person holding any office by virtue of National or State authority is incapacitated for qualification to the office of Lieutenant Governor.

They believe that any person accepting, qualified and entering on the discharge of the duties of such office, cannot longer execute the office of Lieutenant Governor.

If either of these propositions is correct, both are.

It is not asserted that a person is ineligible to the office of Lieutenant Governor, who holds an office by authority, &c., but that such a person *cannot execute the office*. The provision is a limitation on the power or capacity of an individual, or the absolute constitutional denial of the power of any individual to discharge any function of the Lieutenant Governor, while holding any office as provided. The object, doubtless, is to prevent the concentration of too much official power in the hands of one person, and to secure the time and intellect of the incumbent in any one office, in the discharge of the obligations involved.

The law passed March 30th, 1860, providing for a Commissioner of Immigration, requires him to hold *his office* for two years from the first day of May thereafter, and he shall reside in the City of New York at least from the first day of May until the first day of December of each year, which office shall be kept open at all reasonable hours, &c.

The Commissioner is to receive a salary, have office rent paid, &c. This very law establishing this office for two years, requires the

Lieutenant Governor—being Commissioner—to reside in the City of New York at this very time.

The law creates a new office, a new bureau in Government policy for the sake of advancing a material interest, and the agricultural prosperity of the State. It is an office in every sense of the term. It as much requires the time, attention and mind of the occupant as the office of Senator, or Representative, or any other State officer.

Every reason that applies to the office of Senator, applies to the office of Immigrant Commissioner: indeed the reasons are stronger as to the latter office than the former, as the office of Commissioner practically exiles from the State the occupant.

They believe in giving a construction to the section of the Constitution cited, that at least, as doubts exist as to the power of Nicholas J. Rusch to execute the office of Lieutenant Governor, he being the incumbent of the office of Immigrant Commissioner, and now, in contemplation of law, a resident of the City of New York.

J. W. RANKIN, Ch'n.

L. G. PALMER,

W. E. TAYLOR.

Mr. Hammer moved to adopt majority report.

Mr. Bussey moved to substitute minority report.

Mr. Palmer moved to lay both reports upon the table,

On which Mr. Ainsworth called for the yeas and nays which were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagans, Henderson, Hastings, Johnston, Kent, Lewis, Neal, Powers, Palmer, Rankin, Reiner, Taylor, Udell and Watson—22.

The nays were—Senators Ainsworth, Beuchel, Bowen, Brown, Dysart, English, Gray, Green of Jackson, Hammer, Mann, McPherson, Pattison, Thompson, Trumbull, and Wilson of Dubuque—15.

So the motion to lay on the table prevailed.

Mr. Hammer moved to reconsider vote by which Senate voted each member three volumes of Supreme Court Reports.

On motion of Mr. Udell, that motion was laid on the table.

On motion of Mr. Gray, the Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Called to order by the President.

Mr. Green of Muscatine from Committee on Enrolled Bills, reported the following correctly Enrolled:

Senate File No. 6, "An Act authorizing and requiring the Governor of Iowa to purchase arms, powder, clothing, &c., and providing the means of payment."

Senate File No. 9, "An Act to amend Section 2729 of Chapter 115 of the Revision of 1860, in relation to Grand Jurors."

Senate File No. 19: "An Act to amend section 5176 of Revision of 1860, relating to the Warden of the Penitentiary."

Senate File No. 24: "Joint Resolution for additional Mail facilities."

Senate File No. 28: "Memorial to the President of the United States asking for authority to constitute a Brigade out of the Iowa Regiments, or Iowa and Nebraska Regiments, &c."

Mr. Taylor offered the following:

Resolved, That the President *pro tem* of the Senate be allowed the usual per diem and mileage allowed to the presiding officer of this body, and that the Secretary of the Senate certify the same to the Auditor of State."

Adopted.

Mr. Thompson from Committee on Ways and Means reported back House File No. 7 with amendments, as follows:

The Committee on Ways and Means to whom was referred House File No. 7: An Act to amend an Act entitled An Act in relation to Revenue, being chapter 45 of the Revision of 1860, having had the same under consideration instruct me to report the same back, together with the following amendments, to wit:

First—In Section 4, after the word "comity" in 20th line insert "four weeks before sale."

Second—After the word "lands" in 23d line, insert "or town lots."

Third—In 25th line after the word "lands" insert "or town lots."

Fourth—Add as Section 5, that the words "as the same are recorded on the tax list the amount of taxes for each year," in section 764 of Revision of 1860 are hereby repealed, and there is hereby enacted in lieu thereof the words "for the delinquent taxes of the preceding year, and such real property as has not been advertised for the taxes of previous years, and on which the taxes remain due and delinquent, and the amount of taxes."

Add as section 6, That all of Section 759 of the Revision of 1860 after the words "title is hereby repealed," and there is enacted in lieu thereof the words: "The Treasurer is authorized and directed to collect the delinquent taxes by the sale of any property upon which the taxes are levied, or any other property personal or real belonging to the person against whom the taxes are assessed."

Change Section 5 to 7.

And when so amended recommend that same do pass.

JOHN W. THOMPSON, Ch'm.

On motion of Mr. Bussey report was adopted.

Mr. Neal moved to strike out all of Section 1 after the enacting clause.

On which Mr. Neal called for the yeas and nays, which were as follows:

The yeas were—Senators Ainsworth, Buechel, Bailey, Bussey, Coolbaugh, English, Green of Jackson, Johnston, Mann, Neal, Trumbull, Williams and Wilson of Dubuque—13.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, McPherson, Pattison, Powers, Rankin, Reiner, Taylor, Thompson, and Wilson of Jefferson—20.

Absent and not excused—Senators Palmer, and Watson.

So the motion to amend was lost.

On motion of Mr. Bussey the 11th rule was suspended, Bill read a third time, and upon the question "shall the bill pass?" the yeas and nays were ordered and were as follows:

The yeas were, Senators Anderson, Angle, Buechel, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, McPherson, Pattison, Powers, Rankin, Reiner, Taylor, Thompson, Watson, and Wilson of Jefferson—24.

The nays were, Senators Ainsworth, Coolbaugh, English, Johnston, Mann, Neal, Trumbull, Williams and Wilson of Dubuque—9.

So the Bill was passed and the title was agreed to.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT—I herewith present for your signature "An Act to amend the Militia Law of the State of Iowa."

An Act to appropriate money to pay expenses now or hereafter incurred by the State, in calling out, organizing, uniforming, subsisting and equipping the Militia of the State, and purchasing arms and munitions of war for the State, and complying with the present or any future requisition of the President of the United States, for Volunteers from this State.

An Act relating to the publication of the laws of the Extra Session of 1861.

Joint Resolution requesting the President of the United States to accept and muster into service a Regiment of Volunteer Cavalry from the State of Iowa.

Joint Resolution to change the eastern terminus of the Overland Mail Route.

All of which have been passed by both Houses of the General Assembly, and Enrolled in the House of Representatives.

I am also instructed to inform the Senate that the House has concurred in the Senate's amendments to House File No. 38: "A Bill to provide for the distribution of the Journals of the Senate and House of Representatives." And that the same has been passed.

The House has passed with Senate's amendments concurred in House File No. 25: "A Bill to authorize Boards of Supervisors to rebate taxes in certain cases."

The House has passed House File No. 42: A Bill to provide for the publication and distribution of the laws of the Extra Session of 1861.

Also, House File No. 43: A Bill making appropriations for the per diem and mileage of members and officers of the Extra Session of the Eighth General Assembly, and for other purposes.

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk, H. R.

Mr. Green of Muscatine from Committee on Enrolled Bills, reported Senate Files Nos. 6, 9, 19, 24, and 28, all duly signed and in the office of Secretary of State.

On motion Senate File No. 5: "An Act for the organization, equipment and subsistence of the Militia men of the State of Iowa," was taken up.

On motion of Mr. Rankin the first amendment to the Bill by the House was concurred in.

Mr. Bussey moved to concur in amendment striking out section 6 and inserting substitute.

On which Mr. Ainsworth called for the yeas and nays, which were as follows:

The yeas were, Senators Anderson, Bussey, Bowen, Brown, Davis of Polk, Dysart, Green of Muscatine, Henderson, Hastings, Kent, McPherson, Pattison, Rankin, Reiner, Watson, and Wilson of Jefferson—16.

The nays were, Senators Angle, Ainsworth, Beuchel, Bailey, Coolbaugh, English, Gray, Green of Jackson, Hagans, Johnston, Lewis, Mann, Neal, Taylor, Thompson, Trumbull, Williams, and Wilson of Dubuque—18.

So the motion to concur was lost.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT—I am instructed to inform your honorable body that the House of Representatives has passed without amendment Senate File No. 21: A Bill for the relief of the Volunteer Soldiers of the State of Iowa.

WM. THOMPSON, Chief Clerk.

Mr. Bussey moved to concur in amendment in 10th section. Carried.

On motion of Mr. McPherson, Senate concurred in amendment to section 13.

Secretary was directed to carry the bill immediately to the House and inform that body of the action of the Senate thereon.

On motion of Mr. Powers, the rule requiring the bills to lay over one day before being sent to the House, was suspended for the remainder of the session.

Senate took up House File No. 43: "An Act making appropriations for per diem and mileage of Members and Officers of the Extra Session of the General Assembly, and for other purposes."

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

Senate took up House File No. 42, "Publication of Laws."

On motion the bill was amended by striking out the words, "as now provided for by law," and inserting "in pamphlet form."

On motion of Mr. Mann the bill was further amended by striking out "15,000," and inserting "10,000."

On motion of Mr. Mann, the bill was further amended by striking out "10,000" where it occurs in the clause providing for the distribution, and inserting "7,000," when,

On motion of Mr. Powers the 11th Rule was suspended and the bill read a third time, and upon the question shall the bill pass?

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, English, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Johnston, Kent, Mann, McPherson, Neal, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson
—33.

The nays were—None.

So the bill passed and the title was agreed to.

Message from the Governor by his Private Secretary.

Gentlemen of the Senate.

I have the honor to state in reply to your resolution of inquiry whether I have employed an agent to purchase clothing for the two first regiments now stationed at Keokuk, Iowa, that I have contracted with Hon. S. Merrill for the following clothing for the 2d and 3d regiments, to-wit:

2,000 Gray, all wool frock coats.

2,000 Gray, all wool pants.

2,000 Gray Felt hats.

4,000 Gray, all wool flannel shirts.

4,000 Gray, all wool flannel drawers.

4,000 pairs all wool knit socks.

2,000 pairs best army brogans,

Being 1 hat, 1 coat, 1 pair pants, 2 shirts, 2 pairs drawers, 2 pairs socks and 1 pair shoes for each man, at the price of twenty-one dollars for each man, delivered on board cars at Boston, Massachusetts, to be paid for when delivered and accepted by my agent there, in bonds of the State at par, if the contractor will receive said bonds at par, and if not, to be paid for there as soon as the money can be realized by the sale of bonds. In obedience to a joint resolution of the General Assembly, I have also ordered from the same person, 1

coat, 1 pair of pants, and 1 pair of brogans for each member of the first regiment, which will cost about fifteen dollars per man.

SAMUEL J. KIRKWOOD.

EXECUTIVE CHAMBER, }
MAY 27th, 1861. }

Mr. Green of Muscatine from Committee on Enrolled bills reported Senate File No. 21 correctly enrolled.

Senate File No. 26, "An Act giving control of the Swamp Lands in the several counties to Boards of Supervisors," was taken up.

House amendments concurred in, and

On motion of Mr. Powers, the 11th rule was suspended and the bill read a third time, and on the question, shall the bill pass?

The yeas were—Senators Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Henderson, Hastings, Johnston, Kent, McPherson, Neal, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Wilson of Dubuque, and Wilson of Jefferson—29.

The nays were—Senators English, Mann, and Williams—3.

So the bill was passed and title agreed to.

Senate took up House File No. 41: "Joint Resolution for additional Mail facilities."

Read first and second time, 11th Rule suspended, and Joint Resolution passed.

House File No. 35, "An Act to provide for the payment of certain commissioners and others," was taken up and read first and second times and

On motion, 11th Rule suspended bill read third time, and upon the question, shall the bill pass?

The yeas were—Senators Angle, Ainsworth, Beuchel, Bussey, Bowen, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, English, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—29.

The nay was—Senator Neal—1.

So the bill was passed and the title agreed to.

House File No. 1, "An Act to relieve indigent persons and families," read first and second time, and,

On motion of Mr. Mann, 11th Rule was suspended, and bill ordered to be read a third time.

Mr. Ainsworth moved to reconsider the vote by which the bill was ordered to its third reading. Lost.

When, upon the passage of the bill,

The yeas were, Senators Anderson, Bussey, Bowen, Brown, Davis of Clinton, Dysart, Green of Jackson, Green of Muscatine,

Henderson, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Watson, and Wilson of Jefferson—17.

∴ The nays were: Senators Angle, Ainsworth, Beuchel, Coolbaugh, English, Hagan, Hastings, Johnston, Mann, Neal, Taylor, Thompson, Trumbull; Williams and Wilson of Dubuque—15.

∴ The bill not having received a constitutional majority was lost.

On motion of Mr. Powers, Senate File No. 8, "An Act empowering County Boards of Supervisors to assist Volunteers and families," was taken from the table.

On motion of Mr. Ainsworth, the bill was referred to a special committee of three, of which Mr. Green of Muscatine should be chairman.

Chair appointed Messrs. Green, Ainsworth and Coolbaugh said Committee.

On motion of Mr. Rankin a Committee of Conference was appointed on Senate File No. 5.

Mr. Thompson offered the following resolution :

Resolved, That the following sums be allowed to the officers of the Senate for their per diem for the Extra Session of the Eighth General Assembly :

J. H. Sanders, Sec'y.....	\$100 00
R. S. Wellslager, Asst. Sec'y.....	75 00
Wm. Ensley, Serg't-at-Arms.....	45 00
F. Michael, Janitor.....	45 00
R. L. Davis, Messenger.....	30 00
F. Weitman, services as Clerk.....	10 00

That the President of the Senate issue certificates to the persons named in foregoing resolution, certifying that they are entitled respectively to said sums for such services.

On motion of Mr. Taylor, the resolution was amended so as to allow the Serg't-at-Arms sixty dollars.

Mr. Neal moved to amend so as to allow the Janitor sixty dollars. Adopted.

Mr. Palmer moved to amend so as to allow the messenger forty-five dollars. Lost.

Mr. Wilson of Dubuque moved to amend by allowing messenger \$37 50. Which motion prevailed.

Resolution as amended was then adopted.

Mr. Angle from Committee on Claims reported Mr. Redhead's claim for postage, and claims of Redhead and Mills & Co., for stationery correct.

Report adopted.

Chair appointed as Committee of Conference on Senate File No. 5, Messrs. Rankin, Brown and Wilson of Dubuque.

Mr. Wilson of Dubuque, offered the following resolution :

Resolved, That the Secretary of State be requested to furnish to the Secretaries of the Senate and each of the Reporters on this floor such books as have been furnished to the members of the Senate.

Mr. Johnston moved to amend by inserting the "Sergeant at Arms." Adopted.

Mr. Powers moved to amend by including the "Post Master," provided he had not been already supplied by the House. Lost.

Question recurring on the resolution as amended, it was lost.

Message from the House by Mr. Thompson, Chief Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the Senate's amendments to

House File No. 7, "A Bill in relation to Revenue."

The House has insisted upon their amendment to Senate File No. 5, a bill for the organization, equipment and subsistence of the militia-men of the State of Iowa.

And has appointed a committee, consisting of Messrs. Robb, Clark of Johnson, and LeLacheur, to confer with a similar Committee on the part of the Senate.

The House has concurred in the Senate's amendment to

House File No. 42: a bill to provide for the publication and distribution of the laws of the Extra Session of 1861.

WM. THOMPSON, Chief Clerk.

Mr. Trumbull moved to take up substitute for Senate File No. 13, "An Act in relation to Land Grant Railroads." Which motion prevailed.

On motion of Mr. Powers, the 11th Rule was suspended, bill read 3d time and put upon its passage.

The yeas were—Senators Ainsworth, Brown, Coolbaugh, Dysart, Green of Jackson, Henderson, Hastings, Mann, Thompson, Trumbull, Watson and Wilson of Dubuque—12.

The nays were—Senators Anderson, Beuchel, Bailey, Davis of Polk, English, Green of Muscatine, Hagans, Neal, Pattison, Powers, Rankin, Reiner, Taylor, Watson, Williams, and Wilson of Jefferson—16.

The bill not having received a constitutional majority was lost.

Message from the House by Mr. Aldrich, Assist. Clerk.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following:

House File No. 43, a Joint Resolution for the publication of a Legislative Manual. In which the concurrence of the Senate is asked.

CHAS. ALDRICH, 1st Assistant Clerk.

Mr. Green of Muscatine from Special Committee, reported substitute for Senate File No. 8.

Mr. Brown moved to amend by adding "and whose families shall continue to reside in said counties." Adopted.

Message from the House by Mr. Aldrich, Assist. Clerk.

MR. PRESIDENT: I am directed to inform your Honorable Body

that the House insists upon its amendment to Section 6, Senate File No. 5, and asks a Committee of Conference. Messrs. Robb, Clark of Johnson, and Le Lacheur have been appointed as such committee on the part of the House.

CHAS. ALDRICH, 1st Assistant Clerk.

On motion the 11th rule was suspended, the bill read a third time, and put upon its passage.

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hagans, Henderson, Kent, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—30.

The nays were—Senators Bailey, English, Johnston, and Neal—4. So the bill was passed and the title agreed to.

House File No. 45, was taken up, read twice, and on motion of Mr. Bowen, laid upon the table.

Mr. Green, from Committee on Enrolled bills, reported Senate File No. 26, correctly enrolled.

Mr. Angle offered the following resolution:

WHEREAS, The building at present occupied by the General Assembly, and the State Officers of Iowa, is very much out of repair; and in the opinion of many, unsafe for further occupancy. And

WHEREAS, Much dissatisfaction has been expressed as to the inconvenience of obtaining hotel quarters, and committee accommodations near the capital, subjecting members to much trouble and expense in getting to and from the same, preventing the meeting of committees between the daily sittings of the Legislature, thereby retarding the progress of public business and prolonging the session of the General Assembly. Therefore

Resolved, That a committee of five be appointed by the Chair to enquire into the facts in the matter and ascertain whether or not suitable quarters can be obtained in the city of Des Moines where the Legislature and State Officers can be accommodated so as to obviate all the objections set forth above without subjecting the State to a greater cost for rent than it would cost to repair the present building. Said committee to report immediately.

On motion of Mr. Palmer, referred to Committee on Public Buildings with instructions to report 1st day of next regular session.

Mr. Thompson from Committee on Ways and Means, report back House File No. 43, reconsidering sundry amendments.

On motion, amendments were coured in.

Mr. Taylor moved to strike out the provisions providing for repairing the capitol. Lost.

Mr. Neal moved to amend the bill, inserting the words after Lieutenant Governor "to be paid when it shall be determined by a competent tribunal that the office of Lieutenant Governor is not vacant."

Mr. Bowen moved to lay amendment on the table.

On which Mr. Rankin called for the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagans, Henderson, Kent, McPherson, Pattison, Powers, Rankin, Thompson, Trumbull, and Wilson of Dubuque—18.

The nays were—Senators Bussey, Coolbaugh, English, Green of Jackson, Johnston, Mann, Neal, Palmer, Reiner, Taylor, and Williams—11.

Mr. Thompson moved to amend Section 9, by striking out "Two Hundred Dollars" and inserting "Three Hundred Dollars." Motion prevailed.

On motion of Mr. Rankin, the 11th Rule was suspended, bill read a third time and upon the passage of the bill :

The yeas were—Senators Anderson, Ainsworth, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, English, Green of Jackson, Green of Muscatine, Hagans, Henderson, Kent, Mann, McPherson, Pattison, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—27.

The nays were—Senators Johnston, Neal and Powers—3.

So the bill was passed and title agreed to.

On motion Senate adjourned till 8 o'clock this evening.

EIGHT O'CLOCK, P. M.

Senate met pursuant to adjournment. Called to order by the President.

A call of the Senate was ordered, when several Senators appearing, on motion of Mr. Mann further proceedings under the call were dispensed with.

Mr. Bowen moved to take from the table House File No. 45, "Joint Resolution for the publication of a Legislative Manual." Carried.

Mr. Bowen offered an amendment as follows :

"*Provided* that when the Manual is completed it shall contain not less than 250 pages and shall not cost the State to exceed one dollar and twenty-five cents per volume." Adopted.

Message from the House by Mr. Aldrich, 1st Assistant Clerk.

MR. PRESIDENT: I am instructed to inform the Senate that the House of Representatives has concurred in the Senate's amendments to House File No. 43, "a bill making appropriations for the per diem and mileage of members and officers of the Extra-Session

of the Eighth General Assembly, and for other purposes," and have passed the same.

I am also directed to inform the Senate that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 46, a bill for an Act to regulate the price for publication of laws in newspapers.

CHAS. ALDRICH, 1st Assistant Clerk.

On motion of Mr. Bussey, the 11th Rule was suspended, and the Resolution read a 3d time.

And upon the question shall the Joint Resolution pass:

The yeas were, Senators Anderson, Angle, Bussey, Bowen, Coolbaugh, Green of Jackson, Green of Muscatine, Hagans, Henderson, Johnston, Kent, Mann, Pattison, Rankin, Taylor, Trumbull, Wilson of Jefferson—17.

The nays were—Senators Beuchel, Brown, Dysart, English, Hastings, McPherson, Powers, Palmer, Reiner, Watson, Williams, and Wilson of Dubuque—12.

The Joint Resolution not having received a constitutional majority was lost.

Mr. Powers offered Joint Resolution Senate File No. 32, in relation to the publication of laws.

Mr. Bussey moved to lay the resolution on the table.

On which Mr. Powers called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Bussey, Brown, Coolbaugh, Dysart, English, Green of Muscatine, Hagans, Henderson, Johnston, McPherson, Pattison, Rankin, Watson and Williams—15.

The nays were—Senators Beuchel, Bowen, Green of Jackson, Hastings, Kent, Mann, Powers, Palmer, Reiner, Taylor, Trumbull, Wilson of Dubuque and Wilson of Jefferson—13.

So the motion prevailed.

Senate took up House File No. 46, "an Act to regulate the price of publication of laws in newspapers."

Read 1st and 2d time when Mr. Bussey moved to suspend the 11th rule and put the bill upon its passage. Lost.

Bill took its place on file.

Mr. Rankin from Committee of Conference on Senate File No. 5, reported the same back with amendments.

Mr. Hagans moved to concur in report of Committee of Conference. Adopted.

On motion of Mr. Johnston a call of the Senate was ordered.

Absent—Messrs. Beuchel and Watson.

The Sergeant-at-Arms was directed to bring in absentees.

On motion of Mr. Angle further proceedings under the call were dispensed with.

On the question shall the bill pass,

The yeas were—Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Watson and Wilson of Jefferson—24.

The nays were, Senators Ainsworth, Coolbaugh, English, Johnston, Mann, Neal, Trumbull, Williams and Wilson of Dubuque—9.

So the bill was passed and the title agreed to.

Mr. Coolbaugh had leave to introduce Senate File No. 33: "A bill for an act to provide for the construction of a telegraph line from the Mississippi River to Des Moines."

Which was read a first and second time, when

Mr. Bowen moved to amend the bill by providing that "\$500 be appropriated to aid in the construction of a line between Burlington and Keokuk.

Mr. Taylor offered the following amendment to the amendment: "The telegraph line aforesaid shall be erected to connect Nebraska City in N. T., running through the South tier of counties in Iowa to Keokuk, and from Keokuk to Burlington. Lost.

Question recurring on original amendment, Mr. Rankin called for the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Beuchel, Bussey, Bowen, Coolbaugh, Davis of Polk, Henderson, Johnston, McPherson, Neal, Palmer and Wilson of Jefferson—13.

The nays were, Senators Anderson, Angle, Davis of Clinton, Dysart, English, Green of Jackson, Green of Muscatine, Hagans, Hastings, Kent, Mann, Pattison, Powers, Reiner, Taylor, Thompson, Trumbull, Watson, Williams and Wilson of Dubuque—20.

So the amendment was lost.

Mr. Angle moved to amend by striking out "Mississippi River," and insert "Cedar Rapids."

Mr. Brown moved to amend the amendment by striking out "Cedar Rapids," and inserting "Dubuque *via* Cedar Falls." Lost.

Question recurring on amendment of Mr. Angle, Mr. Palmer moved to amend by "Providing that the messages for the Federal Government and those of the State, shall be transmitted over and along said line free of charge."

On the motion to adopt the amendment, Mr. Palmer called the yeas and nays, which were as follows:

The yeas were—Senators Angle, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, English, Green of Jackson, Green of Muscatine, Hagans, Henderson, Johnston, Mann, McPherson, Neal, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—29.

The nays were—Senators Anderson and Ainsworth—2.

So the amendment was adopted.

Mr. Brown moved to amend the amendment by adding :

"*Provided* that said Company shall give good and sufficient security to be approved by the Governor to keep the said line in working order for the term of 5 years."

Mr. Angle moved to further amend by striking out "5 years" and inserting "25 years." Lost.

Question recurring on amendment of Mr. Brown, was also lost.

Mr. Bussey moved to suspend the 11th rule and put the bill on its passage.

On this motion Mr. Angle called the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Johnston, Mann, McPherson, Neal, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Trumbull, Watson, Williams, Wilson of Dubuque and Wilson of Jefferson—29.

The nays were—Senators Angle, English, Green of Jackson and Thompson—4.

So the rule was suspended.

The bill was read a 3d time, and upon the question shall the bill pass ?

The yeas were—Senators Anderson, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Polk, Henderson, Johnston, Kent, McPherson, Neal, Pattison, Powers, Rankin, Trumbull, Williams and Wilson of Jefferson—18.

The nays were—Senators Angle, Ainsworth, Davis of Clinton, Dysart, English, Green of Jackson, Green of Muscatine, Hagans, Hastings, Mann, Palmer, Reiner, Taylor, Thompson, Watson and Wilson of Du-buque—16.

The bill not receiving a constitutional majority was lost.

Mr. Brown moved to re-consider the vote by which the Senate refused to pass "Joint Resolution providing for the publication of Legislative Manual." Carried.

Message from the House by Mr. Thompson, Chief Clerk :

MR. PRESIDENT—I am directed to inform the Senate that the House of Representatives has passed

House File No, 48, an Act further to regulate the staff of the Commander-in-Chief.

In which the concurrence of the Senate is requested.

I am also directed to inform the Senate that the House has concurred in the report of the Committee of Conference on Senate File No. 5, a bill for the organization, equipment and subsistence of the Militia men of the State of Iowa,

And have concurred in the amendment of the Senate by striking out section 6, and have passed the bill.

WM. THOMPSON, Chief Clerk.

Mr. McPherson moved to amend by striking out all after the word "dollars" on 2d page to the word "but" on the 3d page, and insert the word "therefor" in their stead. Amendment adopted.

When on the question "shall the bill pass?" the yeas and nays were as follows :

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Taylor, Thompson, Trumbull, and Wilson of Dubuque—26.

The nays were—Senators English, Neal, Reiner, Watson, and Williams—5.

So the Joint Resolution was passed and the title agreed to.

Mr. Johnston moved to take from the table Senate File No. 1: Memorial to Congress. Lost.

On motion of Mr. Angle, Senate took up House File No. 48: "An Act to further regulate the Staff of the Commander-in-Chief." Read a first and second time, and

On motion of Mr. Bussey 11th rule was suspended, and on the question "shall the Bill pass?" the yeas and nays were ordered and were as follows :

The yeas were, Senators Anderson, Angle, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Polk, Duncombe, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—24.

The nays were—Senators Ainsworth, Davis of Clinton, English, Green of Jackson, Johnston, Mann, Neal, Taylor, Trumbull, Williams, Wilson of Dubuque and Wilson of Jefferson—12.

So the Bill was passed and the title was agreed to.

Message from the House by Mr. Thompson, Chief Clerk :

MR. PRESIDENT—I am directed to inform the Senate that the House of Representatives has had under consideration Senate File No. 8: "A Bill empowering the Boards of Supervisors to make appropriations for the support of the Families of Volunteers."

And has passed the same with the following amendments :

First—In Section 1, after the words "are in the" insert the words "actual Military."

Second—In Section 2, after the word "Commonwealth" insert "or either two of said newspapers."

In which the concurrence of the Senate is asked.

WM. THOMPSON, Chief Clerk.

Mr. Rankin moved to take up Message from the House on substitute for Senate File No. 8.

Mr. Johnston moved as a substitute to take up Senate File No. 1, and called for the yeas and nays upon his motion, which were as follows :

The yeas were—Senators Beuchel, Coolbaugh, English, Green of Jackson, Johnston, Mann, Neal, Taylor, Williams, and Wilson of Dubuque—10.

The nays were—Senators Anderson, Angle, Bussey, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Henderson, Hastings, Kent, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Trumbull, and Watson—22.

So the motion was lost.

Question recurring on the motion of Mr. Rankin, it was adopted. Substitute for Senate File No. 8 was taken up.

On motion of Mr. Palmer Senate concurred in amendments made by the House.

On motion the 11th Rule was suspended, and the bill put upon its passage.

The yeas were—Senators Anderson, Angle, Ainsworth, Beuchel, Bussey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Dysart, Green of Jackson, Green of Muscatine, Hagans, Henderson, Hastings, Kent, Mann, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Thompson, Trumbull, Wilson of Dubuque and Wilson of Jefferson—29.

The nays were—Senators English, Johnston, and Neal—3.

So the bill passed and the title was agreed to.

Message from the House by Mr. Thompson Chief Clerk :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed

House File No. 49, "A Joint Resolution providing for printing the laws in the Post, a German newspaper.

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

I am also instructed to inform the Senate that the House of Representatives has passed the following resolution :

House File No. 49, "Joint Resolution in regard to a National Convention."

In which the concurrence of the Senate is asked.

WM. THOMPSON, Chief Clerk.

Senate took up House File No. 49, "Joint Resolution in regard to publication of laws."

Mr. Rankin moved to amend by inserting, "such acts of the session as have been ordered to be published in newspapers so as to take effect immediately." Amendment adopted.

When on motion, the 11th Rule was suspended, and on the question "shall the Bill pass,"

The yeas were—Senators Anderson, Angle, Beuchel, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagans, Hastings, McPherson, Palmer, Rankin, Reiner, and Thompson—16.

The nays were—Senators Ainsworth, Bussey, Coolbaugh, English, Green of Jackson, Johnston, Kent, Mann, Neal, Pattison, Powers, Taylor, Trumbull, and Williams—14.

So the resolution was lost.

On motion, Mr. Powers was appointed on Joint Committee on Enrolled Bills.

On motion of Mr. Wilson of Dubuque, Senate took up Joint Resolution from the House in relation to a National Convention, being House File No. 47.

Mr. Wilson of Dubuque moved to adopt the resolution.

Mr. Wilson of Jefferson moved to amend by striking out the preamble.

Mr. Bussey offered the following substitute :

Resolved, by the Senate (the House concurring), That the people of the State of Iowa are in favor, so soon as the rebellion which now exists in several of the States against the authority of the General Government is suppressed, of holding a National Convention, to be participated in by all the States of the Union, for the purpose of making such amendments to the Constitution of the United States as experience may have shown to be necessary for the restoration of harmony and good feeling amongst the States, and the perpetuity of the Union.

Mr. Rankin moved the adoption of the substitute.

Mr. Davis of Polk, moved to amend by striking out words "by amendments to the constitution."

Mr. Johnston offered the following amendment to the substitute :

Your memorialists, the General Assembly of the State of Iowa, in view of the unhappy difficulties in which our country is involved, endangering its very existence; and believing as we do that the exigences of the time demand of every patriotic lover of the Union, and true friend of his country to resort to the means provided by the Constitution of the United States, for the redress of grievances and the settlement of all questions in dispute between the States of this Union.

Therefore your memorialists, respectfully and earnestly request your honorable body, in accordance with the provisions of article 5 of the Constitution of the United States, to enact a law calling a National Convention for proposing such amendments to the Constitution of the United States, as will restore peace, tranquility and fraternal feeling to our once happy, but now distracted country.

Mr. Wilson of Jefferson moved to lay the whole subject on the table.

Upon which Mr. Johnston called for the yeas and nays, which were as follows :

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Dysart, Green of Muscatine, Hagens, Henderson, Hastings, Kent, McPherson, Pattison, Powers, Palmer, Rankin, Reiner, Thompson, Watson, and Wilson of Jefferson—21.

The nays were—Senators Ainsworth, Benchel, Bussey, Coolbaugh, English, Green of Jackson, Johnston, Mann, Neal, Taylor, Trumbull, Williams, and Wilson of Dubuque—13.

So the motion prevailed.

Mr. Rankin offered the following :

Resolved, That the Military Committee be instructed to enquire into the expediency of providing compensation for the Keokuk Artillery, or Governor's Guards, for time spent in drill and in preparing for the United States Service.

Message from the House by Mr. Thompson, Chief Clerk :

MR. PRESIDENT:— I herewith present for your signature "An Act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in War."

"An Act for the relief of volunteers who have been or may be mustered into the service of the United States Government."

"An Act making appropriation for the per diem and mileage of members and officers of the Extra Session of the Eighth General Assembly, and for other purposes."

"An Act to authorize the Boards of Supervisors to rebate taxes in certain cases."

"An Act to provide for the publication and distribution of the laws enacted at the Special Session of 1861."

"An act to provide for the publication and distribution of the Journals of Senate and House of Representatives."

Joint Resolution asking additional Mail facilities.

"An Act to provide for the payment of certain Commissioners and others."

"An Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as State Militia of Iowa."

The same having been passed by both Houses of the General Assembly and enrolled in the House of Representatives.

WM. THOMPSON, Chief Clerk.

Mr. Taylor moved to amend the resolution offered by Mr. Rankin by inserting Lucas County Guards. Carried.

Question recurring on Resolution as amended, it was adopted.

On motion of Mr. Wilson of Dubuque, Senate took a recess of half an hour.

After recess Senate called, and Sergeant-at-arms directed to bring in absentees.

Mr. Bussey offered the following :

Resolved, That the thanks of the Senate be tendered to Hon. J. F. Wilson, President *pro tem.*, for the able, impartial and dignified manner in which he has presided over this body, during this Extra Session of the General Assembly.

Which was unanimously adopted.

Message from the House by Mr. Thompson, Chief Clerk :

MR. PRESIDENT:—I am directed by the House to inform the Senate that the House of Representatives has passed a substitute for House File No. 9, "A bill defining certain offences and punishing the same."

In which the concurrence of the Senate is requested.

WM. THOMPSON, Chief Clerk.

On motion of Mr. Angle, Senate took up House File No. 9, "An Act defining certain offences and punishing the same."

On motion of Mr. Angle, the bill was indefinitely postponed.

Mr. Angle moved to adjourn until 8 o'clock to-morrow. Lost.

Mr. Bussey, moved to adjourn until to-morrow at 7½ A. M.

Carried.

SENATE CHAMBER, DES MOINES, IOWA, }
 May 29, 1861. }

Senate met pursuant to adjournment.

On motion of Mr. Powers the reading of the Journal was dispensed with.

Mr. Bussey offered the following :

Resolved, That the Secretary of State be requested to forward all mail matter of members of the Senate to their respective post-offices.

Which was adopted.

Mr. Bussey from Committee on Enrolled Bills reported Senate File No. 5, correctly enrolled.

Mr. Hagans from Committee on Military Affairs reported back a memorial in relation to the Keokuk Artillery with recommendation that the further consideration of the same be indefinitely postponed. Adopted.

Mr. Green from Committee on Enrolled Bills reported Senate File No. 26, "an Act giving control of the Swamp Lands to the Boards of Supervisors.

Also Senate File No. 21, "an Act for the relief of volunteer soldiers," correctly enrolled.

On motion of Mr. Taylor, Senate File No. 32, was taken up.

Mr. Powers moved to amend by striking out the words "Acts and Laws."

Which motion prevailed.

On motion of Mr. Powers the 11th rule was suspended, and the resolution put upon its passage :

Mr. Ainsworth called the yeas and nays upon the passage of the resolution, which were as follows:

The yeas were—Senators Bowen, Davis of Clinton, Davis of Polk, Green of Muscatine, Hagans, Henderson, Kent, Neal, Pattison, Powers, Palmer, Rankin, Reiner, Taylor, Trumbull, and Wilson of Jefferson—16.

The nays were—Senators Ainsworth, Bailey, Coolbaugh, Dysart, English and Williams—6.

So the Resolution was passed.

Mr. Henderson offered the following:

Resolved, That the Secretary of State be instructed to furnish to the Secretary, Assistant Secretary and Sergeant-at-Arms of the Senate, the same number of Reports as are given to members of the Senate."

Mr. Williams moved to amend by including the Janitor. Carried.

Mr. Neal moved to amend by including Reporters. Carried.

The resolution as amended was adopted.

On motion of Mr. Coolbaugh a Committee of two was appointed to inform the House that the Senate is ready to adjourn.

Mr. President appointed as said Committee Messrs. Coolbaugh and Powers.

Mr. Rankin offered the following:

Resolved, That the thanks of the Senate be tendered to Messrs. J. R. Carey and F. P. Yokoner, for their careful and able reports of the Senate's proceedings in the State Register, State Journal and Commonwealth. Adopted.

Mr. Bowen offered the following:

Resolved, That the thanks of the Senate be tendered to the Secretary, Assistant Secretary, and other officers of the Senate, for the prompt, faithful, and able manner in which they have discharged the arduous duties devolved on them. Adopted.

Mr. Rankin moved that a committee of two be appointed to inform the Governor that the Senate is now ready to adjourn. Adopted. And Messrs. Rankin and Bussey, were appointed said Committee.

Message from the House by Mr. Thompson, Chief Clerk:

MR. PRESIDENT: I herewith present for your Signature,

"Joint Resolution for the publication of a Legislative Manual." An Act to further regulate the Staff of the Commander in Chief.

"An Act to amend An Act entitled 'An Act in relation to revenue, being Chapter 45 of the Revision of 1860.'"

Which have been passed by both Houses of the General Assembly and enrolled in the House of Representatives.

WM. THOMPSON, Chief Clerk.

Mr. Bailey moved to reconsider the vote by which Senate refused to order the publication of laws in the "Iowa Post." Lost.

The following communication from the Secretary was read by the President:

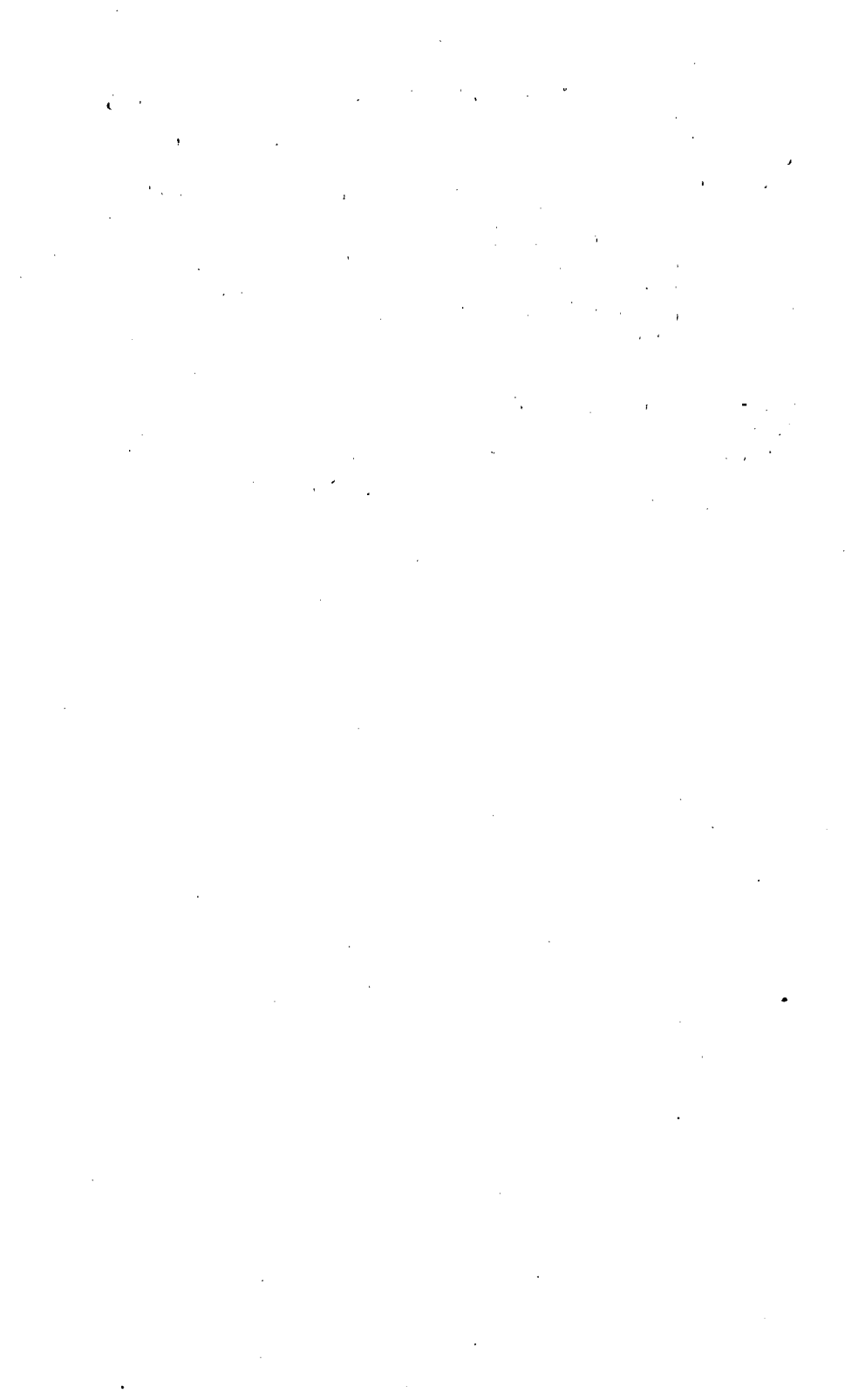
"Mr. President, permit me through you, to express the thanks of the officers of the Senate for the uniform kindness and courtesy with which we have been treated in all of our intercourse with the members of this body. Rest assured that this kindness and courtesy has been fully appreciated by us, and that our heart-felt wishes for your happiness and prosperity will follow you to your respective homes.

J. H. SANDERS, Sec'y of Senate."

Mr. Rankin moved the communication be placed upon the Journal. Adopted.

On motion of Mr. Bussey, the Senate adjourned *sine die*.

J. H. SANDERS, Secretary.



INDEX.

ABSENCE—

- Leave of granted to Mr. Scott, pages 27, 60.
- “ “ Messrs. Udell and Gray, 84.
- “ “ Messrs. Hammer and Lewis, 87.
- “ “ Mr. Pusey, 89.

ANGLE—Senator, added to Committee on Public Buildings, 41.

APPEAL—From decision of the Chair, 49.

ATTORNEY GENERAL—

- Question of right of N. J. Rusch, referred to, 3.
- Communication from, 15.
- “ taken up, 75.

BROWN—Senator, added to Committee on Federal Relations, 40.

CALL OF SENATE—67, 73, 83, 105.

COMMITTEE—

- To nominate officers of Senate, 3.
- To notify House of organization, 5.
- On Postage of members, 5.
- To wait upon the Governor, 5, 6.
- On Senate File No. 1, 14.
- Standing continued, 14.
- On Military Affairs, 10.
- On death of C. J. Price, 28.
- Of the Whole, 25, 28.
- On Communication from 1st. Regiment, 33.
- On Mileage, 51, 61, 82, 92, 93.
- Of Conference on House File No. 8, 58.
- “ Senate File No. 6, 6.
- Report of, ditto, 84.
- Of Conference on House File No. 38, 82.
- Joint, to compare bills, 87.
- On Senate File No. 8, 102.
- Of Conference on Senate File No. 5, 102.
- To inform House that Senate is ready to adjourn, 114.
- To wait upon the Governor, 114.

COMMUNICATION—

- From the Governor, 22.

COMMUNICATION—CONTINUED.

From the 1st Regiment, 33.

From Secretary of Senate, 115.

CONCURRENT RESOLUTION—

From House, 18.

By Duncombe in relation to Morrill Tariff, 61.

CODE AND REPORTS—Furnished new members, 49, 52.**DYSART—**

Senator, credentials of, 41.

“ Sworn in, 42.

ELECTION—

Of Secretary of Senate, 3, 4.

Assistant Secretary, 4.

Sergeant-at-Arms, 4.

Messenger, 4.

Janitor, 4.

GREEN—

Senator, of Muscatine, sworn in, 19.

Added to Committee on Ways and Means, 20.

Added to Committee on Enrolled Bills, 34,

Added to Committee on Banks—

GRAY—Added to Committee on Banks—**HOUSE FILES—**

No. 1, An Act to relieve indigent persons and families, 89 and 101.

No. 2, An Act to legalize the acts of certain Boards of Supervisors and Municipal Incorporations, 28, 40, 53, 85.

No. 4, Joint Resolution instructing our Senators and requesting our Representatives to procure the establishment of an Arsenal and Armory at Rock Island, 38, 40, 47.

No. 5, An Act to provide for the issue and sale of State Bonds, &c., 49, 50, 56, 58, 63, 64, 65, 66, 67, 76, 77, 112.

No. 6, An Act to appropriate money to pay expenses now or hereafter incurred by the State in calling out Militia, and purchasing arms, &c., 41, 44, 55, 77, 98.

No. 7, An Act to amend an Act entitled an Act in relation to Revenue, 65, 67, 97, 103, 114.

No. 8, An Act to amend the Militia Law of the State of Iowa, 28, 45, 50, 51, 58, 61, 62.

No. 9, An Act to preserve the peace and protect the lives and property of citizens, &c., 113.

No. 15, An Act for the benefit of the Volunteer Soldiers of the State, 75, 80, 93, 94.

No. 16, An Act for the relief of volunteers mustered into service, &c., 41, 52, 53, 81, 112.

No. 25, An Act to authorize Boards of Supervisors to rebate taxes, 72, 82, 91, 92, 99, 112.

No. 26, An Act to provide for a State Arsenal, 75, 79, 80, 91.

HOUSE FILE—CONTINUED.

- No. 27, An Act making appropriations for the payment of a Private Secretary to the Governor, &c., 75.
- No. 28, An Act in relation to the custody and control of public buildings of Counties, 44, 45, 56, 85.
- No. 30, An Act providing for auditing all accounts and disbursements of the War and Defense Fund, 72, 80, 112.
- No. 31, Joint Resolution in relation to a Regiment of Cavalry, 55, 56, 58, 98.
- No. 34, An Act in relation to the publication of Laws of the Extra Session, 75, 79, 98.
- No. 35, An Act to provide for the payment of certain commissioners, 89, 101.
- No. 37, Joint Resolution to change the eastern terminus of the overland mail route, 81, 82, 98.
- No. 38, An Act to provide for the publication of the Journals of the Extra Session, 81, 82, 98, 112.
- No. 41, Joint Resolution for additional Mail facilities, 90, 101, 112.
- No. 42, An Act in relation to the publication and distribution of the laws, 99, 100, 103, 112.
- No. 43, An Act making appropriations for the payment of the per diem and mileage of members and officers, 99, 100, 103, 104, 105.
- No. 45, Joint Resolution for the publication of a Legislative Manual, 104, 105, 106, 108, 109, 114.
- No. 46, An Act to regulate the price of the publication of laws in newspapers, 106, 107.
- No. 47, Joint Resolution in relation to a National Convention, 110, 111.
- No. 48, An Act to regulate the staff of the Commander-in-Chief, 108, 109.
- No. 49, Joint Resolution to provide for the publication of the Laws in the Iowa Post, 110, 114.

IOWA POST—Secretary to subscribe for 1000 copies of, 21.

MESSAGE—From the House, 6, 16, 18, 28, 38, 41, 44, 45, 49, 55, 56, 61, 65, 72, 75, 76, 77, 81, 85, 87, 88, 90, 99, 103, 108, 109, 112, 113, 114.

From the Governor, 7, 32, 53, 55, 56, 100.

Motion to print, 14.

MEMORIAL—

From Tama County, 19, 53, 94.

From H. W. Sample, 27.

NEWSPAPERS—For Senate, 5, 6, 16, 17.

ORGANIZATION—Of Senate, 4.

PALMER—

Sworn in, 19.

Added to Judiciary Committee, 20.

PETITION—

- Of A. Gamble and others, 18.
- Of H. H. Trimble and others, 19.
- Of John A. McDowell and others, 19.
- Of A. Levi, 53.
- Joseph Crane, 85, 93.

POWERS—Added to Committee on Enrolled Bills, 110.

POST MASTER—Of Senate, 27.

“POST”—Secretary to subscribe for, 21.

PRICE, HON. C. J.—

- Death of announced, 28.
- Resolutions concerning, 32.

PRESIDENT OF SENATE—*Pro tem.* allowed extra pay, 97.

REPORT—

- Of Committee on Nomination of Officers, 4.
- Of Committee on Postage, 5.
- Of Committee on death of Hon. C. J. Price, 32.
- Of Committee on Ways and Means on House File No. 16, 52.
- “ “ “ “ “ “ “ “ 6, 54.
- Of Committee of Conference on House File No. 8, 61, 62.
- Of Committee on House File No. 5, 63.
- Of Committee on Senate File No. 1, 68, 69, 70, 71, 72.
- “ “ Mileage, 82, 92, 93.
- “ of Conference on Senate File No. 6, 84.
- “ Select, on House File No. 38, 90.
- “ on Public Buildings, House File No. 26, 91.
- “ on Banks, on Crane's petition, 93.
- “ on Judiciary, on Lieut. Governor, 94, 95, 96.
- “ Ways and Means, on House File No. 7, 97.
- “ Claims, on claims of Redhead and Mills & Co., 102.

RESOLUTION—

- Inviting Clergymen to act as Chaplains, 6.
- Instructing Secretary of Senate to furnish Journals of Senate and House, 6.
- To limit business of Senate, 14.
- Relating to Standing Committees, 14.
- To appoint Paper Folder, 17.
- Concurrent, from House, 18.
- Calling on the Governor for Correspondence, 19.
- In relation to Swamp Lands, 21.
- Of instruction to Committee on Military Affairs, 21, 112.
- To subscribe for “Iowa Post,” 21.
- To postpone business not mentioned in Governor's message, 23.
- Instructing Committee on Township and County Organization to report Fee Bill, 27.
- Of inquiry to Governor in regard to Arms, &c., 28.

RESOLUTION—CONTINUED.

By Duncombe, on state of the country, 38, 39, 40.

Report of Committee on same, 86.

Concurrent for adjournment, 41.

To furnish Code to new Members, 52.

Calling on Governor for information as to Agent to purchase Clothing, 60.

In relation to "Morrill Tariff," 61.

In relation to right of Hon. N. J. Rusch to preside over Senate, 75, 76.

Of instructions to Committee on Public Buildings, 78.

To furnish Members with "Iowa Reports," 86, 96.

Requiring Committee on Ways and Means to report Appropriation Bills, 86.

Allowing President *pro tem.* extra pay, 97.

Fixing per diem of Officers of Senate, 102.

To furnish Secretaries and Reporters with "Iowa Reports," 102, 103, 114.

In regard to removal of Capitol, 104.

Of thanks to J. F. Wilson, 112.

" " " Reporters, 114.

" " " Officers, 114.

RULES—Of last Session adopted, 5.

SECRETARY—

Of Senate, election of, 3, 4.

Assistant, election of, 4.

Of Senate to arrange for Postage, 17.

Of Senate, communication from, 115.

Of State to forward Mail matter, 113.

SENATE FILE—

No. 1, Memorial to the Congress of the United States, 7, 14, 68, 69, 70, 71, 109.

No. 2, An Act to pay expenses of organizing the Militia, &c., 14, 58.

No. 3, An Act for the formation of a Regiment of Cavalry, 14, 53.

No. 4, An Act to issue State Bonds, 18, 28, 42, 43, 44, 45, 46, 47, 48.

No. 5, An Act for the organization and equipment of the Militia of Iowa, 19, 20, 27, 28, 29, 30, 38, 76, 90, 99, 103, 104, 108, 113.

No. 6, An Act requiring the Governor to purchase Arms, &c., 20, 24, 25, 26, 27, 29, 30, 72, 73, 76, 77, 84, 85, 89, 97, 99.

No. 7, An Act to provide further compensation to Volunteers, 20, 53.

No. 8, An Act authorizing Boards of Supervisors to assist

SFNATE FILE—CONTINUED.

- Volunteers and Families, 20, 30, 31, 32, 34, 35, 36, 37, 53, 102, 103, 109, 110.
- No. 9, An Act, to amend section 2729, of the Code, in relation to Jurors, 20, 53, 82, 89, 97, 99.
- No. 10, An Act to amend the Code in regard to Grand Jurors, 20, 53.
- No. 11, An Act empowering the Boards of Supervisors to purchase lands at Tax Sale, 20.
- No. 12, An Act to provide for Arms for the Southern and Western counties, 21, 28, 29, 30, 40.
- No. 13, An Act extending the time of building the Dubuque & Sioux City Railroad, 23, 87, 88, 108.
- No. 14, An Act to amend an Act entitled "An Act to provide for the election of District Attorney," &c., 27.
- No. 15, An Act to provide for auditing all amounts and disbursements arising under the call for Volunteers, &c., 30.
- No. 16, An Act in aid of the Families of Volunteers, 33.
- No. 17, Joint Resolution instructing the Governor to provide Clothing for the first Iowa Regiment, 17, 40, 44, 51.
- No. 18, An Act in relation to the duties of the Sheriff, 41.
- No. 19, An Act relating to the duties of Warden of the Penitentiary, 41, 52, 81, 89, 97, 99.
- No. 20, An Act to provide for the compensation of certain Officers, 53, 58, 59, 60, 72, 74, 82, 90.
- No. 21, An Act for the relief of Volunteer Soldiers of this State, 53, 74, 99, 101, 113.
- No. 22, An Act to provide for the publication of Acts of the present Session, 74.
- No. 23, Joint Resolution for additional Mail facilities, 74, 87, 88, 90.
- No. 24, Joint Resolution for additional Mail facilities, 80, 90, 97, 99.
- No. 25, Joint Resolution for change of the Eastern terminus of the Overland Mail Route, 80, 81.
- No. 26, An Act giving Boards of Supervisors control of Swamp Lands, 83, 90, 101, 104, 113.
- No. 27, Joint Resolution for additional Mail facilities, 84.
- No. 28, Memorial for a Brigade of Iowa and Nebraska Regiments, 84, 89, 97, 99.
- No. 29, Joint Resolution for additional Mail facilities, 84.
- No. 30, Joint Resolution for additional Mail facilities, 86.
- No. 31, An Act to preserve the peace and protect the lives and property of, 87.
- No. 32, Joint Resolution for publication of Laws, 106, 113.
- No. 33, An Act to provide for a Telegraph line from the Mississippi river to Des Moines, 107, 108.

WILSON, JAMES F.—

Called to preside, 4.

“ “ Resolution of thanks to, 112.

YEAS AND NAYS—

On report on Postage, 5.

On Newspapers for Senate, 6.

On tabling Senate File No. 1, 7.

On instructions to Committee, 21.

On Resolution to subscribe for “Iowa Post,” 21.

On amendment to Resolution, 22.

“ “ “ “ to Senate File No. 13, 23, 24.

“ “ “ “ “ 6, 25, 26.

“ “ “ “ “ 5 and 12, 29 30.

“ passage of “ “ 6, 85.

“ amendment to “ “ 8, 31, 32, 34, 35, 36, 37.

“ passage of “ “ 8, 37.

“ “ “ “ “ 5, 38.

On motion to table Duncombe's resolution, 39.

On passage of Senate File No. 17, 40.

On amendment “ “ 4, 42, 43, 45, 46, 47, 48.

On passage of “ “ 4, 48.

On amendment House File No. 5, 50.

“ “ “ “ 8, 50, 51.

“ “ “ “ Senate File No. 19, 52.

On passage House File No. 2, 53.

“ “ “ “ 6, 54.

“ amendment to “ “ 6, 54.

“ passage of “ “ 28, 56.

“ amendment to Senate “ 20, 59.

“ passage of “ “ 20, 60.

“ tabling Duncombe's Tariff Resolution, 61.

“ passage of House File No. 8, 62.

“ amendment to “ “ 5, 64, 65, 66, 68.

“ passage of “ “ 5, 66, 68.

“ reconsidering “ “ 5, 67, 68.

“ amendment to Senate “ 6, 72, 73.

“ passage of “ “ 22, 74.

“ “ “ “ 21, 74.

“ “ “ “ 20, 74.

“ amendment to “ “ 6, 78.

“ passage of “ “ 6, 78.

On passage of House File No. 34, 79.

On “ “ “ 30, 80.

“ amendment to Senate “ 25, 80.

On passage of House “ 16, 81.

On passage of Senate “ 19, 81.

On passage of “ “ 9, 82.

On passage of “ “ 26, 83.

YEAS AND NAYS—CONTINUED.

- On passage of Senate File No. 6, 85.
- On tabling " " 31, 87.
- On tabling " " 13, 87.
- On motion to adjourn, 88.
- To reconsider Senate File No. 13, 88.
- To amend House File No. 38, 90.
- On passage of House File No. 38, 91.
- On indefinite postponement of House File No. 25, 92.
- On passage of House File No. 25, 92.
- On indefinite postponement House File No. 15, 94.
- On report of Committee on Lieut. Governor, 96.
- On amendment to House File No. 7, 98.
- On passage of House File No. 7, 98.
- On motion to amend Senate File No 5, 99.
- On passage of House File No. 42, 100.
- On passage of House File No. 35, 101.
- On passage of House File No. 1, 101.
- On passage of Senate File No. 26, 101.
- On passage of Senate File No. 13, 103.
- On passage of Senate File No. 8, 104.
- On amendment to House File No. 43, 105.
- On passage of House File No. 43, 105.
- On tabling Senate File No. 32, 106.
- On passage House File No. 46, 107.
- On amendment to Senate File No. 33, 107.
- On suspension of 11th rule, 108.
- On passage of Senate File No. 33, 108.
- On passage of House File No. 45, 109.
- On passage of House File No. 48, 109.
- On taking up Senate File No. 1, 110.
- On passage of Senate File No. 8, 110.
- On passage of House File No. 49, 110, 111.
- On tabling of House File No. 47, 111.
- On passage of Senate File No. 32, 114.

ERRATA.

Page 14, in Resolution offered by Mr. Udell after the word "Governor," read "and" instead of "as."

Page 18, in concurrent Resolution, 5th line, omit the word "constitutionally."

Page 19, in the 18th line from bottom instead of "McDonell" read "McDowell."

Page 61, in 15th and 16th lines from bottom instead of "Senate File No. 8," read "House File No. 8."

Page 110, in 15th line from bottom for "House File No. 49," read "House File No. 47."

Page 41, 16th line from bottom, for House File "No. 15," read "No. 16."