

JOURNAL

OF THE

SENATE

AT THE

EXTRA SESSION

OF THE

NINTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL IN DES MOINES, ON WEDNESDAY, THE
THIRD DAY OF SEPTEMBER, 1862.

UNIV. OF
CALIFORNIA

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SENATE JOURNAL.

SENATE CHAMBER, DES MOINES, IOWA, }
WEDNESDAY SEPT. 3, 1862. }

Pursuant to a Proclamation issued by his Excellency, the Governor, the Senate convened in extraordinary session at 2 o'clock, P. M., and was called to order by Lieutenant Governor Needham.

Prayer by Rev. Mr. Nash.

The President requested the Secretary of the last session to call the roll.

The following Senators were absent: Angle, Dixon, Foote, Gray, Hagans, Hammer, Hastings, Jennings, Leake, McPherson, Trumbull and Udell.

A quorum being present, the President proceeded to briefly address the Senate:

SENATORS:—In accordance with the Proclamation of the Governor, you are convened in extraordinary session, at an unusually critical period in the history of our country. The information which will be communicated by His Excellency, as required by the Constitution, in relation to the purposes for which you are convened, will, no doubt, form a basis for at least a portion of your deliberations.

The conflict of arms which still rages with unabated fury, in our once peaceful and united, but now distracted country, and the necessities growing out of the call for so large an army into the field, will afford subjects for serious consideration.

Since our last session, more than half a million of men have been called to swell our already great army: and the country to-day presents the sublime spectacle of the vast force being raised by *voluntary enlistment*. Nor has *our* State been backward in this matter. Her brave sons, by tens of thousands, offer their *services* and *lives*, if need be, a sacrifice for the public welfare. The enthusiasm that fired the hearts and nerved the arms of our Revolutionary Fathers, burns brightly in the bosoms of their sons. They achieved independence, and erected a glorious government. It is for *us*, animated by the *same love* of freedom, to *defend and perpetuate it*.

Permit me, gentlemen, to express the hope that the business of the session will be transacted expeditiously—the deliberations be conducted in a spirit of harmony, and that the acts passed may prove potent for the promotion of the public good.

Thanking you, gentlemen, for your indulgence and support in our former deliberations, may I ask your sympathy and co-operation in the performance of my duties at this time?

A Committee from the House, consisting of Messrs. Shipman, Williams and McLennan, announced that the House was duly organized, and prepared for business.

Voted to proceed to election of officers.

Mr. Woodward moved that Win. F. Davis, of Muscatine, be elected Secretary for the present session.

Those voting for Mr. Davis were, Senators Boardman, Bowen, Brown, Burdick, Duncombe, Dungan, Dysart, English, Esteb, Foote, Green, Gue, Hatch, Hesser, Howard, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Watson, Williams, Woodward and Woolson—34.

Mr. Ainsworth voted for Mr. Anthen.

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

Mr. Lewis nominated A. M. Overman, of Polk County, for Assistant Secretary.

Mr. Smith nominated H. S. Winslow.

Those voting for Mr. Overman were, Senators Ainsworth, Boardman, Bowen, Brown, Duncombe, Dysart, English, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Howard, Hurley, Jennings, Kent, Kern, Lewis, McCrary of Van Buren, Neal, Pollard, Redfield, Teter, Watson, Williams, Woodward and Woolson—29.

Those voting for Mr. Winslow were, Senators Burdick, Dungan, McCrary of Lee, Pattison, Shaffer and Smith—6. Scattering, 2.

Mr. Overman was declared elected.

Mr. Foote nominated Theodore Guelich, for Enrolling Clerk.

Those voting for Mr. Guelich were, Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Dungan, Foote, Gue, Holmes, Howard, Hurley, Jennings, Kent, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Smith, Teter, Watson, Woodward and Woolson—22. Scattering, 11.

On motion of Mr. Foote, the Enrolling Clerk was required to perform the duties of the Engrossing Clerk.

Mr. Teter nominated N. J. Smith, of Mahaska County, for Sergeant-at-Arms.

Mr. Hatch nominated Mr. Savery, of Polk.

Those voting for Mr. Smith were, Senators Boardman, Brown, Burdick, Dungan, Dysart, Foote, Green, Gue, Hesser, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Smith, Teter, Watson, Williams and Woolson—23.

Those voting for Mr. Savery were, Senators Ainsworth, Bowen, Duncombe, English, Esteb, Hatch, Hastings, Howard, Jennings, Pollard, Potter, Redfield and Woodward—13.

Mr. Smith was declared duly elected.

Mr. McCrary of Van Buren, nominated J. D. Springer for Messenger. Mr. Kern nominated C. Lindsay.

Those voting for Mr. Springer were, Senators Boardman, Bowen, Brown, Burdick, Dungan, Dysart, English, Foote, Green, Gue, Hastings, Hesser, Holmes, Howard, Hurley, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Redfield, Shaffer, Smith, Teter, Woodward and Woolson—28.

Those voting for C. Lindsay were, Senators Ainsworth, Duncombe, Esteb, Hatch, Kern, Neal, Potter, Watson and Williams—9.

On motion of Mr. Teter, David Hunter was employed as Janitor for the session.

On motion of Mr. Brown, a Committee consisting of Messrs. Brown and Pollard was appointed to inform the House of the Senate's organization.

A Message from the Governor was announced to the Senate, by his Private Secretary.

The Message was then read by the Secretary of the Senate :

EXECUTIVE OFFICE, IOWA, }
SEPTEMBER 3D, 1862. }

Gentlemen of the Senate and House of Representatives :

You have been convened in extraordinary session to consider some questions vitally affecting the public welfare, which, in my judgment, require your immediate action.

When you closed your last regular session, the belief prevailed very generally that the strength of the rebellion against the General Government had been broken, and your legislation upon some questions of great public interest was controlled by that belief. The lapse of time has shown that belief to be erroneous, and a change of legislation on those questions has therefore become necessary.

The provision made for our sick and wounded soldiers, and for their return to their homes on furlough, will, under existing circumstances, prove wholly inadequate. The largely increased number of our soldiers that will be shortly in the field, and the great length of time they will be exposed to the danger of disease and the casualties of battle, will render absolutely necessary a large increase of the fund provided for their care and comfort. The extraordinary expenses of my office have also been and will probably continue to be largely increased, in consequence of the new demands that have been and may be made upon the State. I therefore recommend to your favorable consideration such increase of the contingent fund for extraordinary expenses of this office, as will be sufficient to enable me to do for the gallant men who so nobly represent our State in the Army of the Union, when suffering from wounds and disease, that which every loyal heart so anxiously desires should be done, and also to enable me to carry on successfully the many new and arduous labors imposed upon this

office, in promptly responding to all the demands made upon the State for the support of the Government.

The labors of the office of the Adjutant General have been largely increased, and must continue to be very great as long as the war lasts, and for some time after its close. This State will soon have in the field nearly or quite fifty thousand men, and the interest and welfare of our soldiers and their friends require that the records of that office should be fully and carefully kept. The Adjutant General now discharges in addition to the proper duties of his office, the duties of Quartermaster General and Paymaster General. It is in my judgment impossible for one officer properly to superintend the labor of these three Departments. The amount of labor and attention required is more than one person can give, and the necessary work cannot be so promptly done, or so well done, as if there was a proper division of labor. I recommend that I should be authorized to appoint an Assistant Adjutant General, who shall act as Paymaster General. A Quartermaster General can be appointed under the existing law, and then the duties now imposed upon the Adjutant General can be so divided and arranged, as in my judgment greatly to benefit the public service.

In my judgment the compensation of the Adjutant General is not adequate either to the labor or the responsibility of his position, and I recommend an addition thereto, either by allowing him a contingent fund for his traveling expenses, or by an increase of his salary.

Congress has provided by law an allotment system by which our soldiers can set aside a portion of their monthly pay, and have the same paid at their homes to such persons as they may designate, without risk or expense. The benefits of this system are obvious and great. Commissioners have been appointed by the President under the law, but the compensation of these Commissioners must be paid by the State, and as no appropriation has been made for that purpose, our soldiers and their friends have not as yet enjoyed the benefits of the system. One of the Commissioners is now engaged in procuring the allotments of our new regiments before they leave the State, and I earnestly recommend such appropriation as will secure the advantages of this system to all our soldiers.

Since your adjournment Congress has passed a law donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts. Under this law this State is entitled to a donation of two hundred and forty thousand [240,000] acres of land. It is a most munificent donation and for a most worthy purpose. It is of great importance that immediate action be had by you touching this grant. By taking such action the State can secure the entire amount of the lands within her own limits, and consequently control their management and disposition. Should action in this matter be postponed until the next regular session, other States may select their

lands within the limits of this State, and manage and dispose of them in a manner very undesirable to us. I recommend the subject to your careful consideration.

The regiments we have sent and are sending to the field contain a very large portion of our population required by law to perform labor on the highways. Only those between the ages of twenty-one and forty-five years are now required to perform such labor. Yet our highways must be kept in repair, and we can only supply the deficiency of labor created by enlistments, by requiring labor from those now exempt. I therefore recommend that the law be so amended that all able-bodied male residents of the State between the ages of eighteen and sixty be made liable to perform labor on our highways.

It is of the highest importance that the numerical strength of the regiments from this State be maintained in the field. Many of our old regiments have been much reduced in numbers, and thus the expense of maintaining them, in proportion to their number, is much increased, while their efficiency is much diminished. Our new regiments will go out full, and the old ones will soon be filled, but in a short time their numbers will be again reduced. To remedy this evil I recommend that, with the approval of the proper Federal authorities, a Camp of Instruction be established at some suitable point in this State, sufficient to accommodate one thousand men—that the several counties be required to furnish their equitable proportion of that number of men to place in camp under instruction—that when men are needed to fill the ranks of any of our regiments requisitions be made for the proper number—which shall be filled as nearly as may be from the men in camp, from the counties in which the companies composing the regiment were organized, and their places in camp immediately be supplied by new men from the same counties. This is entirely just to all the counties—will send the men into companies composed of their neighbors and friends, and will keep up our regiments to their effective strength.

On the 17th day of August last I issued a proclamation urging upon our people the strong necessity of filling up the ranks of our old regiments, and as an inducement to enlistments for that purpose declared my intention of recommending to you the payment of bounties by the State, to all who should enlist for the old regiments, between the date of proclamation and the first day of the present month. I have not yet learned the number of men who have thus enlisted between the dates named, but I recommend to you that an appropriation be made for the purpose of paying to each of them such bounty as you may deem advisable.

The theory of our Government is that the people rule. This theory can be carried into practical effect only through the ballot box. Thereby the people mould and direct the operations of the Government, and settle all questions affecting the public welfare. The

right of suffrage is therefore highly prized by all good citizens, and should be exercised by them at all times and especially at times when questions of grave importance are presented for solution.— There never has been, perhaps there will never again be a time when questions so important, interests so vital as those now demanding action at the hands of our people, were or will be submitted to them. The very life of the Nation is at stake, and may be as fatally lost at the ballot box as on the battle field. Under such circumstances it is not only the right but the duty of all good citizens to exercise the right of suffrage, and to see to it that the principles for the preservation of which our people are so freely offering treasure and life, are not jeopardized or lost in the Halls of Legislation, State or National. A very large number of the electors of the State are in the army. We say but little when we say that these men are as good citizens, as intelligent, as patriotic, as devoted to their country, as those who remain at home. Under existing laws these citizens cannot vote, and unless these laws can be changed it may be that the cause they are periling life in the field to maintain, may be lost at home through supineness or treachery. I therefore recommend that the laws be so modified that all members of Iowa regiments who would be entitled to vote if at home on the day of election, be allowed to vote wherever they may be stationed in the United States, and that provision be made for receiving and canvassing their votes.

There are in this State some religious bodies who entertain peculiar views upon the subject of bearing arms, and whose religious opinions conscientiously entertained, preclude their so doing. Their members are generally among our most quiet, orderly, industrious and peaceful citizens, and their sympathies are wholly with the Government in this struggle now going on for its preservation, yet they cannot conscientiously bear arms in its support. It appears to me it would be unjust and wholly useless to force such men into the army as soldiers, and yet it would not be just to the Government or to other citizens that they should be wholly relieved from the burdens that others have to bear. I suggest, therefore, that these persons who can not conscientiously render military duty, be exempted therefrom in case of draft, upon the payment of a fixed sum of money to be paid to the State.

Startling rumors have recently reached me of danger to our people on the North-Western Frontier, from hostile Indians. I immediately dispatched Schuyler R. Ingham, Esq., of Des Moines City, to the scene of danger, with arms and ammunition, and full authority to act as circumstances might require. I have not yet had a report from him, but will immediately, upon receipt of such report, communicate with you by special message, should the emergency require your attention.

The condition of the country is such as justly to cause anxiety and distrust, but not despondency, to the patriot. It is true the re-

bellion against the Government has assumed a magnitude and shown a strength we did not anticipate, but it is also true the Government has exhibited a degree of power for its suppression that the most sanguine did not dream of. Our rulers and our people at last have realized the extent of the task before them and have girded themselves to the work like men. We have all, rulers and people, at last learned on a page all blotted with tears and blood, that in this war conciliation and kindness are more than useless, and that the enemy, whose whole social fabric is based upon force, respects only force, and can be subdued by force alone. We are learning, if we have not yet learned, that it is wise to strike the enemy where he is weakest, and to strike him there continually and with all our power; that God's blessing upon our cause will most surely bring its triumph, and that we cannot with confidence claim that blessing until our cause, by being made in all things like Him—pure and holy, fully deserves it. If we have fully learned these lessons and shall fairly act upon them, we will soon triumph. If we have not learned them, we will yet do so, and we will then triumph.

SAMUEL J. KIRKWOOD.

Mr. Woolson moved that the Standing Committees of the last regular session be re-appointed. Lost.

On motion of Mr. Brown, the Governor's Message was laid on the table, and two hundred copies ordered printed for the use of the Senate.

On motion, the rules of the last session were adopted.

Mr. Neal asked leave to introduce a bill. Leave not granted.

Mr. Bowen moved that the Senate adjourn until to-morrow morning, at 9 o'clock.

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

The yeas were, Senators Boardman, Bowen, Dungan, Esteb, Hatch, Jennings, McCrary of Lee, McCrary of Van Buren, Pattison, Teter and Woodward—11.

The nays were, Senators Ainsworth, Brown, Burdick, Duncombe, Dysart, English, Foote, Green, Gue, Hastings, Hesser, Holmes, Howard, Hurley, Kent, Kern, Lewis, Neal, Pollard, Potter, Redfield, Shaffer, Watson, Williams and Woolson—26.

The motion was lost.

Leave of absence for the week was granted to Mr. Gray.

INTRODUCTION OF BILLS.

Mr. Neal introduced Senate File No. 1: A Bill for an Act to repeal an Act entitled "An Act providing for the registry of dogs, and defining the duties of officers in certain cases," approved March 29th, 1862.

Bill read first and second time, and referred to the Committee on Agriculture, with instructions to report at an early day.

By Mr. Redfield, Senate File No. 2: A Bill for an Act to enable soldiers in the United States service, who are citizens of the State of Iowa, to vote, and to provide for the same. Bill read first and second time.

Mr. Duncombe moved to refer to Committee on Elections. Lost.

On motion of Mr. Brown, the bill was laid on the table, and the usual number of copies ordered printed.

Mr. Watson introduced the following resolution:

Resolved, That this Senate will consider no subject during the extraordinary session, except such as has, or may be recommended by His Excellency, the Governor.

Lost.

On motion of Mr. Brown, a Committee of two from the Senate was appointed, consisting of Messrs. Brown and Kern, to confer with a like Committee from the House, in reference to a Post-Master and mail carrier.

On motion of Mr. Dungan, the resident Clergy of this city were invited to act as Chaplains of the Senate, as they may arrange, during this session.

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

SENATE CHAMBER, DES MOINES, IOWA, }
THURSDAY, SEPTEMBER 4, 1862. }

Senate convened at 9 o'clock A. M.

Prayer by the Rev. Mr. Nash.

Mr. Brown, from Special Committee, submitted the following report:

The Special Committee appointed to confer with a similar Committee from the House of Representatives in relation to the election of a Postmaster for the General Assembly, respectfully report that they have performed the duty assigned them, and submit the following resolution as the result of the conference:

Resolved by the Senate, the House of Representatives concurring, That the duties of Mail Carrier and Postmaster for the Senate and House of Representatives be performed by A. P. Burrhus, provided that such service shall not exceed \$4 per day.

The report was adopted.

On motion of Mr. Shaffer, Mr. Hagans was excused for the session.

Mr. Brown offered the following:

Resolved, That the President be and he is hereby authorized to appoint the Standing Committees of the Senate. Adopted.

PETITIONS.

By Mr. Woolson : From members of the Society of Friends.

By Mr. Redfield : From Friends in Dallas, Madison, Guthrie and Adair counties.

By Mr. Woodward : of Friends in Muscatine county.

By Mr. Shaffer : From Friends in Jefferson county.

By Mr. Kern : From Friends in Warren and Clark counties.

By Mr. Dixon : From Friends in Jasper, Mahaska, Poweshiek, Keokuk and Jefferson counties.

All of which were referred to the Committee on Military Affairs.

By Mr. Wilson : From Ministers of Mennonist Church, asking exemption from Military service.

By Mr. McCrary of Lee : From Supervisors and citizens of Lee county, as to manner of drafting.

All of which were referred to the Committee on Military Affairs.

By Mr. Hesser : From Supervisors of Lee county, asking legalization of bounties voted to soldiers.

By Mr. Bowen : From Johnson county Supervisors on the same subject. Both referred to Judiciary Committee.

By Mr. Hurley : Memorial from Trustees of the State University. Referred to Committee on Schools and University.

INTRODUCTION OF BILLS.

By Mr. McCrary of Lee : Senate File No. 3 : A Bill for an Act to regulate the drafting of the Militia of the State of Iowa when the same shall be necessary, in order to raise troops for the defense of the State or for the Military service of the United States ; to abolish the office of Examining Surgeon, and to annul certain acts exempting persons from Military duty and for other purposes.

Bill read a first and second time and laid on the table to print.

By Mr. Woolson : Senate File No. 4 : A Bill to amend Section 2 of Chapter 173 of the Acts of 1862, to correct a clerical error. Read a first and second time. The 11th rule was suspended, Bill read a third time, and on the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—40.

The nays were none.

Absent and not excused, Senators Leake, McPherson, Pollard and Udell.

The Bill passed and the title was agreed to.

By Mr. Woolson, Senate File No. 5: An Act to provide for taking the votes of citizens of this State absent from home in the Military Service. Read a first and second time by title, and laid on the table to print.

The following message was received from the House, through Chief Clerk:

MR. PRESIDENT:—I am directed to inform your Honorable Body that the House of Representatives has ordered the printing of 2,000 copies of the Governor's Message for the use of the House; and the House has appointed Messrs. Leake and Bracewell as a Committee on the part of the House, to confer with a similar Committee on the part of the Senate, in relation to the postage of members.

CHA'S ALDRICH, Chief Clerk.

By Mr. Gue, Senate File No. 6: An Act to accept of the grant and carry into execution the trust conferred upon the State by the General Government. Read a first and second time by title, and laid on the table to print.

By Mr. Hurley, Senate File No. 7: A Bill for an Act requiring the District Attorneys from the several Judicial Districts of this State to perform such legal services, in their respective Districts, as the Board of Trustees of the State University, through their Treasurer, may require. Read a first and second time and referred to Committee on Schools and University.

By Mr. Bowen, Senate File No. 8: A Bill for an Act fixing the salaries of the Surgeon and Assistant Surgeon of the Hospital for the Insane. Bill read a first and second time by title.

Mr. Brown moved to indefinitely postpone the Bill.

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

The yeas were, Senators Boardman, Brown, English, Foote, Hammer, Hatch, Lewis, McCrary of Van Buren, Neal, Pattison, Redfield, Smith, Teter, Watson and Woolson—15.

The nays were, Senators Ainsworth, Bowen, Burdick, Dixon, Duncombe, Dungan, Dysart, Esteb, Green, Gue, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, McCrary of Lee, Pollard, Potter, Shaffer, Trumbull, Williams and Woodward—24.

The motion to postpone was lost.

Mr. Woolson moved to refer to the Committee on Ways and Means, with instructions to report an amendment for the reduction of the salaries of State officers, Supreme and District Court Judges, and District Attorneys, or to tax the salaries of officers.

Mr. Duncombe moved to strike out Supreme Judges. Lost.

By Mr. Shaffer, Senate File No. 9: A Bill for an Act to repeal Chapter 155, Laws of the Ninth General Assembly of the State of Iowa. Read a first and second time and referred to Committee on Ways and Means.

By Mr. Dixon, Senate File No. 10: A Bill for an Act to amend Chapter 151 of the Laws of the Ninth General Assembly, being an Act entitled an Act to amend Article 4 of Chapter 100 of the Revision of 1860, in relation to Dower. Read a first and second time and referred to Judiciary Committee.

Mr. McCrary of Van Buren introduced the following:

Resolved by the Senate, That the Committee on Military Affairs be requested to enquire into the necessity of revising the Militia Law, so as to compel the enrollment and organization of the State Militia, and report by Bill. Adopted.

The President announced the following Standing Committees for the Session:

Ways and Means.—Senators Holmes, Trumbull, Woolson, Foote, Hagans, English, Gray and Redfield.

Judiciary.—Senators Woodworth, Jennings, McPherson, Duncombe, Ainsworth, Burdick, McCrary of Lee and Dixon.

Federal Relations.—Senators Brown, Duncombe, Teter, Gray, Holmes, McCrary of Van Buren, Howard and McPherson.

Military Affairs.—Senators McCrary of Lee, Pattison, Duncombe, Dungan, Green, Burdick and Leake.

Agriculture.—Senators Pattison, Gue, Jennings, Kent, Shaffer, Gray and Redfield.

Schools and University.—Senators Boardman, Hesser, Hastings, Lewis, Hurley, English and Kern.

Charitable Institutions.—Senators Teter, Trumbull, Bowen, Shaffer and Hesser.

Elections.—Senators Dungan, Ainsworth, Hesser, Smith, Foote, Pollard and Howard.

Claims.—Senators Bowen, Brown, Green, Hagans, Udell, Howard and Esteb.

Railroads.—Senators Angle, Ainsworth, Foote, Trumbull, English, Boardman and Dixon.

Banks.—Senators Woolson, Woodward, Neal, Angle, Boardman, Dixon, Pollard and Udell.

Township and County Organization.—Senators Dysart, Hagans, Holmes, Hammer, Hatch and Potter.

Commerce.—Senators Foote, Jennings, Dungan, McCrary of Van Buren and Neal.

Incorporations.—Senators Smith, Hammer, Hastings, Brown and Potter.

Public Buildings.—Senators Hatch, Hesser, Dysart, Gue and Lewis.

Internal Improvements.—Senators McCrary of Van Buren, Watson, Willions, Kent and Green.

Public Lands.—Senators Burdick, Woolson, Pollard, Esteb and Brown.

Printing.—Senators Gue, Bowen, Neal, Dysart, Esteb and Udell.

Roads.—Senators Lewis, Pattison, Williams, Hatch and Kent.

New Counties.—Senators Watson, Angle, Hurley, Williams and McCrary of Lee.

County Boundaries.—Senators Hastings, Leake, Redfield, Smith and Teter.

Library.—Senators Hurley, Woodward, Hammor, Kern and Potter.

Enyrossed Bills.—Senators Kent, Watson and Gray.

Enrolled Bills.—Senators Shaffer and Kern.

On motion of Mr. Redfield, Senate File No. 2: A Bill for an Act to enable soldiers in the United States service, who are citizens of the State of Iowa, to vote and to provide for the same, was taken from the table and referred to the Committee on Elections.

On motion of Mr. Teter, it was voted that when the Senate adjourn, it be until to-morrow morning at 9 o'clock.

On motion of Mr. Woolson, the Governor's Message was taken from the table, and referred as follows :

So much thereof as refers to the Governor's Contingent Fund, to compensation of Adjutant General, bounties to soldiers and disabled soldiers, to the Committee on Ways and Means.

So much as refers to an Assistant Adjutant General, to exemption from Military service, Camp of Instruction, filling up old regiments, to the Committee on Military Affairs.

So much as refers to roads and highways, to the Committee on Roads.

So much as refers to Allotment Commissioners, to the condition of the Country, to the Committee on Federal Relations.

So much as refers to the grant of Land, to the Committee on Public Lands.

So much as refers to soldiers voting, to the Committee on Elections.

So much as refers to Indian troubles, to a Special Committee of five, from the north-western counties.

On motion of Mr. Woolson, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
FRIDAY, SEPTEMBER 5, 1862. }

The Senate convened at 9 o'clock, A. M.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

The President announced the following Senators as the Special

Committee on Indian troubles: Messrs. Duncombe, Howard, Pattison, Potter and Redfield.

PETITIONS AND MEMORIALS.

By Mr. Watson: From Amona Society in Iowa County, asking to be exempted from military duty.

By Mr. McCrary of Van Buren: From Henry P. Scholte, of Marion County, for amendment to the Militia Law.

By Mr. McCrary of Lee: from citizens of Lee County, asking for a change in the manner of appointing Surgeons in the Volunteer service, for abolition of the office of Surgeon-General, and a change in the manner of drafting. All of which were referred to the Committee on Military Affairs.

By Mr. Bowen: From Capt. James M. Reid, of the 15th Iowa Infantry, for provision by law for taking acknowledgment of deeds and executing other legal papers, by soldiers out of the State. Referred to Judiciary Committee.

By Mr. Kern: From 25 citizens of Warren County, asking for a Hog Law and repeal of the Dog Law. Referred to Committee on Agriculture.

BILLS INTRODUCED.

By Mr. Boardman: Senate File No. 11: A Bill for an Act to amend Chapter 113, of the Acts passed at the Ninth General Assembly of the State of Iowa, being an Act entitled an Act to exempt the property of Iowa Volunteers in the military service of the United States, from levy or sale. Read a first and second time by title and referred to Judiciary Committee.

Message from the House:

MR. PRESIDENT:— I am directed 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. 3: A Bill for an Act to legalize the proceedings of the District Court of Clark County, at its April Term, A. D. 1862.

House File No. 8: A Bill for an Act to legalize the acts of M. Allison, a Notary Public of Dubuque County.

House File No. 6: A Bill for an Act to legalize the official acts of Ephraim Cumming, a Notary Public of Appanoose County.

CHA'S. ALDRICH, Chief Clerk.

By Mr. Teter: Senate File No. 12: A Bill for an Act to prevent horse racing on the public highways. Read a first and second time by title and referred to Committee on Roads and Highways.

RESOLUTIONS.

By Mr. Es'eb :

Resolved, That a Committee of one Senator from each Senatorial District on the Southern border, be appointed, with instructions to take into consideration the dangers to which the Southern border of the State is exposed in consequence of the rebellion in Northern Missouri, and report by Bill or otherwise, at an early day. Adopted.

By Mr. Brown :

WHEREAS, M. L. McPherson, a Senator from the 30th Senatorial District, and Nathan Udell, a Senator from the 4th Senatorial District, have each accepted military commissions in the Volunteer service of the United States, which offices have required the said Senators to be absent in the exercise of military duties out of the State for a period of more than sixty days ; therefore, be it *Resolved by the Senate*, That the office of Senator for the 30th and 4th Districts be and the same are hereby declared to be vacant. Resolution referred to Judiciary Committee.

REPORTS OF COMMITTEES.

By Mr. Holmes, from Committee on Ways and Means: Reported back Senate File No. 9: A Bill for an Act to repeal Chapter 155, of the Laws of the Ninth General Assembly of the State of Iowa. The Bill was read a second time, the 11th rule suspended, and the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, English, Foote, Green, Hatch, Hesser, Holmes, Hurley, Howard, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Pouter, Redfield, Shaffer, Smith, Teter, Watson, Williams, Woodward and Woolson—30.

The nays were, Senators Ainsworth, Esteb, Gue, Jennings and Kent—5.

Absent and not excused, Senators Angle, Hastings, Leake, McPherson and Udell.

The Bill passed and the title was agreed to.

By Mr. McCrary of Lee: The Committee on Military Affairs, to whom was referred so much of the Governor's message as relates to providing for sick and disabled soldiers, have instructed me to recommend that the same be referred to the Committee on Ways and Means, to be by them considered in connection with the subject of the Contingent Fund.

McCRARY, of Lee.

The report was adopted.

Mr. Boardman, from Committee on Schools and University, reported back Senate File No. 7: A Bill for an Act requiring the

District Attorneys from the several Judicial Districts of this State, to perform such legal services in their respective Districts as the Board of Trustees of the State University may, through their Treasurer, require, with a recommendation that it pass. The Bill was ordered engrossed and read a third time to-morrow.

House File of Bills was taken up.

House File No. 3: A Bill for an Act to legalize the proceedings of the District Court for Clark County, at its April Term, 1862, was read a first and second time, the 11th rule was suspended, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, Esteb, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Redfield, Shaffer, Smith, Teter, Watson, Williams and Woodward—34.

The nays were, Senators English and Potter—2.

Absent and not excused, Senators Leake, McPherson, Neal, Udell and Woolson.

The Bill passed and the title was agreed to.

House File No. 6: A Bill for an Act to legalize the official acts of Ephraim Cummins, a Notary Public of Appanoose County.—The Bill was read a first and second time, the 11th rule suspended, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Bowen, Brown, Dixon, Dungan, Dysart, Esteb, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Redfield, Shaffer, Watson and Woodward—28

The nays were, Senators Boardman, Burdick, English, Kent, Potter, Smith, Williams and Woolson—8.

Absent and not excused, Senators Leake, McPherson, Neal, Udell. The Bill passed and the title was agreed to.

House File No. 8: A Bill to legalize the acts of M. Allison, a Notary Public of Dubuque County. The Bill was read a first and second time, the 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Bowen, Brown, Dixon, Dungan, Dysart, Esteb, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Redfield, Shaffer, Watson and Woodward—28.

The nays were, Senators Boardman, Burdick, English, Kent, Potter, Smith, Teter, Williams and Woolson—9.

Absent and not excused, Senators Leake, McPherson, Neal and Udell.

The Bill passed and the title was agreed to.

On motion of Mr. Gue, Senate File No. 6: A Bill for an Act to accept of the grant of land and carry into execution the trust conferred upon the State by the General Government, July 2d, 1862, was taken from the table and referred to the Committee on Agriculture.

The President announced, as the Special Committee, called for by Mr. Esteb's resolution, Senators Esteb, McCrary of Lee, McCrary of Van Buren, Pollard and English.

Message from the House by Charles Aldrich, its Chief Clerk:

On motion of Mr. McCrary of Lee, it was voted that when the Senate adjourn, it be until to-morrow morning at 9 o'clock.

Upon motion of Mr. Burdick, the Committee on Public Lands was discharged from the consideration of that part of the Governor's message referred to them.

Senate File No. 3: A Bill for an Act to regulate the mode of drafting, &c., and to abolish the office of Examining Surgeon, and to amend certain Acts exempting persons from military duty, was taken from the table and referred to Committee on Military Affairs.

Senate File No. 5: An Act to provide for taking the votes of citizens of this State, absent from home in the military service, was taken from the table and referred to the Committee on Military Affairs.

On motion of Mr. Ainsworth, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
SATURDAY, SEPTEMBER 6, 1862. }

The Senate was called to order by the Secretary.

Mr. Gue nominated Mr. McCrary of Van Buren, for President *pro tem*.

Mr. Neal nominated Mr. Hesser.

The Secretary proceeded to call the roll, during which the President appeared in his seat.

Prayer by Rev. Mr. Kimmons.

Journal of yesterday was read and approved.

On motion of Mr. Gue, Senator Leake was excused from attendance during the Session.

The President was authorized to fill the vacancies in Standing Committees, caused by Mr. Leake's absence.

Mr. Woolson was excused for the day on account of illness.

PETITIONS.

By Mr. Neal: From Henry P. Scholte of Marion County, in relation to certain Volunteers in said County.

By Mr. Esteb: From citizens of Polk County, praying for a law prohibiting Negroes and Mulattoes from entering the State—fearing Negro competition with white labor.

By Mr. Angle: From citizens of Linn County, on the same subject.

By Mr. Kern: From citizens of Warren County, on the same subject; all of which were referred to the Committee on Federal Relations, with instructions to report by Bill or otherwise.

By Mr. Potter: From German Baptists of Story County, asking exemption from draft. Referred to Committee on Military Affairs.

INTRODUCTION OF BILLS.

By Mr. Dysart: Senate File No. 13: A Bill for an Act to provide for auditing the claims of Jacob Wiley, Absalom Black, and G. W. Jones. Bill was read a first and second time, the 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Angle, Bowen, Boardman, Brown, Duncombe, Dungan, Dysart, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pollard, Potter, Shaffer, Smith, Teter, Trumbull, Watson and Williams—30.

The nays were, Senators Ainsworth, Burdick, English, Esteb and Pollard—5.

Absent and not excused, Senators McPherson and Udell.

The Bill passed and the title was agreed to.

By Mr. Boardman: Senate File No. 14: A Bill for an Act requiring Commissioners for Drafting, or Examining Surgeons, to refund moneys unjustly detained. The Bill was read a first and second time and referred to the Committee on Military Affairs.

By Mr. Hesser, Senate File No. 15: A Bill for an Act to make an appropriation of money to pay the salary of the Physician of the Penitentiary. The bill was read a first and second time, and referred to the Committee on Ways and Means.

By Mr. Hesser, Senate File No. 16: A Bill for an Act to appoint Commissioners to re-lease the convict labor in the Iowa Penitentiary, after the expiration of the lease now in force. The bill was read a first and second time by title, and referred to the Committee on Public Buildings.

By Mr. Hurley, Senate File No. 17: A Bill for an Act to abolish

the office of Surgeon General. Read first and second time by title, and referred to Committee on Military Affairs.

By Mr. Foote, Senate File No. 18: A Bill for an Act to appoint Assistant Surgeons to Batteries. Read first and second time by title, and referred to Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. Duncombe, from Special Committee on Indian troubles, reported Senate File No. 19: Joint Resolution asking the Secretary of War to send a sufficient military force to Iowa, Minnesota and Dacotah, to punish Indian depredators, &c. Bill read first and second time, the 11th rule suspended, bill read a third time, and on the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull Watson, Williams and Woodward—39.

The nays were, none.

Absent and not excused, Senators McPherson and Udell.

The Bill passed and the title was agreed to.

Also, Senate file No. 20: A Bill to provide for the defence and protection of the Northern and North-Western Frontier from Indian depredations, &c., read first and second time.

Mr. Dixon moved to strike out of first Section the word "required." Lost.

Mr. Duncombe moved to strike out "not exceeding one thousand," and insert "and such other force as he may deem necessary." Adopted.

On motion of Mr. Duncombe, Section four was stricken out, and the following substituted: "Sec. 4. Said force, or so much thereof as the Governor shall deem expedient, shall be held in service so long as he may deem necessary, and that during that time, the persons so volunteering shall be exempt from draft."

Mr. Brown moved to lay the Bill on the table to print. Lost.

On motion of Mr. Duncombe, the 11th rule was suspended, Bill read a third time and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Greene, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—38.

The nays were, Senator Brown—1.

Absent and not excused, Senators McPherson and Udell.

The Bill passed and its title was agreed to.

By Mr. Pollard :

WHEREAS, The citizens of this State having cheerfully and promptly responded to each and every call that has been made upon her, for men to defend the Constitution, enforce the laws, and put down the wicked rebellion of the South, and

WHEREAS, The call made August 5th, 1862, for three hundred thousand men, to be raised by draft, upon the militia of the States, Iowa's quota being ten thousand five hundred and seventy, and

WHEREAS, This State has furnished over nine thousand under this call by volunteer enlistments, therefore be it

Resolved by the Senate, the House of Representatives concurring,
That the Secretary of War be respectfully requested to extend the time for making up the deficiency to the 30th instant, and that we be permitted to raise the same by Volunteer Enlistments, and thus save our State, that has shown herself all devotion to the Constitution and liberty of our common country, the humiliation of a draft, and further, that Gov. Kirkwood be instructed to forward a copy of these resolutions of the General Assembly of Iowa to the Secretary of War.

Referred to the Committee on Military Affairs.

By Mr. McCrary of Lee :

The Committee on Military Affairs, to whom was referred the Resolution in relation to the expediency of a Militia Law, respectfully report that in conjunction with the Committee on Military Affairs of the House, they have had the same under consideration, and a majority of the Joint Committee are of the opinion that a Militia Law ought to be passed at the present Session of the Legislature, dividing the State into Division, Brigade and Regimental Districts, organizing Companies in each Regimental District and requiring each organized Company to drill at stated periods, say once a week, for a given time. That these Companies might be organized and drilled without uniforms and without arms, except such as they can furnish themselves, unless it be in the Frontier Counties of the North and the Border Counties on the South, and in these Counties, it might be made the duty of the Governor to furnish the Companies with arms and ammunition, so that they could be ready at a moment's notice to repel the attack of Indians or the incursion of Rebel Guerrillas, and that no compensation should be paid for such militia service, except when actually engaged in repelling hostile attacks on our Border. It is believed by the Joint Committee that such a Bill would meet more fully the present exigencies of the State, furnish a sufficient protection to our Frontier, both on the North and on the South, and at little or no expense; certainly at a less expense than the organization of in-

dependent and detached Companies of Cavalry and Infantry on our Borders as now suggested.

The Joint Committee, however, feel unwilling to prepare a general militia law, without the assurance that the same will be passed by both Houses, and therefore, the Chairman of each Committee has been instructed to submit the following Resolution to test the sense of the General Assembly :

Resolved, That the Committee on Military Affairs be instructed to prepare and report a General Militia Law, in accordance with the report of said Committee.

Upon the adoption of the resolution, Mr. McCrary of Lee called the yeas and nays, which were as follows :

The yeas were, Senators Ainsworth, Angle, Brown, Dixon, Dungan, Dysart, Holmes, Howard, Jennings, Kern, Lewis, Neal, Pollard, Potter, Redfield, Shaffer, Teter and Trumbull—18.

The nays were, Senators Boardman, Bowen, Burdick, Duncombe, Foote, Green, Hatch, Hastings, Hesser, Hurley, McCrary of Lee, McCrary of Van Buren, Pattison, Smith, Watson, Williams and Woodward—17.

Absent and not excused, Senators McPherson and Udell.

The resolution was adopted.

Also, the following report :

The Committee on Military Affairs to whom was referred Senate File No. 3: "A Bill for an Act to regulate the mode of Drafting the Militia," &c., have had the same under consideration, and have instructed me to report the same back and recommend the following amendments thereto: Strike out all of Sec. 8, down to and including line seven, and insert in lieu thereof the following :

SEC. 8. The Drafting shall be done in the manner following: The names of all persons contained in the roll as reported by the Township Assessor of a given Township, shall be written on slips of paper and closely folded, so as to conceal the name, be of uniform size and shape, placed in a box, and well shaken by the Commissioner after which a person to be selected by the Commissioner, and who shall be blindfolded, shall draw from the box a number of names, equal to the number of persons required to be taken from such Township, and the persons whose names are so drawn shall be the persons drafted, and in the same manner the draft shall be drawn from each Township. The drawing shall be public and shall be at the office of the County Judge or person acting as such and of the Commissioner.

2. In Sec 9, first line, strike out "by the Commissioner," and in second line insert after the word "State" the words "unless provided for by the General Government."

3. Insert the following new Section :

SEC. 15. The said Commissioner and all other officers of drafting acting under the provisions of this Act, shall before entering upon the discharge of their duties, take and subscribe an oath, before

some person authorized by the laws of this State to administer oaths, to support the Constitution of the United States and of the State of Iowa, faithfully and impartially to discharge the duties required of them by this Act, according to the best of their ability, which oath shall be filed in the office of the County Judge.

SEC. 16. The Governor of this State shall as soon as practicable, after any draft has been ordered, proceed to establish places of rendezvous for the drafted men, and shall inform the Commissioner of Drafting in each County of the same, and shall also notify the proper United States authorities of the same.

SEC. 16. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

3. Number Section 14 of original Bill as Section 17.

And thus amended we recommend the passage of the Bill.

McCRRARY of Lee, Chairman.

Mr. Neal moved to strike out of ninth line of the amendment the word "Commissioner" and insert "Sheriff." Lost.

Mr. English moved to postpone the further consideration of the Bill till Monday morning at 9 o'clock. Lost.

The Bill was made a special order for 2 o'clock, P. M.

Mr. Dungan from Committee on Military Affairs, to whom was referred that part of the Governor's Message relating to an Assistant Adjutant General reported Senate File No. 21: A Bill for an Act to create the office of Assistant Adjutant General, read first and second time by title.

Mr. Angle moved to strike out "\$1,000," and insert "\$800."

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

The yeas were, Senators Ainsworth, Angle, Brown, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Green, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Williams—33.

The nays were, Senators Boardman, Bowen, Burdick, Hastings, Jennings and Woodward—6.

Absent and not excused, Senators McPherson and Udell.

The amendment prevailed.

The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—39.

The nays were none.

Absent and not excused, Senators McPherson and Udell.

The Bill passed and its title was agreed to.

Voted, that when the Senate adjourn, it be until 2 o'clock P. M.

The following message was received from the House, through Chief Clerk:

MR. PRESIDENT:— I am directed 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. 15: A Bill for an Act to amend Section 1, Chapter 12, of the Acts of the Ninth General Assembly.

I am also directed to inform the Senate that the House has concurred in the Senate's resolution in regard to Post Master of the General Assembly.

House File No. 22: A Bill for an Act regulating the right of defense to suits on bonds, coupons and other evidences of indebtedness against municipal corporations.

I herewith return the following Bills, the same having passed the House without amendment:

Senate File No. 4: A Bill for an Act to amend Section 2, of Chapter 173, of the Acts of 1862, to correct a clerical error therein.

Senate File No. 9: A Bill for an Act to repeal Chapter 155, of laws of the Ninth General Assembly of the State of Iowa.

Senate File No. 13: A Bill for an Act to provide for auditing the claims of Jacob Wiley, Absalom Black and George W. Jones.

Senate File No. 19: A Joint Resolution asking the Secretary of War to send a sufficient force into the North-Western part of Iowa and into Minnesota and Dacotah, to protect the settlements and chastise the hostile Indians who have committed the late depredations in that quarter.

Senate File No. 20: A Bill for an Act to provide for the protection of the North-Western Frontier from hostile Indians.

CHA'S. ALDRICH, Chief Clerk.

TWO O'CLOCK, P. M.

The Senate convened at 2 o'clock, P. M.

On motion of Mr. Holmes, the Senate resolved itself into a Committee of the Whole, for the consideration of Senate File No. 3, the special order, Mr. McCrary of Van Buren in the Chair.

At six o'clock the Committee rose and reported through its Chairman that it had made sundry amendments to the Bill.

The Bill was made the special order for Monday, at half past 9 o'clock, A. M.

By Mr. Smith :

Resolved, That His Excellency, the Governor, be requested to furnish for the Senate, at his earliest convenience, the number of military commissions, if any, that have been issued to and accepted by members elect of this Senate, together with the date of the commission.

Adopted.

Mr. Watson was added to the Committee on Military Affairs, in place of Mr. Leake.

Mr. Burdick, from Committee on Military Affairs, reported Senate File No. 21 : A Bill for an Act to keep full the Iowa Regiments in the service of the United States, and provide for a Camp of Instruction. Read first and second time by title, and laid on the table to print.

On motion, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
MONDAY, SEPTEMBER 8, 1862. }

Senate convened at the usual hour.

Prayer by the Rev. Mr. Bishop.

Journal read, and on motion of Mr. Burdick was amended by striking out "absent and not excused, Senators McPherson and Udell.

Mr. McCrary of Lee rose to a question of privilege, to correct an erroneous report in the Daily Times.

Mr. Woolson also rose to a like question of privilege.

Mr. Jennings was excused for the morning.

PETITIONS.

By Mr. McCrary of Van Buren : From the Grand Jury and others of Van Buren County, for a sufficient force to repel invasion from rebels in said county. Referred to Special Committee on border troubles, Mr. Esteb Chairman.

By Mr. Boardman : From O. W. McMahon and Evans, in relation to the action of the State Bank. Referred to Committee on Banks.

By Mr. Redfield : A remonstrance from citizens of Dallas coun-

ty, against exempting Quakers from draft. Referred to Committee on Military Affairs.

By Mr. Woodward: A memorial from John Garaght, asking a repeal of Chapter 101 of the Acts of the Ninth General Assembly. Referred to Judiciary Committee.

INTRODUCTION OF BILLS.

By Mr. Watson, Senate File No. 22: A Bill for an Act to amend an Act entitled an Act to amend the Militia Law, approved May 28, 1861. Read first and second time by title.

On motion of Mr. Ainsworth, "Gate City and Dubuque Times" were stricken out, and "Des Moines Times and Iowa Homestead" inserted.

On motion of Mr. Smith Section 2 was amended by inserting after "application" "whether he shall have a Diploma or not."

Mr. Holmes moved to strike out "three years" and insert "five years." The motion was lost.

On motion of Mr. Hastings, Section 2 was amended by adding "and that said Board of Medical Examiners shall be allowed as an entire compensation, for each applicant, the sum of five dollars, to be paid by such applicant." The Bill was then referred to a Special Committee, composed of Senators Bowen, Hastings, Trumbull and Shaffer.

REPORTS OF COMMITTEES.

By Mr. Woodward:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred a resolution declaring vacant the seats of Hon. Nathan Udell, Senator from the 4th District, and of Hon. M. L. McPherson, Senator from the 30th District, on account of the acceptance of military commissions, which would require their absence from the State for more than sixty days, would report that they made inquiry of the Executive as to the acceptance of such commissions by the above-named Senators, and also in regard to Hon. J. B. Leake, Senator from the 19th District. The reply of the Executive is contained in the letter annexed to this report, and submitted herewith, which facts your Committee submit without recommendation.

W. G. WOODWARD, Chairman.

EXECUTIVE OFFICE, }
DES MOINES, IOWA, September 5, 1862. }

HON. W. G. WOODWARD, Ch'n Judiciary Com. Senate—Sir: Hon. Nathan Udell of Appanoose County, was early in April last appointed by me Surgeon of the 17th Regiment Iowa Volunteer Infantry, in the service of the United States, and has been in the United States service ever since.

Hon. M. L. McPherson was, as I am informed, commissioned by the President Brigade Commissary in the U. S. service. I only know this from information.

Hon. J. B. Leake was Captain of a Company in the 20th Regiment Iowa Volunteer Infantry, and was, I think, commissioned as such. I appointed him during the present week Lieut. Colonel of that Regiment. I have no doubt he will accept the appointment, and it will require his absence from the State over sixty days.

I am not now aware of any other Senators to whom commissions have been tendered and issued.

Very respectfully,

Your ob't serv't,

SAMUEL J. KIRKWOOD.

Mr. Woodward moved to strike out of the resolution the name of M. L. McPherson. Lost.

On motion of Mr. Brown, the name of J. B. Leake, of the 19th Senatorial District, was inserted in the resolution. The resolution was then adopted, and the seats of said Senators declared vacant.

Mr. Kent, from the Committee on Engrossed Bills, reported that they have examined Senate File No. 7, and find it correctly engrossed.

Special order being Senate File No. 3, it was taken up.

Mr. Burdick moved to lay the Bill upon the table, upon which Mr. McCrary of Lee demanded the yeas and nays, which were as follows :

The yeas were, Senators Ainsworth, Burdick, Dixon, Duncombe, English, Esteb, Hammer, Hastings, Pollard, Trumbull and Williams—11.

The nays were, Senators Angle, Boardman, Bowen, Brown, Dungan, Foote, Gray, Green, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Potter, Redfield, Shaffer, Smith, Teter, Watson, Woodward and Woolson—27.

The motion was lost.

Mr. Woodward moved to insert as sub-division third, Section 5, "That the Secretary, Treasurer, Auditor and Register of State, the Judges of the Supreme and District Courts, and the Clerks of those Courts be exempt from draft. Upon which Mr. Ainsworth demanded the yeas and nays, which were as follows :

The yeas were, Senators Howard, McCrary of Van Buren, Woodward and Woolson—4.

The nays were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Kent, Lewis, McCrary of Lee, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Williams—35.

The amendment was lost.

Mr. Duncombe offered the following substitute for the substitute offered by the Committee, to Section 8, first sub-division :

SEC. 8. The drafting shall be done at the county seat of each county in the manner following: Publication shall be given by the Commissioner, of the time and place of drafting, and number of men to be drafted for each township in the county for which he is Commissioner, by posting at least four notices in the four most public places in each township, of such time and place, for at least four successive days before the day of drafting.

A number of ballots equal to the number of persons subject to draft, shall be placed in a box, to be well shaken by the Commissioner, which ballots shall be closely folded and of uniform size and shape, and all of which ballots shall be blanks except a number of ballots which are equal to the number of persons to be drafted from such township, on each of which shall be written the word "Draft."

The Commissioner shall, at the time fixed by said notice, call the names of the persons on such list for each township, in alphabetical order, and each person so called may, when so called, draw one ballot from said box, and in case he neglect to do so, the Commissioner shall draw for him. The person drawing any ballot shall immediately pass the same over to the commissioner without opening, and if two or more ballots are drawn together, all but such one as the word "Draft" is written (if any) shall be replaced in the box. And any person who, during the drawing, shall be detected in any fraud, or attempt to commit fraud, or in any manner interfering with said drawing, shall be returned as a drafted man. The box shall be by the Commissioner placed so high that no person can see the inside of the same, and shall be well shaken by the Commissioner before and after each ballot is drawn.

The place of drawing shall be the office of the County Judge, and the County Judge shall be present, and both the County Judge and Commissioner shall examine each ballot as soon as the same is drawn, and the County Judge shall publicly announce the name of each person drafted.

Mr. Dixon moved to postpone the further consideration of the Bill until next Christmas, upon which Mr. McCrary of Lee demanded the yeas and nays, which were as follows :

The yeas were, Senators Burdick, Dixon, Gray, Hammer, Hatch, Hastings, Howard, Smith and Trumbull—9.

The nays were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Duncombe, Dungan, English, Esteb, Foote, Green, Hesser, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Teter, Watson, Williams, Woodward and Woolson—28.

The motion did not prevail.

The question being on the adoption of Mr. Duncombe's Substi-

tute, Mr. Duncombe demanded the yeas and nays, which were as follows :

The yeas were, Senators Ainsworth, Angle, Bowen, Burdick, Dixon, Duncombe, Dungan, English, Esteb, Gray, Green, Hammer, Hastings, Hesser, Holmes, Hurley, Kent, Kern, Lewis, Neal, Pattison, Pollard, Potter, Teter, Watson, Williams, Woodward and Woolson—27.

The nays were, Senators Boardman, Foote, Gue, Hatch, Howard, McCrary of Lee, McCrary of Van Buren, Redfield, Shaffer, Smith and Trumbull—12.

The Substitute was adopted.

Mr. Bowen moved to add to Section 14, "and the same shall be regarded as drafted men." Lost.

Mr. Redfield moved to strike out of Section 12, all down to the words, "the Commissioner," in the sixth line. Pending which, a telegram from Council Bluffs, to the Governor, in regard to movements of hostile Indians on the frontier, was read by Mr. Duncombe.

The Bill under consideration was postponed until 2 o'clock, P. M.

Mr. Duncombe obtained leave to introduce Senate File No 23 : A Bill for Act to amend an Act, passed at the present Session, to provide for the protection of the North-Western Frontier from hostile Indians. The Bill was read a first and second time, the 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Holmes Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—39.

The nays were none.

The Bill passed and the title was agreed to.

The following message from the House was received through its Chief Clerk :

MR. SPEAKER :—I am directed 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. 1 : A Bill for an Act to accept of the Grant and carry into execution the trust conferred upon the State of Iowa, by an Act of Congress entitled "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," approved July 2d, 1862.

House File No. 18 : A Bill for an Act to provide for the payment of the Commissioners appointed under the Act of Congress providing for allotment certificates among the Volunteer forces.

House File No. 14: A Bill for an Act supplementary to an Act for the Incorporation of Cities and Towns.

CHA'S. ALDRICH, Chief Clerk.

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

TWO O'CLOCK, P. M.

Senate convened at 2 o'clock, P. M.

On motion of Mr. Redfield to amend Section 12, Mr. McCrary of Lee demanded the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Burdick, Dixon, English, Esteb, Gray, Hammer, Hastings, Howard, Neal, Pollard, Potter, Redfield, Smith, Trumbull, Watson and Williams—17.

The nays were, Senators Angle, Boardman, Bowen, Brown, Duncombe, Dungan, Dysart, Foote, Green, Gue, Hesser, Holmes, Hurley, Kent, Kern, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Teter, Udell, Woodward and Woolson—23.

The motion was lost.

Mr. Neal moved to strike out the second Section, and insert as follows: "Whenever it becomes the duty of the Governor of this State to draft any number of the militia of this State, the County Judge of each County in this State shall be the Commissioner of drafting, whose duty it shall be to superintend the drafting, as hereinafter provided." And demanded the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Duncombe, English, Esteb, Gray, Green, Hammer, Neal, Pollard, Potter, Trumbull and Williams—12.

The nays were, Senators Angle, Boardman, Bowsn, Brown, Burdick, Dixon, Dungan, Dysart, Foote, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith and Teter—26.

The amendment was lost.

Mr. Woolson offered the following as Section 16:

"SEC. 16. Whenever Assessors are elected and take office for any City or Incorporated Town, as provided in Section 2, of Chapter 173, of the Acts of the Ninth General Assembly, such Assessor shall perform, exclusive of the Township Assessor, all the duties within the City or Town for which he shall be elected, which are by this Act imposed upon Township Assessors for their townships."

Adopted.

Anna State Library

Mr. Woolson moved to reconsider the vote by which Mr. Duncombe's Substitute for Section 8, first sub-division, was adopted.

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

The yeas were, Senators Dixon, Dysart, Foote, Gue, Hatch, Howard, Kent, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter and Woolson—14.

The nays were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Duncombe, Dungan, English, Esteb, Gray, Green, Hammer, Hesser, Holmes, Hurley, Kern, Lewis, McCrary of Lee, Neal, Pollard, Potter, Trumbull, Watson, Williams and Woodward—26.

The vote was not reconsidered.

Mr. McCrary of Lee moved to engross and read a third time tomorrow.

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

The yeas were, Senators, Angle, Boardman, Bowen, Brown, Duncombe, Dysart, Esteb, Green, Hammer, Hesser, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Woodward and Woolson—20.

The nays were, Senators Ainsworth, Burdick, Dixon, Dungan, English, Foote, Gray, Gue, Hatch, Howard, Neal, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Williams—20.

The Chair voted nay.

The motion to engross was lost.

Mr. Pollard introduced Senate File No. 24: A Bill for an Act to exempt the property of Iowa Officers and Soldiers in the military service from levy or sale. Read a first and second time and referred to the Judiciary Committee.

By Mr. Foote: Senate File No. 25: A Bill for an Act requiring electors to take the oath of allegiance. Read a first and second time and referred to the Committee on Federal Relations.

By Mr. McCrary of Lee: Senate File No. 26: A Joint Resolution accepting the grant of lands made to the State of Iowa by an Act of Congress, approved July 13, 1862. Read a first and second time and referred to the Judiciary Committee.

By Mr. McCrary of Lee: Senate File No. 27: A Bill for an Act to provide for the appointment of an Agent or Agents to make selections and to obtain approvals of the lands granted to the State of Iowa by Congress, by an Act approved July 13, 1862. The Bill was read a first and second time and laid on the table to print.

By Mr. Hatch: Senate File No. 28: A Bill for an Act changing the time of holding Courts in the Fifth Judicial District. Read a first and second time and laid on the table.

By Mr. McCrary of Van Buren: Senate File No. 29: A Joint Resolution asking further protection to the Southern Border of

Iowa. Read a first and second time and referred to a Special Committee, of which, Mr. Esteb is Chairman.

RESOLUTIONS.

By Mr. Hammer:

Resolved, That the Senate receive no more new business after September 8th, 1862, unless reported by a Committee.

Lost.

By Mr. Duncombe:

Resolved by the Senate, the House of Representatives concurring, That the Board of Auditing Commissioners be, and they are hereby authorized, to audit and allow the bill of Col. C. B. Richards, of Twenty-Three Dollars and Seventy-Five Cents, money paid by him for ammunition for the defense of the North-Western Boundary of the State against Indian depredations.

Adopted.

REPORTS OF COMMITTEES.

By Mr. Shaffer:

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly have examined the following, find the same correctly enrolled, and present them for your signature, viz:

Senate File No. 9: An Act to repeal Chapter 155 of the Laws of the Ninth General Assembly.

Senate File No. 4: An Act to amend Chapter 173 of the Acts of the General Assembly of 1862, to correct a clerical error therein.

Senate File No. 13: An Act to provide for Auditing the claims of Jacob Wiley and others.

Senate File No. 19. Joint Resolution asking the Secretary of War to send aid to Northeru Frontier.

Senate File No. 20: An Act to provide for the protection of the North-Western Frontier.

J. M. SHAFFER, Chairman Sen. Com.

By Mr. Bowen, from Special Committee on Senate File No. 22:

MR. PRESIDENT:—The Select Committee to whom was referred a Bill to amend the Militia Law in relation to the Examination of Candidates for Surgeons and Assistant Surgeons, report that they have made a few verbal alterations, and as thus amended, they recommend its passage.

J. BOWEN, Chairman.

Senate File No. 22 was read, the 11th rule suspended and the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Duncombe, Dysart, English, Foote, Gray, Green, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent,

Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—33.

The nays were, Senators Angle, Dixon, Esteb and Gue—4.

The Bill passed and the title was agreed to.

The Judiciary Committee to whom were referred divers matters, would respectfully report in reference to Senate File No. 10: A Bill for an Act to amend Chapter 151, of the Acts of the Ninth General Assembly; they report in favor of the object of the Bill, but present a substitute therefor, and recommend its passage.

W. G. WOODWARD, Chairman.

The substitute was adopted, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Dixon, Duncombe, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Potter, Redfield, Shaffer, Teter, Trumbull, Watson and Woodward—31.

The nays were, Senators Brown, Howard, Neal, Pollard, Smith and Williams—6.

The Bill passed and the title was agreed to.

Mr. Brown, from Committee on Federal Relations, submitted Senate File No. 30: A Bill for an Act to provide compensation for Allotment Commissioners for Iowa. The Bill was read a first and second time, and was made the special order, with House File No. 18, on the same subject, to-morrow morning at 10 o'clock.

Mr. Pattison submitted the following report:

MR. PRESIDENT:—The Committee on Agriculture, to whom was referred Senate File No. 5: A Bill for an Act to accept the grant of public lands, and for the benefit of Agriculture and Mechanic Arts, beg leave to report the same back with sundry amendments incorporated into the accompanying Bill, and in this condition recommend its passage.

A. M. PATTISON, Chairman.

The Bill was read a first and second time, and House File No. 1, on the same subject, taken from the table and made the special order for to-morrow, at 2 o'clock, P. M.

By Mr. Lewis, from Committee on Roads and Highways: Senate File No. 31: A Bill for an Act to amend Section 855, of the Revision of 1860. Read a first and second time.

Mr. Ainsworth moved to strike out "18" and insert "21," and demanded the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Bowen, Duncombe, Gray, Green, Kern, Potter, Redfield, Shaffer, Teter, Trumbull and Woodward—14.

The nays were, Senators Boardman, Brown, Dixon, Dysart, English, Esteb, Gue, Hammer, Hatch, Hastings, Holmes, Kent,

Lewis, McCrary of Lee, Neal, Pattison, Smith, Williams and Woolson—18.

The motion was lost.

The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Angle, Boardman, Bowen, Brown, Dixon, Dysart, Foote, Gray, Gue, Hatch, Hesser, Howard, Kent, Kern, Lewis, McCrary of Lee, Pattison, Potter, Redfield, Smith, Woodward and Woolson—22.

The nays were, Senators Ainsworth, Duncombe, English, Esteb, Green, Hammer, Hastings, Holmes, Hurley, McCrary of Van Buren, Neal, Pollard, Shaffer, Teter, Trumbull, Watson and Williams—17.

The Bill passed and its title was agreed to.

By Mr. Holmes, from Committee on Ways and Means: Senate File No. 32: A Bill for an Act making an appropriation to meet the extraordinary expenses of the Executive Department, and to provide for the relief of the sick and wounded soldiers in the service of the State of Iowa, or in the service of the United States from the State of Iowa. Bill read a first and second time, the 11th rule was suspended, Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dysart, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Woodward—36.

The nays were, Senator Williams—1.

The Bill passed and its title was agreed to.

By Mr. Shaffer:

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly, have examined the following, find them correctly enrolled, and present the same for your signature, viz:

House File No. 8: An Act to legalize acts of M. Allison.

House File No. 6: An Act to legalize acts of Ephraim Cummins.

House File No. 3: An Act to legalize the proceedings of the District Court of Clark County, at its April term.

J. M. SHAFFER, Ch'n Sen. Com.

The Committee to whom was referred the Bill for an Act to release the convict labor of the Iowa Penitentiary, have instructed me to report the Bill back, with the following amendments, and recommend its passage:

FIRST—Fill the blank in first Section with ten, and add the following as Section 4:

"SEC 4. That all the acts of said Commissioners shall be approved by the State Census Board, before they shall be binding on

the State, and that the labor of said convicts shall not be leased for less price than thirty-five cents per day for any term of time.

J. H. HATCH, Chairman.

The amendments of the Committee were concurred in. The 11th rule was suspended, Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Dixon, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—36.

The nays were, Senators Angle and Hammer—2.

The Bill passed and its title was agreed to.

Mr. Teter moved to reconsider the vote by which the Senate refused to order Senate File No. 3 to be engrossed. The motion prevailed.

The question being, "Shall the Bill be engrossed and read a third time to-morrow?" the yeas and nays were as follows:

The yeas were, Senators Angle, Boardman, Bowen, Brown, Dysart, Hesser, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Teter, Watson, Woodward and Woolson—18.

The nays were, Senators Ainsworth, Burdick, Dixon, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Howard, Neal, Pollard, Redfield, Shaffer, Smith, Trumbull and Williams—21.

The Senate refused to order the Bill engrossed.

The Committee of Ways and Means were instructed to take the mileage of the last regular session as the basis for an appropriation.

Mr. Neal introduced Senate File No. 33: A Bill for an Act to repeal an Act providing for the registry of Dogs, &c. Read first and second time by title.

Mr. Neal moved to suspend the 11th rule.

Mr. Foote moved to refer to the Committee on Agriculture, and called for the previous question. The call was seconded and ordered. The yeas and nays on referring were demanded, and were as follows:

The yeas were, Senators Boardman, Bowen, Foote, Gue, Hatch, Hastings, Hurley, Howard, Kent, Kern, Lewis, Pattison, Redfield, Shaffer, Woodward and Woolson—16.

The nays were, Senators Ainsworth, Angle, Brown, Burdick, Dixon, Duncombe, Dysart, English, Esteb, Gray, Green, Hammer, Hesser, Holmes, McCrary of Lee, Neal, Pollard, Potter, Smith, Teter, Trumbull, Watson and Williams—22.

The motion to refer was lost.

On Mr. Neal's motion to suspend the 11th rule, the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Bowen, Brown, Burdick, Dixon, Duncombe, Dysart, English, Gray, Green, Hammer, Hastings, Hesser, Holmes, Jennings, Lewis, McCrary of Lee, Neal, Pollard, Potter, Smith, Teter, Trumbull, Watson and Williams—24.

The nays were, Senators Boardman, Foote, Gue, Hatch, Hurley, Howard, Kent, Kern, Pattison, Redfield, Shaffer, Woodworth and Woolson—13.

Absent or not voting, Senators Hagans and Jennings.

Two thirds of the Senate not voting to suspend the rule, the motion was lost.

Mr. Neal moved that the bill be engrossed and read a third time to-morrow, and demanded the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Angle, Bowen, Brown, Burdick, Dixon, Duncombe, Dysart, English, Gue, Hammer, Hastings, Hesser, Holmes, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Williams—28.

The nays were, Senators Boardman, Foote, Gue, Hatch, Hurley, Howard, Kent, Kern, Pattison, Woodward and Woolson—11.

Absent or not voting, Senators Hagans and Jennings.

The motion to Engross prevailed.

On motion of Mr. Smith, the Committee on Ways and Means were instructed to allow the officers of the Senate mileage, same as at the last session.

Mr. Hammer moved to adjourn. Lost.

BILLS.

The regular file was taken from the table—Senate File No. 7: An Act to require the District Attorneys of the several Judicial Districts of this State, to perform such services, in their respective Districts, as the Trustees of the State University may, through their Treasurer, require. Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Boardman, Brown, Burdick, Dixon, Dysart, Foote, Gue, Hatch, Hastings, Hesser, Holmes, Howard, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter, Watson, Williams, Woodward and Woolson—24.

The nays were, Senators Ainsworth, Bowen, Dungan, English, Esteb, Gray, Green, Kern, Neal and Potter—9.

Absent or not voting, Senators Hagans and Jennings.

The bill passed and its title was agreed to.

House File No. 14: A Bill for an Act supplementary to an Act for the incorporation of cities and towns, Chap. 51, of the Revision of 1860. Read first and second time, and referred to Committee on Incorporations.

House File No. 15: A Bill for an Act to amend Section 1, Chap.

12, of the Acts of the Ninth General Assembly. Read first and second time, and referred to Judiciary Committee.

House File No. 22: An Act regulating the right of defense to suits on bonds, coupons and other evidences of indebtedness against municipal corporations. Read first and second time, and referred to Judiciary Committee.

House File No. 28: A Bill for an Act to confer additional powers on Boards of Supervisors. Read first and second time, and referred to Judiciary Committee.

House File No. 27: A Bill for an Act to legalize certain acts of the Town Council of McGregor. Bill read first and second time by title, and referred to Judiciary Committee.

House File No. 29: A Bill for an Act to legalize the assessment and levy of taxes in Iowa City, Iowa. Read first and second time, and referred to Judiciary Committee.

House File No. 30: A Bill for an Act to legalize certain acts of the Boards of Supervisors, relating to officers' bonds. Read first and second time, and referred to Committee on Township and County Organization.

House File No. 31: A Bill for an Act to render valid the plat of Leighton's Addition, and Mason's Upper Addition to the City of Keokuk, Lee County. Read first and second time, and referred to Judiciary Committee.

The following message was received from the House:

MR. PRESIDENT:—I am 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. 27: A Bill for an Act to legalize certain acts of the Town Council of McGregor.

House File No. 28: A Bill for an Act to confer additional powers on Boards of Supervisors.

House File No. 29: A Bill for an Act to legalize the assessment and levy of taxes in Iowa City, Iowa.

House File No. 30: A Bill for an Act to legalize certain acts of the Boards of Supervisors, relating to officers' bonds.

House File No. 31: A Bill for an Act to render valid the plat of Leighton's and Mason's Additions to the City of Keokuk, Lee County, Iowa.

The House has also passed the following concurrent resolution:

Resolved by the House of Representatives, (the Senate concurring,) That this General Assembly will adjourn sine die, on Wednesday, the 10th day of September, A. D. 1862, at 12 o'clock, M.

MR. PRESIDENT:—I herewith return Senate File No. 21: A Bill for an Act to create the office of Assistant Adjutant General, and defining his duties, the same having passed the House with the following amendment: Strike out "800," in the third Section, and insert "1,000;" in which the concurrence of the Senate is asked.

Also, Senate File No. 23: A Bill for an Act to amend an Act

entitled "An Act to provide for the protection of the North Western Frontier of Iowa from hostile Indians," the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

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

SENATE CHAMBER, DES MOINES, IOWA, }
TUESDAY SEPT. 8, 1862. }

Senate convened at 9 o'clock, A. M.
Prayer by the Rev. Mr. Bishop.
Reading of Journal dispensed with.

PETITIONS.

By Mr. Green from Supervisors of Jackson County, asking the enactment of a law to provide for taking the vote of Soldiers.

Referred to Committee on Elections.

By Mr. Esteb from citizens of Wayne County in relation to troubles on the Southern Border. Referred to Special Committee of which Mr. Esteb is Chairman

By Mr. Neal, from Manly Gifford and sixty-four others, for the passage of a law to prevent Negroes and Mulattoes from coming into and settling in the State of Iowa. Referred to Committee on Federal Relations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

By Mr. Shaffer:

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly have examined Senate File No. 23: An Act to amend an Act to provide for protection of North-West Frontier, find the same correctly enrolled and present it for your signature.

J. M. SHAFFER, Chairman Sen. Com.

Mr. Teter offered the following resolution:

Resolved by the Senate the House concurring, That the Committee on Military Affairs, be and are hereby instructed to draft a Bill organizing the militia of the State and report it to the Senate at the earliest period possible.

On which Mr. McCrary of Lee, called the yeas and nays, which were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield, Shaffer, Teter, Watson, Williams, Woodward and Woolson—38.

The nays were, none.

Resolution was adopted.

Mr. Hammer was excused for the day on account of illness.

Mr. Esteb submitted the following report :

The Special Committee to whom was referred a resolution in relation to the protection of the Southern Border of this State, have met with a similar Committee appointed on the part of the House, have had the same under consideration and have unanimously agreed upon the following Bill, and instructed me to report the same to the Senate and recommend its passage; all of which is respectfully submitted.

E. F. ESTEB, Chairman of Com.

Senate File No. 34 : A Bill for an Act to provide for the better protection of the Southern Border of this State, was read first and second time.

Mr. Dixon moved to amend, whereupon the Bill was re-committed.

Mr. Holmes, from Committee on Ways and Means, reported a substitute for Senate File No. 15 : An Act authorizing the Auditor of State to audit the claims for Salaries of the Physicians of the State Penitentiary. The substitute was adopted, 11th rule suspended, Bill read a third time, and on the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dungan, Dysart, English, Foote, Gray, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—40.

The nays were, none.

The Bill passed and its title was agreed to.

Mr. Holmes also reported back Senate File No. 8 : A Bill for an Act fixing the salaries of the Surgeon and Assistant Surgeon of the Hospital for the Insane, with a recommendation that the Bill be indefinitely postponed.

Mr. Bowen demanded the yeas and nays, on concurring, which were as follows :

The yeas were, Senators English, Foote, Gray, Howard and Woolson—5.

The nays were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Duncombe, Esteb, Green, Gue, Hatch, Hesser, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pat-

tison, Pollard, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—27.

The recommendation was not concurred in.

The special order being House File No. 18 and Senate File No. 30: Bills to provide compensation for Allotment Commissioners for Iowa, was taken up.

House File No. 18 was laid upon the table.

Senate File No. 30 was ordered to be engrossed and read a third time to-morrow.

House File No. 10: A Bill for an Act to amend Title IV of the Revision of 1860, so as to enable the qualified electors of this State in the military service to vote at certain Elections, was taken up and referred to Committee on Elections.

Senate File No. 27: A Bill for an Act to provide for the appointment of an agent or agents, to make selections and obtain approvals of the lands granted to the State by Congress, by an Act approved July 13th, 1862, was taken from the table and referred to Committee on Public Lands, with the following instructions:

To report amendments or a substitute for the Bill, that shall protect, *first*, those persons who have purchased lands of the State, and by State decision and Land Grants, are liable to be disposed of such lands.

By Mr. Brown from Committee on Federal Relations: Reported back Senate File No. 25: A Bill for an Act requiring electors to take the oath of allegiance, and recommended its indefinite postponement. Recommendation of the Committee concurred in.

By Mr. Woodward:

MR. PRESIDENT:—The Judiciary Committee would submit the following:

1. In relation to Senate File No. 11: That they submit a substitute therefor and recommend its passage.

2. In reference to the memorial of Capt. James McBird, the Committee report a Bill and recommend its passage.

House File No. 31: A Bill for an Act to render valid the plat of Leighton's addition, and Mason's upper addition to the City of Keokuk, have had the same under consideration and have instructed me to report the same back and recommend its passage.

The same Committee have instructed me to report back House File No. 15: A Bill for an Act to amend Sec. 1, Chap. 12, Acts of Ninth General Assembly, and recommend its passage; the same being merely to correct a mistake in an Act passed at the last Session.

W. G. WOODWARD, Chairman.

The report was taken up by Sections.

House File No. 31: A Bill for an Act to render valid the plat of Leighton's addition and Mason's upper addition to the City of Keokuk, Lee county, Iowa, was read, the 11th rule was suspended,

the Bill read a third time and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—36.

The nays were, none.

The Bill passed and its title was agreed to.

House File No. 15: A Bill for an Act to amend Sec. 1, Chap. 12, Acts of the Ninth General Assembly, the 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Angle, Boardman, Bowen, Brown, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—36.

The nays were, Senator Ainsworth—1.

The Bill passed and its title was agreed to.

Substitute for Senate File No. 11: A Bill for an Act to amend Chap. 113 of the Acts of the Ninth General Assembly.

Mr. Ainsworth moved to strike out Section 5. Lost.

The substitute of the Committee was adopted, the 11th rule was suspended, the Bill read a third time and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, Esteb, Foote, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—33.

The nays were, Senators English, Gray, Green, Jennings, McCrary of Lee and Woolson—6.

The Bill passed and its title was agreed to.

Senate File No. 35: A Bill for an Act to provide for taking acknowledgments of Deeds, &c., to administer oaths among Iowa soldiers out of the State. Bill read a first and second time by title.

Mr. Woodward offered a substitute for the Bill, both of which were re-committed to the Judiciary Committee, with instructions to incorporate a provision for taking depositions.

Senate File No. 8, temporarily laid on table, was called up.

Mr. Woolson offered the following as an amendment to the Bill:

SEC. — That the salaries of the Judges of the District Courts of the several Districts of this State, after the last day of December next, shall be the sum of thirteen hundred dollars per annum.

SEC. — That the salary of the Judges of the Supreme Court shall, after the several terms of office of the present incumbents expire, be the sum of eighteen hundred dollars per annum.

SEC. — That the salary of the Secretary of State, the Auditor, the Treasurer of State, the Register of the Land Office, and the Secretary of the Board of Education, shall severally be the sum of thirteen hundred dollars per annum.

SEC. — That the salaries of the several District Attorneys shall be six hundred dollars per annum, with the fees allowed by law.

Upon the adoption of which he demanded the yeas and nays, which were as follows,

The yeas were, Senators Ainsworth, Duncombe, Dungan, English, Esteb, Foote, Gray, Green, Hesser, Hurley, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pollard, Potter, Shaffer, Smith, Teter, Watson, Williams and Woolson—22.

The nays were, Senators Angle, Boardman, Bowen, Brown, Burdick, Dixon, Dysart, Gue, Holmes, Howard, Jennings, Kent, Pattison, Redfield, Trumbull and Woodward—16.

The amendment prevailed.

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

TWO O'CLOCK P. M.

Senate convened at 2 o'clock P. M.

On motion of Mr. Brown, a call of the Senate was ordered.

The following Senators were absent and not excused: Angle, Burdick, Dixon, Hatch, Hastings, Howard, Kent, Kern, Pattison, Redfield, Smith, Teter and Watson.

Further proceedings under the call were dispensed with.

Mr. Brown offered the following resolution:

Resolved, That the Committee on the Judiciary be instructed to report a Bill to the Senate as soon as possible, providing for the refunding to such of the Iowa Volunteers as have been charged the price of uniforms and other clothing furnished them by the State, which clothing such soldiers were not permitted to wear by reason of Army regulations.

The resolution was lost.

On motion of Mr. Gue, the special order, House File No. 1, was taken up.

Mr. Bowen moved to amend Section 2 as follows:

SEC. 2. The Governor is hereby authorized and required to appoint one or more Commissioners, whose compensation shall be

fixed by him, not to exceed three dollars per diem, for each Commissioner appointed.

Mr. Burdick offered the following amendment to the amendment :

The Registers of the Land Offices at Sioux City, Fort Dodge and Des Moines, are hereby appointed Commissioners to select and locate the lands donated to the State by said Act of Congress, under such restrictions as the Governor may direct, and they shall proceed immediately to make such selections ; and in case they shall refuse to act, then the Governor shall appoint. And such Commissioners shall receive as a full compensation for their services the sum of two dollars and fifty cents per section.

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

The yeas were, Senators Burdick, Duncombe, Dysart, English, Esteb, Gray, Green, Gue, Hatch, Hesser, Hurley, Jennings, McCrary of Lee, Neal, Pattison, Pollard, Potter, Smith, Trumbull, Watson and Woolson—21.

The nays were, Senators Angle, Boardman, Bowen, Brown, Dixon, Dungan, Foote, Hastings, Holmes, Howard, Kent, McCrary of Van Buren, Shaffer and Williams—14.

Mr. Burdick's amendment was adopted.

Mr. Bowen offered the following as Section 3 :

SEC. 3. It shall be the duty of such Commissioner or Commissioners to make selections of said lands as soon as practicable, from actual inspection, and if possible, in the year 1862, or as soon thereafter as the selections can be made.

Mr. Gue moved to amend the amendment as follows : "It shall be the duty of the Register or Commissioners to select the whole amount of lands to which the State is entitled, before the first day of January, 1862. They shall report a list and description of the lands thus selected, to the Board of Trustees of the Iowa Agricultural College at their regular meeting in January, 1863, subject to their approval or rejection. If any lands thus selected shall be rejected, the Register shall immediately select other lands to supply the deficiency." Adopted.

Mr. Bowen moved to add : "When the returns of the selections of said lands are made and approved by the Board of Trustees of the Iowa College and Farm, it shall be the duty of the Governor to cause the same to be transmitted to the Secretary of the Interior, and procure their confirmation as soon as practicable." Adopted.

Mr. Woolson moved to insert after "Act," in second line of Section 5, "and such Commissioner if appointed by the Governor." Adopted.

The 11th rule was suspended, Bill read a third time, and on the question, "shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Burdick, Duncombe, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hesser, Holmes, Hurley, Howard, Jennings, Lewis, McCrary

of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—33.

The nays were, Senators Brown, Dixon and Dungan—3.

The Bill passed and its title was agreed to.

Report by Mr. Esteb :

The Special Committee to whom was referred Senate File No.—and amendments, report the same back and recommend its passage, with the following amendments : Insert “ the County of Wapello and ” between the words “ from ” and “ each ” where the same occur in lines six and seven of Section 1st. Insert the following as Section 3 :

3. The Battalion shall be numbered first, second, third and fourth Battalions. The Majors commanding the several Battalions shall be numbered in the same manner, and shall, when two or more Battalions are united, have seniority of command in the order of their appointment as first, second, third or fourth Major.

All of which is respectfully submitted.

E. F. ESTEB, Chairman Com.

Mr. English moved to strike out “ four Majors ” and insert “ three. ” Lost.

The 11th rule was suspended, the Bill read a third time, and on the question, “ Shall the Bill pass ? ” the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Boardman, Bowen, Burdick, Dixon, Dungan, Dysart, English, Esteb, Foote, Gray Green, Hesser, Hatch, Holmes, Hurley, Howard, Jennings, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—36.

The nays were, Senators Angle and Hesser—2.

The Bill passed and its title was agreed to.

By Mr. Dungan, from Committee on Elections : The following amendments to House File No. 10 : A Bill to provide for taking the votes of soldiers :

1. Sec. 15. After the 24th line insert the words, “ For Attorney General.

2. Sec. 24. After the 10th line insert “ For Attorney General votes were cast of which P. Q. had votes and D. F. had votes.

For Register of the State Land Office there were votes cast, of which W. T. received votes and N. B. received votes.

3. Sec. 24. After the word “ forth ” in the third line insert the words, “ in words at length. ”

4. Sec. 29. Strike out the word “ may ” in the last line but one and insert the word “ shall. ”

The amendments of the Committee were concurred in.

Mr. Ainsworth moved to strike out so much of the Bill as au-

thorizes the Canvass Board to appoint the Commissioners, and insert, "and are hereby appointed such Commissioners;" upon which he demanded the yeas and nays.

Mr. Brown moved a call of the Senate, the motion was seconded and the call ordered.

Absent and not excused, Senators Redfield and Woodward.

The Sergeant-at Arms was sent for the absentees.

Further proceedings under the call were suspended.

The question being on Mr. Ainsworth's amendment, the yeas and nays were called, and were as follows :

The yeas were, Senators Ainsworth, Duncombe, English, Esteb, Gray, Green, Hesser, Jennings, Neal, Pollard, Potter, Trumbull and Williams—13.

The nays were, Senators Angle, Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, Foote, Gue, Hatch, Hastings, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Smith, Teter, Watson and Woolson—25.

The amendment was lost.

Mr. Ainsworth moved to add to Section 36 : "For the purposes of this Act, all foreign born persons who have enlisted and are serving in Iowa Regiments, although they may not have received their second papers, shall be considered citizens ; and if they have the other qualifications prescribed by this Bill, be allowed to vote."

Mr. Dixon moved to add, "although the provisions of this Section are clearly unconstitutional."

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

The yeas were, Senators Angle, Boardman, Bowen, Dixon, Dungan, Foote, Hatch, Hastings, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Smith, Teter, Watson and Woodward—15.

The nays were, Senators Ainsworth, Brown, Burdick, Dungan, Esteb, Gray, Green, Gue, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, Neal, Pollard, Potter, Redfield, Trumbull, Williams and Woolson—23.

The amendment to the amendment was lost.

The question being on Mr. Ainsworth's amendment, the yeas and nays were called, and were as follows :

The yeas were, Senators Ainsworth, Duncombe, Esteb, Green, Neal, Pollard and Potter—7.

The nays were, Senators Angle, Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, English, Foote, Gray, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woolson—32.

The amendment was lost.

Mr. McCrary of Van Buren moved to amend so that "there be one Commissioner from each Judicial District." Lost.

Mr. Neal moved to add "Township" after "County," in the form presented in Section 16, and demanded the yeas and nays, which were as follows :

The yeas were, Senators Ainsworth, Duncombe, English, Esteb, Gray, Green, Hesser, Jennings, Neal, Pollard, Potter, Teter, Trumbull and Williams—15.

The nays were, Senators Angle, Bowen, Brown, Dixon, Dungan, Dysart, Foote, Gue, Hatch, Hastings, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Watson and Woolson—23.

The amendment was lost.

Mr. Neal moved to add to Section 16 the following :

"The ballot of each person voting shall have upon the outside thereof, so folded as to be plainly visible when handed to the judges, the name of the County where the voter claims to vote, as "Polk County," "Henry County," or some similar designation of the County claimed to be his residence; such judge shall then ascertain from the examination of the said muster roll, if the voter's residence is the same therein as on said ballot, and if found to so correspond, such vote shall be received unless the voter be challenged as not having the qualifications of an elector. If the residence shall be given on such ticket different from that on the said muster roll, the vote shall be rejected." Lost.

On motion of Mr. Dungan, the 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, Esteb, Foote, Gray, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Woolson—37.

The nays were, Senator English—1.

The Bill passed and the title was agreed to.

On motion, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
WEDNESDAY, SEPTEMBER 10, 1862. }

The Senate convened at the usual hour.

Prayer by Senator Teter.

The reading of the Journal was dispensed with.

On motion of Mr. Boardman, House File No. 11: A Bill for an Act to legalize appropriations made by the Boards of Supervisors for the payment of bounties for enlistments, and for the support of the families of persons in the military service of this State, or of the United States, and to authorize the levy and collection of a special tax for the payment of the same; also, to legalize the levy of certain taxes heretofore levied. Bill read first and second time.

On motion of Mr. Gray, the bill was amended by striking out "five and a half mills," and inserting "six mills."

On motion of Mr. Ainsworth, so much of the bill as limits the amount of tax, was stricken out.

The 11th rule was suspended, the bill read a third time, and on the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Duncombe, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Watson, Williams, Woodward and Woolson—37.

Mr. English voted in the negative.

The bill passed and its title was agreed to.

Senate File No. 28 was, on motion of Mr. Hatch, taken up.

The 11th rule was suspended, bill read a third time, and on the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Watson, Williams and Woodward—34.

The nays were none.

The bill passed and its title was agreed to.

PETITIONS.

By Mr. Kern: From citizens of Otter Township, Warren County, for a law to prevent negroes and mulattoes from settling in the State.

By Mr. Hesser: From citizens of Lee County, on same subject, which, on motion of Mr. Kern, were referred to the Committee on Charitable Institutions.

By Mr. Neal: From citizens of Marion County, on same subject. Referred to the Committee on Federal Relations.

By Mr. Burdick: From Society of Friends, asking exemption from military duty. Referred to Committee on Military Affairs.

By Mr. Dysart: From Supervisors of Tama County, asking that

certain authority may be conferred upon said Board. Referred to Committee on Schools and University.

The following Special Message from the Governor, was received by his Private Secretary, and referred to the Committee on Ways and Means :

EXECUTIVE OFFICE, IOWA, }
SEPTEMBER 10, 1862. }

Gentlemen of the Senate and House of Representatives :

The burthens of the war now being waged by our people for the preservation of our Government, bear heavily on us and should be borne as equally as possible. These burthens are of two kinds: first, that of military duty in the field; and second, that of taxation at home. It seems to me to be unequal and unfair, that those of us who bear the whole of the first of these burthens, should be compelled to share with those of us who remain at home, the second; that the soldiers who are fighting our battles in the field should be also compelled to pay their share of taxes equally with those who do not share their perils and privations.

The compensation paid to those of our soldiers who hold Commissions, is sufficiently liberal to enable them to pay their taxes without inconvenience; but it is not so with their no less worthy, but less fortunate, comrades. It would, I think, be a just recognition by us, of our appreciation of the patriotism and self-sacrifice of the latter, if we were to release them during their service, from all taxes levied under the State laws; and it would doubtless be news of comfort and good cheer to them amid the dangers and trials by which they are surrounded for our sakes, that we had been careful that the homes that shelter their wives and their little ones, had been secured from danger of sale for taxes, by our voluntary assumption of their share of the one burthen, while they are bravely bearing our share of the other. I therefore recommend to you that you pass a law exempting from all taxation, under the laws of the State, the real and personal property of all non-commissioned officers and privates in the regiments of this State in the army of the United States, during their continuance in service, and that for the current year there be added to the per centum of taxation upon the valuation of the property of all other tax-payers, the sum of one fourth of one mill on each dollar of such valuation to cover the deficiency in revenue thereby created.

SAMUEL J. KIRKWOOD.

Report of Committee on Enrolled Bills :

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly, have this day, Sept. 9th, 1862, presented the following to His Excellency the Governor, for his approval :

Senate File No. 9: An Act to repeal Chapter 155, Acts of Ninth General Assembly.

Senate File No. 4: An Act to amend Chapter 173: Acts of the Ninth General Assembly, to correct a clerical error therein.

Senate File No. 13: An Act to provide for auditing the claims of Jacob Wiley.

Senate File No. 19: A Joint Resolution asking the Secretary of War to send aid to the Northern Frontier.

Senate File No. 20: An Act to provide for the protection of the North-Western Frontier.

House File No. 8: An Act to legalize the acts of M. Allison.

House File No. 6: An Act to legalize the Acts of Ephraim Cummins.

House File No. 3: An Act to legalize the proceedings of the District Court of Clark County, April Term, 1862.

Senate File No. 23: An Act to amend an Act to provide for the protection of the North-Western Frontier.

J. M. SHAFFER, Ch'n of Senate Com.

Mr. Esteb introduced the following resolution:

Resolved by the Senate, the House concurring, That the Secretary of State shall be required, as soon as practicable, to procure and mail twenty-five copies each, of the State Register and Des Moines Times, containing the proceedings and acts passed at the Extra Session of the Ninth General Assembly of the State of Iowa, for the year 1862, to each of the Iowa Regiments now mustered into the service of the United States, and to each member of the General Assembly.

The resolution was lost.

Mr. Duncombe offered the following:

Resolved by the Senate, the House concurring, That the General Assembly will adjourn on to-morrow at 10 o'clock, A. M.

Mr. Holmes moved to lay on the table, on which Mr. Duncombe demanded the yeas and nays, which were as follows:

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dysart, Foote, Gue, Hatch, Hastings, Holmes Hurley, Howard, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer and Woodward—19.

The nays were, Senators Ainsworth, Angle, Duncombe, Dungan, English, Esteb, Gray, Green, Hammer, Hesser, Jennings, Kent, Kern, Neal, Pollard, Potter, Smith, Teter, Trumbull, Watson, Williams and Woolson—22.

The motion to table was lost.

On the adoption of the resolution, Mr. Teter demanded the yeas and nays.

Mr. Boardman moved to strike out "10 o'clock." Lost.

The yeas were, Senators Ainsworth, Angle, Duncombe, Dungan, English, Esteb, Gray, Green, Hammer, Hesser, Holmes, Jennings, Kern, Lewis, Neal, Pollard, Potter, Smith, Teter, Trumbull, Williams and Woolson—23.

The nays were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dysart, Gue, Hatch, Hastings, Hurley, Howard, Kent, Mc-

Crary of Lee, McCrary of Van Buren, Pattison, Shaffer and Woodward—18.

The Resolution was adopted.

Mr. Shaffer, from Committee on Enrolled Bills, submitted the following:

MR. PRESIDENT:—The Joint Committee on Enrolled Bills of the General Assembly, have examined the following, find the same correctly enrolled, and present the same for your signature:

Senate File No. 22: To amend the Act to amend the Militia Law.

Senate File No. 16: To provide for leasing convict labor, &c.

Senate File No. 32: Making appropriations to meet extraordinary expenses of the Executive Department, &c.

House File No. 15: To amend Section 1, Chapter 12, of the Acts of the Ninth General Assembly.

House File No. 31: An Act rendering valid the plat of Leighton's Addition and Mason's Upper Addition to the City of Keokuk.

Mr. Burdick introduced Senate File No. 35: A Joint Resolution relating to Supreme Courts. The Bill was read a first and second time.

Mr. Foote moved to add, "or their equivalent in money."

Mr. Pollard moved to amend, "that those who cannot read, have the privilege of selling."

Mr. Boardman moved to lay on the table, upon which question the yeas and nays were as follows:

The yeas were, Senators Boardman, Bowen, Dungan, Foote, Gue, Hesser, Holmes, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Shaffer, Watson and Woolson—16.

The nays were, Senators Ainsworth, Angle, Brown, Burdick, Dixon, Duncombe, Dysart, English, Esteb, Gray, Green, Hagans, Hammer, Hatch, Hastings, Hurley, Howard, Jennings, Kent, Pattison, Pollard, Potter, Smith, Teter, Trumbull, Williams and Woodward—27.

The motion to table was lost.

Mr. Pollard's amendment, together with that of Mr. Foote, was lost. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Bowen, Brown, Burdick, Dixon, Duncombe, Dysart, English, Esteb, Gray, Green, Hammer, Hatch, Hastings, Hurley, Howard, Jennings, Kent, Pattison, Pollard, Potter, Smith, Trumbull and Woodward—23.

The nays were, Senators Ainsworth, Boardman, Dungan, Foote, Hesser, Holmes, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Shaffer, Watson, Williams and Woolson—16.

The Bill passed and its title was agreed to.

By Mr. McCrary of Lee:

The Committee on Military Affairs, to whom was referred Sen-

ate File No. 18: A Bill for an Act to provide for the appointment of Assistant Surgeons to Batteries, have instructed me to report a substitute therefor, and recommend its passage.

The Substitute was adopted, the 11th rule was suspended, the Bill was read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Boardman, Bowen, Brown, Dixon, Duncombe, Dungan, Foote, Gray, Green, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Williams, Woodward and Woolson—36.

The nays were none.

The Bill passed and the title was agreed to.

The Judiciary Committee to whom were referred divers Bills submitted the following report:

Upon an Act to legalize certain acts of the Town Council of McGregor: That the Bill is not to legalize "certain acts of the Council," but its terms are, "all the acts of the Town Council in the annexation of territory to the Town; and especially a Resolution passed by said Council on the 13th of June, 1860, in relation thereto." The Bill does not name any act, error or informality, but seeks to legalize all the acts and a resolution, without showing what any of them are, nor what the resolution was.

Your Committee is not willing to recommend the passage of an Act, of whose effect they are so much in the dark, and know so little. They therefore recommend its indefinite postponement.

A Bill to legalize the assessment and levy of taxes in Iowa City: That this is similar to the preceding case. It is to legalize the assessment and levy of all taxes, except railroad taxes, heretofore made in Iowa City, and does not specify any error, mistake or irregularity sought to be cured.

Your Committee can not recommend such broad and blind legislation. They therefore recommend its indefinite postponement.

A Concurrent Resolution relative to Drafting: The Committee recommend its adoption, if the occasion for it has not passed by.

House File No. 22: Relating to defense at law to actions on bonds, coupons, &c.: The Committee is willing to submit this Bill to the judgment of the Senate, but they can not directly recommend it, because, while they believe it is designed for the special benefit of one County; and while they would be willing to accommodate that County, could it be done, yet the Bill sets aside indefinitely an old, well established and highly necessary rule of law in a large class of cases. Therefore, we respectfully submit the same to the Senate.

The Committee has amended the Bill relative to taking acknowledgments and oaths in the army, as instructed.

W. G. WOODWARD, for Committee.

On House File No. 27: The Senate refused to concur in the recommendation of the Committee, to indefinitely postpone. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Angle, Brown, Burdick, Duncombe, Dungan, Dysart, Esteb, Foote, Gray, Green, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Smith, Teter and Trumbull—28.

The nays were, Senators Boardman, Shaffer and Williams—3.
The Bill passed and the title was agreed to.

The recommendation of the Committee, on the Concurrent Resolution, was concurred in, and the resolution was adopted.

Senate File No. 35: Relating to taking acknowledgment of deeds, and administering oaths to soldiers out of this State.

Mr. Smith moved to strike out the word "Adjutant," where it occurs in the Bill, and insert "Major."

Mr. Dungan moved to amend, when the Bill was recommitted.

House File No. 29: A Bill to legalize the assessment and levy of School and School House taxes in Iowa City, Iowa. Referred to Mr. Bowen.

House File No. 22: A Bill for an Act regulating the right of defense to suits on bonds and coupons, &c.

Mr. Bowen moved to strike out the words, "or other evidences of indebtedness," where they occur, and after "State," in the seventh line, insert the words, "for Rail Road purposes." Carried.

The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, Foote, Gue, Hammer, Hatch, Hastings, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Teter, Watson and Woolson—25.

The nays were, Senators Ainsworth, Angle, Duncombe, English, Gray, Green, Jennings, Potter, Shaffer, Smith, Trumbull and Williams—13.

The Bill passed and the title was agreed to.

Mr. Bowen, from the Special Committee on House File No. 29, submitted the following amendments:

Strike out the word "all," in the first line of the first Section, and insert the words, "School and School House."

After the word "Iowa," in the third line of the first Section, insert the words, "in 1860 in the levy of 1858."

Strike out the proviso in the first Section. Which were concurred in.

The 11th rule was suspended, the Bill read a third time, and on

the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Duncombe, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Shaffer, Smith, Trumbull, Watson and Woolson—31.

The nays were, Senators Ainsworth and English—2.

The Bill passed and its title was agreed to.

Mr. Watson announced that a quantity of Grapes from the Vineyard of Messrs. Smith & Son of Des Moines, had been presented to the Senate and moved to take a recess for ten minutes to test the same. The motion prevailed.

The Senate was called to order, when, on motion of Mr. Dixon, a vote of thanks was tendered to Messrs. Smith & Son, for the delicious repast of grapes received from their hands.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly have examined the following, find the same correctly Enrolled, and present them for your signature, viz :

Senate File No. 15 : Authorizing Auditor of State to audit claim of Physician of Penitentiary.

Senate File No. 11 : To amend Chapter 113 of the Acts of the Ninth General Assembly.

J. M. SHAFFER, Chairman Sen. Com.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

MR. PRESIDENT:—The Committee on Engrossed Bills having examined Senate File No. 8, find it correctly engrossed.

J. M. KENT, Chairman.

By Mr. Dixon : A Concurrent Resolution relating to the auditing of certain claims for shoes, &c., for Iowa second Infantry. Referred to Committee on Ways and Means.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT:—I herewith return Senate File No. 28 : A Bill for an Act changing the time for holding Courts in the Fifth Judicial District, the same having passed the House without amendment.

I am also directed to inform the Senate that the House has concurred in the Senate's amendments to House File No. 22 : A Bill for an Act regulating the right of defence to suits on bonds and coupons against Municipal Corporations.

I herewith return House File No. 1 : An Act to accept of the

grant and carry into execution the trust conferred upon the State of Iowa by an Act of Congress entitled "An Act donating Public Lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," approved July 2, 1862, the House having refused to concur in the Senate's amendments to the same.

I herewith return also House File No. 11, the House having refused to concur in the Senate's amendment to the title of the Bill.

I herewith return Senate File No. 34: A Bill for an Act to provide for the better protection of the Southern Border of this State, with an amendment in which the concurrence of the Senate is asked, viz: After the word Treasury in Section 8, insert "not otherwise appropriated."

I am instructed by the House to request that Senate File No. 34: A Bill for an Act to provide for the better protection of the Southern Border of this State, be returned to the House.

Also, that the House has passed a Concurrent Resolution in relation to a certain memorial of the Rev. Samuel Storrs Howe.

The House has passed House File No. 40: A Bill for an Act for the organization and discipline of the Militia, and to amend "An Act entitled an Act to amend the Militia Law," being Chap. 175 of the Laws of the Ninth General Assembly.

House File No. 11: A Bill for an Act to legalize appropriations made by the Boards of Supervisors for the payment of Bounties for Enlistments and for the support of families of persons in the Military service of this State or of the United States, and to authorize the levy and collection of a Special Tax for the payment of the same, also to legalize the levy of certain taxes heretofore levied.

House File No. 17: A Bill for an Act to repeal Chapter 76 of the Acts of the Regular Session of the Ninth General Assembly, being "An Act providing for the Registry of Dogs and defining the duties of Township Officers in certain cases.

House File No. 10: A Bill for an Act entitled an Act to amend Title four of the Revision of 1860, so as to enable the qualified electors of this State in the military service to vote at certain elections.

The House has reconsidered the vote by which it adopted the resolution fixing the time for the adjournment of the General Assembly.

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

CHA'S. ALDRICH, Chief Clerk.

Mr. Esteb from Special Committee on Southern Border Troubles, submitted the following Report:

The Special Committee to whom was referred the resolution requesting the Secretary of War to place a force on the Southern Border of the State of Iowa, have had the same under consideration and request me to report the same back without recommenda-

tion, and suggest that the Committee on Military Affairs be instructed to report a Bill thoroughly Enrolling the Militia of the State. All of which is respectfully submitted,

E. F. ESTEB, Chairman Com.

By Mr. Smith :

MR. PRESIDENT :—The Committee on Incorporations to whom was referred House File No. 14, being an Act Supplemental to an Act for the Incorporation of Cities and Towns, Chapter 51 of the Revision of 1860, have had the same under consideration and have instructed me to report the same back to the Senate without amendment.

S. G. SMITH, Chairman.

The Senate adjourned until 2 P. M.

TWO O'CLOCK, P. M.

The Senate convened at 2 o'clock, P. M.

The Committee on Public Lands reported back Senate File No. 26 : A Joint Resolution accepting the Grant of Lands made to the State of Iowa, by an Act of Congress approved July 13, 1862, &c. The 11th rule was suspended, the Bill read a third time, and on the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Brown, Burdick, Dysart, Foote, Green, Hatch, Hesser, Hurley, Howard, Lewis, McCrary of Lee, McCrary of Van Buren, Pollard, Potter, Smith, Teter, Watson and Williams—20.

The nays were, Senators Ainsworth, Gray, Gue, McCrary of Van Buren and Woolson—5.

The Bill not having received a Constitutional majority was lost.

On motion of Mr. Woolson the vote just taken was reconsidered.

The vote suspending the 11th rule was reconsidered. The 11th rule was then suspended and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Brown, Burdick, Dixon, Dungan, Dysart, Foote, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Smith, Teter, Watson, Williams and Woolson—26.

The nays were, Senators Ainsworth, Gray and Green—3.

The Bill passed and the title was agreed to.

The following message was received from the House, through Chief Clerk :

MR. PRESIDENT :— I am directed 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. 24 $\frac{1}{2}$: A Joint Resolution in relation to persons desiring to be exempt from military draft.

Substitute for Senate File No. 11: A Bill for an Act to amend Chapter 113 of the Acts of the Ninth General Assembly.

Substitute for Senate File No. 15: A Bill for an Act authorizing the Auditor of State to audit the claim for salary of the Physician of the State Penitentiary, the same having passed the House without amendment.

I also return Substitute for Senate File No. 10: A Bill for an Act to amend Chapter 151 of the Acts of the Ninth General Assembly.

Senate File No. 31: A Bill for an Act to amend Section 885 of the Revision of 1860, the same having been lost in the House.

I am also directed to inform the Senate that the House has adopted the Senate's resolution of instruction to the Military Committee, in relation to drafting a Bill organizing the Militia of the State.

EDMUND JAEGER, 1st Ass't Clerk.

Mr. Foote obtained leave to take up House File No. 11: A Bill for an Act to legalize appropriations made by the Boards of Supervisors for the payment of Bounties, &c.

The Senate recessed from its amendment to the title of the Bill.

Mr. Brown, from the Committee on Public Lands, reported back Senate File No. 27 with a substitute.

Mr. Brown moved to strike out the 3d, 4th and 6th sections, and insert a new section. The motion prevailed.

The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Gray, Green, Hatch, Hastings, Hesser, Holmes, Jennings, Kern, Leake, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Smith, Teter, Williams, Woodward and Woolson—31.

The nays were, Senators Gue and Howard—2.

The Bill passed and the title was agreed to.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your Honorable Body that the House has concurred in the Senate's amendments to House File No. 10: A Bill for an Act to amend Title 4 of the Revision of 1860, so as to enable the qualified electors of this State in the Military service, to vote at certain elections, and passed the Bill as so amended.

I herewith return Senate File No. 16: A Bill for an Act to pro-

vide for leasing the convict labor in the Iowa Penitentiary after the expiration of the lease now in force.

Senate File No. 22: A Bill for an Act to amend an Act entitled an Act to amend the Militia Law, approved May 28, 1861.

Senate File No. 32: A Bill for an Act making appropriations to meet the extraordinary expenses of the Executive Department, and to provide for the relief of the sick and wounded soldiers in the service of the State of Iowa, or in the service of the United States from the State of Iowa.

A concurrent resolution of the Senate in relation to the Military Draft, and a Joint Resolution in relation to certain Supreme Court Reports, the same having passed the House without amendment.

CHA'S. ALDRICH, Chief Clerk.

Mr. Woodward, from the Judiciary Committee, reported back Senate File No. 35: A Bill for an Act to provide for taking acknowledgments and administering oaths to Iowa soldiers out of the State, with an amendment to provide for taking depositions in like manner, which was adopted.

Report of Committee on Enrolled Bills:

MR. PRESIDENT:—The Joint Committee on Enrolled Bills of the General Assembly have examined the following, find the same correctly enrolled, and present them for your signature:

Senate File No. 35: Joint Resolution concerning Reports of Supreme Court.

Senate File No. 28: An Act changing times of holding Court in 5th Judicial District.

J. M. SHAFFER, Chairman Senate Com.

Mr. Dysart submitted the following report:

The Committee on Township and County Organization, to whom were referred House Files Nos. 28 and 30 for consideration, have instructed me to report them back. To House File No. 28 they propose two amendments: First, in the second line of section 1, insert after the words "acts done," the words "of a ministerial character." At the end of 2d section add the words "as Clerk of the District Court and Clerk of the Board of County Supervisors, nor the bond of the Treasurer and Recorder of the County." And thus amended, recommend its passage.

House File No. 30 the Committee recommend be passed.

J. DYSART, Chairman.

House File No. 28: A Bill for an Act to confer additional powers on Boards of Supervisors. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woolson—31.

The nays were, Senators English, Esteb, Gray and Neal—4.

Absent or not voting, Senators Hagans and Redfield.

The bill passed and its title was agreed to.

House File No. 30: A Bill for an Act to legalize certain acts of the Boards of Supervisors, relating to officers' bonds. The 11th rule was suspended, the bill read a third time, and on the question, "Shall the bill pass?" the yeas and nays were follows:

The yeas were, Senators Boardman, Brown, Burdick, Dungan, Dysart, Gray, Green, Gue, Hatch, Hesser, Hurley, Howard, Kent, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Teter, Watson and Woolson—20.

The nays were, Senators Ainsworth, Dixon, Duncombe, English, Holmes, Jennings, Kern, Lewis, Neal, Pollard, Potter, Smith, Trumbull and Williams—14.

Absent and not excused, Senators Hagans and Redfield.

The bill not having received a constitutional majority, was lost.

Message from the House:

MR. PRESIDENT:—I am directed 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. 35: A Bill for an Act to provide for the publication and distribution of the Journals of the Senate and House of Representatives of the Special Session of the 9th General Assembly.

House File No. 36: A Bill for an Act to provide for the publication and distribution of the Laws of the Special Session of the 9th General Assembly.

I herewith return Senate File No. 34: A Bill for an Act to provide for the better protection of the Southern Border, the same having passed the House with the following amendments, in which the concurrence of the Senate is asked:

1st. Strike out all of Section 3, after the word "and," in sixth line, and insert the following: "Each Battalion shall elect a Major, at such time and place as the Governor shall direct, and the Major so elected shall be commissioned by the Governor."

2d. Strike out of Section 6, the following: "Or out of any other funds in the State Treasury, or by warrants drawn upon said Treasury."

3d. Strike out of Section 8, the following: "Or out of any funds in the State Treasury not otherwise appropriated."

CHAS. ALDRICH, Chief Clerk.

Report by Mr. Holmes: The Committee of Ways and Means, to whom was referred the Special Message of His Excellency, the Governor of this State, report that they have had the same under consideration, and unanimously agree that, in their opinion, the legislation therein recommended is inexpedient. We therefore recommend that no further action be taken on that subject.

W. H. HOLMES, Ch'n Com.

The question being on concurring in the recommendation, the yeas and nays were demanded, and were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, English, Foote, Gray, Green, Gue, Hastings, Hesser, Holmes, Hurley, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Shaffer, Smith, Trumbull, Williams and Woolson—26.

The nays were, Senators Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, Hatch, Howard, Potter, Teter and Watson—11.

Absent and not excused, Senators Hagans and Redfield.

The recommendation was concurred in.

Senators Hammer and Esteb were excused.

Report of Committee on Engrossed Bills: Your Committee on Engrossed Bills, would respectfully report that Senate File No. 30 is correctly Engrossed.

J. M. KENT, Ch'n.

Senate File No. 8: A Bill fixing the salaries of Surgeon and Assistant Surgeon of the Hospital for the Insane, was taken up.

Mr. Holmes offered a substitute, providing for the taxation of salaries and incomes, &c.

Mr. Shaffer moved to lay on the table.

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

The yeas were, Senators Boardman, Burdick, Dixon, English, Gray, Green, Hatch, Shaffer, Smith, Teter, Trumbull and Watson—12.

The nays were, Senators Ainsworth, Bowen, Duncombe, Dungan, Dysart, Foote, Gue, Hastings, Hesser, Holmes, Hurley, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Williams and Woolson—23.

The motion to lay on the table was lost.

The substitute was then rejected.

Mr. Woolson moved to add to his former amendment:

SEC. —. The salary of the Governor shall be \$1800 per annum.

Lost.

Mr. Woolson moved to insert, "this Act shall take effect on the first day of January, 1863." Adopted.

Mr. Smith moved to amend the publication clause as follows: "This Act shall take effect and be in force from and after its publication according to law." Adopted.

The 11th rule was suspended, the bill read a third time, and on the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Brown, Dixon, Duncombe, Dungan, English, Foote, Gray, Green, Gue, Hastings, Hesser, Holmes, Hurley, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Trumbull, Williams and Woolson—31.

The nays were, Senators Burdick, Dysart, Hatch and Trumbull—4.

The bill passed and its title was amended.

Report of Committee on Engrossed Bills :

The Committee on Engrossed Bills respectfully report that they have examined Senate File No. 32, and find it correctly engrossed.

J. M. KENT.

Senate File No. 32 was taken up, the 11th rule was suspended, Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Foote, Gray, Green, Gue, Hatch, Hastings, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—33.

The nays were, Senators Ainsworth and Hesser—2.

The Bill passed and its title was agreed to.

House File No. 24 $\frac{1}{2}$: A Joint Resolution relating to certain persons desiring to be exempt from Military Draft.

Mr. Ainsworth moved to amend—"Also, such a modification of the Naturalization laws as to constitute every foreign resident in the United States who may enlist in the army of the United States a citizen thereof."

Mr. Brown moved to strike out "exempt" and insert "include."

On motion of Mr. McCrary of Lee, the whole subject was laid on the table.

House File No. 1, relating to a Land Grant, was taken up. On motion of Mr. Duncombe, the Senate insisted upon amendments, and a Committee of Conference was asked.

The following House Concurrent Resolution was taken up and adopted :

Resolved by the House of Representatives, the Senate concurring, That the State Librarian be instructed to transfer to the Library of the State Historical Society for the use of Rev. Samuel Storrs Howe, Catlin's Indian Tribes, and Schoolcraft's History of the Indians; said books to be returned to the State Library before the next regular session of the Legislature; provided that Catlin's Indian Tribes shall not be so transferred until it shall have been substantially bound in two volumes, which the Librarian is authorized to have done at the expense of the State. And provided, further, that said transfer shall be made at the expense of the memorialist, Rev. S. S. Howe.

Senate File No. 21: A Bill creating the office of Assistant Adjutant General and defining duties. The question being on concurring in the House amendments, the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Burdick, Dixon, Dysart, Hatch, Jennings, McCrary of Van Buren, Trumbull, Watson and Woodward—9.

The nays were, Senators Ainsworth, Brown, Duncombe, Dungan, Dysart, English, Foote, Gray, Green, Gue, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Williams and Woolson—25.

The Senate refused to concur.

House File No. 36: A Bill to provide for the publication and distribution of the Laws of the Special Session of the Ninth General Assembly.

Mr. Brown moved to strike out "\$500" and insert "\$300." Lost.

Mr. Brown moved to strike out "\$500" and insert "\$400." Lost.

The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Foote, Gray, Green, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Shaffer, Teter, Trumbull, Williams, Woodward and Woolson—31.

The nays were, Senators Bowen, Neal, Watson and Williams—4.

The bill passed and its title was agreed to.

By Mr. Shaffer, from Committee on Enrolled Bills:

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly have this day, September 8th, 1862, presented the following to his Excellency the Governor for his approval, viz.:

Senate File No. 22: To amend an Act to amend the Militia Law.

Senate File No. 16: To provide for leasing Convict labor, &c.

Senate File No. 32: Making appropriation to meet extraordinary expenses of Executive Department, &c.

House File No. 15: To amend Section 1, Chapter 12, Acts 9th General Assembly.

House File No. 31: An Act rendering valid the plat of Leighton's Addition and Mason's Upper Addition to City of Keokuk.

Senate File No. 15: Authorizing Auditor of State to audit claim of Physician of Penitentiary.

Senate File No. 11: To amend Chapter 113 of the Acts of the 9th General Assembly.

J. M. SHAFFER, Chairman Sen. Com.

Mr. Watson moved to adjourn until to-morrow morning at 9 o'clock.

Mr. Ainsworth moved to adjourn until 7½ o'clock this evening.

The Senate adjourned until 7½ P. M.

EVENING SESSION.

Senate convened at half-past seven o'clock, and was called to order by the Secretary.

Mr. Potter nominated Mr. Gray for President, *pro tem.*

Mr. Gue nominated Mr. McCrary of Van Buren.

Those voting for Mr. Gray were, Ainsworth, Burdick, Duncombe, Green, Hesser, Kern, McCrary of Van Buren, Trumbull and Williams—12.

Those voting for Mr. McCrary of Van Buren were, Senators Boardman, Bowen, Dixon, Dungan, Gray, Gue, Hastings, Holmes, Shaffer, Smith and Woolson—13.

Mr. McCrary having received a majority of all the votes cast, was declared duly elected President *pro tem.*

House File was taken up.

Mr. Pollard moved that the Senate concur in the House amendments to House File No. 1: An Act to accept the grant of land, &c., upon which the yeas and nays were as follows—

The yeas were, Senators Ainsworth, Boardman, Bowen, Burdick, Dixon, Duncombe, Dungan, Dysart, Foote, Gray, Green, Gue, Hastings, Hesser, Holmes, Hurley, Kent, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Trumbull, Williams and Woolson—29.

The nays were none.

The motion prevailed.

House File No. 17: A Bill for an Act to repeal an Act providing for the registry of Dogs, &c., was taken up.

Mr. Smith moved to lay on the table.

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

The yeas were, Senators Boardman, Bowen, Dixon, Dungan, Dysart, Foote, Gue, Hesser, Holmes, Hurley, Howard, Kent, McCrary of Van Buren, Pollard, Shaffer, Smith, Williams and Woolson—17.

The nays were, Senators Ainsworth, Burdick, Gray, Green, Hastings, McCrary of Lee, Neal, Pattison, Potter, Teter, Trumbull and Williams—14.

The motion to table prevailed.

House File No. 40: A Bill for an Act for the organization and discipline of the Militia, and to amend an Act entitled an Act to amend the Militia Law, being Chapter 175 of the Laws of the 9th General Assembly. Read a first and second time by title.

Mr. Burdick moved to add at the foot of the page, of Section 1, "and such persons as have conscientious scruples against the performance of military duty."

Mr. Dixon moved to amend the amendment as follows: "except members of religious societies who are conscientiously opposed to bearing arms and performing military duty." Lost.

Mr. Woolson offered the following: "And also excepting such persons as belong to religious denominations having well known tenets of belief that bearing arms is contrary to the law of God. Any person claiming exemption from the last named cause, shall

pay into the County Treasury for the use of the Schools in said County the sum of dollars per year, before such person shall be exempted." Upon the adoption of which the yeas and nays were as follows :

The yeas were, Senators Boardman, Dixon, Gray, Kent, Trumbull and Woolson—6.

The nays were, Senators Ainsworth, Bowen, Burdick, Duncombe, Dungan, Dysart, Foote, Gue, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Teter and Williams—26.

The amendment was lost.

The question being on the adoption of Mr. Burdick's amendment, the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Burdick, Dixon, Gray, Gue, Hastings, Hesser, Jennings, Kent, McCrary of Van Buren, Neal, Trumbull, Williams and Woolson—14.

The nays were, Senators Boardman, Bowen, Duncombe, Dungan, Dysart, Green, Hatch, Holmes, Hurley, Howard, Kern, Lewis, McCrary of Lee, Pattison, Pollard, Potter, Shaffer, Smith, Teter, Watson and Woodward—20.

The amendment was lost.

The 11th rule was suspended, the Bill read a third time, and on the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Burdick, Duncombe, Dungan, Dysart, Foote, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer, Smith, Teter and Woodward—23.

The nays were, Senators Ainsworth, Dixon, Gray, Neal, Potter and Trumbull—6.

The Bill passed and its title was agreed to.

On motion of Mr. Neal, the Senate adjourned until to-morrow morning at 8 o'clock.

SENATE CHAMBER, DES MOINES, IOWA, }
THURSDAY, SEPTEMBER 11, 1862. }

The Senate convened at 8 o'clock, A. M.

Mr. McCrary of Van Buren, President *pro tem.*, in the Chair.
Prayer by Rev. Mr. Bird.

On motion of Mr. Kern, the reading of the Journal was dispensed with.

Senators Angle, English, Green and Teter were excused.

Mr. McCrary of Lee introduced Senate File No. 37: A Bill for an Act to provide for the appointment of Sanitary Agents and defining their duties. The Bill was read a first and second time by title.

On motion of Mr. McCrary, a call of the Senate was ordered.

Absent and not excused, Senators Burdick, Dixon, Duncombe, Hatch, Howard, Jennings, Redfield and Woodward.

On motion of Mr. Smith, further proceedings under the call were suspended. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dungan, Dysart, Foote, Gray, Gue, Hammer, Hastings, Hesser, Holmes, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Shaffer, Smith, Trumbull, Watson, Williams and Woolson—28.

The nays were, Senators Ainsworth and Duncombe—2.

The Bill passed and its title was agreed to.

Mr. Kent introduced Senate File No. 38: A Bill to provide for the exemption of persons conscientiously scrupulous of bearing arms, from military duty. Read a first and second time by title. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Brown, Burdick, Dungan, Gray, Gue, Hammer, Hastings, Hesser, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Shaffer, Trumbull and Woolson—20.

The nays were, Senators Dysart, Esteb, Foote, Pollard and Potter—5.

The Bill not having received a constitutional majority, was lost.

The Chair announced, as the Committee of Conference on House File No. 1, Senators Duncombe, Boardman and Holmes.

As Committee on Senate File, No. 21, Senators Woolson, Kent and Gray.

Mr. Shaffer presented the following report:

MR. PRESIDENT:—The Joint Committee on Enrolled Bills of the General Assembly, have examined the following, corrected certain errors therein, and present the same for your signatuae:

Senate File No. 34: To provide for the better protection of the Southern Border of this State.

House File No. 111: To amend Title 4, of the Revision of 1860, so as to enable the qualified electors of this State in the military service, to vote at certain elections.

House File No 11: To legalize appropriations made by the Boards of Supervisors for the payment of bounties, &c.

J. M. SHAFFER, Ch'n Senate Com.

Message from the House :

MR. PRESIDENT :— I am directed to inform your Honorable Body that the House has passed House File No. 16 : A Bill for an Act to amend Chapter 114, of the Acts of the 9th General Assembly of the State of Iowa, entitled an Act fixing the times of holding Courts in the Third Judicial District, in which the concurrence of the Senate is asked.

I also return Senate File No. 26, the same having passed the House without amendment.

The House insists upon its amendment to Senate File No. 21, and asks a Committee of Conference, and has appointed Messrs. Bowdoin, Fairall and Lane, as such Committee on the part of the House.

The House has concurred in the Senate's amendments to House File No. 29, and passed the same as amended.

The House has appointed Messrs. Eaton, Wilson of Pottawattamie, and Fuller of Fayette, as a Committee on the part of the House upon the disagreement of the two Houses upon House File No. 1.

The House has passed Senate File No. 27, without amendment.

I herewith return Senate File No. 37 : A Bill for an Act to provide for the appointment of Sanitary Agents and defining their duties ; the same having passed the House without amendment.

I also return Senate File No. 18 : A Bill for an Act to provide for the appointment of Surgeons for Batteries, the House having indefinitely postponed the same.

CHA'S. ALDRICH, Chief Clerk.

Mr. Brown introduced Senate File No. 39 : A Bill for an Act explanatory of an Act to provide for the protection of the North-Western Frontier from hostile Indians. Read a first and second time.

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

The yeas were, Senators Ainsworth, Burdick, Duncombe, Esteb, Hammer, Hesser, Jennings, Kent, Kern, Neal, Pollard, Potter and Trumbull—13.

The nays were, Senators Boardman, Bowen, Brown, Dixon, Dungan, Dysart, Foote, Gray, Gue, Hatch, Hastings, Holmes, Howard, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Redfield, Shaffer, Smith, Teter, Watson, Williams, Woodward and Woolson—34.

The motion did not prevail.

Mr. Brown moved to suspend the 11th rule, upon which **Mr. Duncombe** demanded the yeas and nays, which were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Dixon, Dungan, Dysart, Foote, Gray, Gue, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison,

Redfield, Shaffer, Smith, Teter, Watson, Williams, Woodward and Woolson—26.

The nays were, Senators Ainsworth, Burdick, Dungan, Dysart, English, Esteb, Hammer, Hesser, Jennings and Neal—12.

The 11th rule was suspended, bill read a third time, and on the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Dixon, Dungan, Dysart, Foote, Gray, Gue, Hatch, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter, Williams, Woodward and Woolson—25.

The nays were, Senators Ainsworth, Burdick, Duncombe, Jennings, Kern, Neal, Pollard and Potter—8.

The bill passed and its title was agreed to.

Mr Woolson, from Committee of Conference on Senate File No. 21, submitted the following report :

The Joint Committee of Conference, appointed upon the disagreement of the two Houses in relation to Senate File No. 21, entitled a Bill for an Act to create the office of Assistant Adjutant General, &c., report that they have performed the duty imposed upon them, and that a majority of said Committee have instructed their Chairman to recommend that the Senate concur in the amendment to said Bill made by the House, to-wit : "That the salary of such Assistant Adjutant General be fixed at One Thousand Dollars.

T. W. WOOLSON, Chairman.

The question being on concurring in the report of the Committee, the yeas and nays were called and were as follows :

The yeas were, Senators Boardman, Bowen, Burdick, Dixon, Gray, Hatch, Howard, Jennings, McCrary of Lee, McCrary of Van Buren, Teter, Trumbull, Watson, Woodward and Woolson—15.

The nays were, Senators Ainsworth, Brown, Duncombe, Dungan, Dysart, Esteb, Foote, Gue, Hammer, Hesser, Holmes, Hurley, Kent, Kern, Lewis, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith and Williams—23.

The Senate refused to concur, and appointed another Committee of Conference, consisting of Senators McCrary of Lee, Brown and Trumbull.

Message from the House :

MR. PRESIDENT :— I herewith return Senate File No. 8 : A Bill for an Act fixing the salaries of certain officers ; the same having passed the House without amendment.

CHA'S. ALDRICH, Chief Clerk.

Mr. Duncombe, from Committee of Conference on House File No. 1, recommend that the Senate recede from its amendments and pass the Bill with a proviso to Section 2.

The question being on concurring, the yeas and nays were called, and were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, Esteb, Foote, Gray, Hatch, Hesser, Holmes, Howard, Jennings, Kent, Kern, Lewis, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—27.

The nays were, Senators Ainsworth, Duncombe, Esteb, Gue, Hammer, Hurley, Neal, Pollard and Potter—9.

The Senate concurred.

Mr. Duncombe moved to reconsider the vote by which House File No. 40 was passed, and demanded the yeas and nays, which were as follows :

The yeas were, Senators Ainsworth, Burdick, Dixon, Duncombe, Esteb, Gray, Hatch, Hesser, Jennings, Neal, Pollard, Potter, Shaffer, Trumbull and Williams—15.

The nays were, Senators Boardman, Bowen, Brown, Dungan, Dysart, Gue, Holmes, Hurley, Howard, Kent, Kern, McCrary of Lee, McCrary of Van Buren, Pattison, Watson, Woodward and Woolson—20.

The motion was lost.

Mr. Woodward introduced Substitute for Senate File No. 35: A Bill for an Act to provide for taking acknowledgments, oaths and depositions from persons in the service of the United States from this State. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Boardman, Bowen, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Trumbull, Watson, Williams, Woodward and Woolson—37.

The nays were none.

The Bill passed and the title was agreed to.

Mr. McCrary of Lee submitted the following report :

The Committee on Military Affairs, to whom were referred various petitions of persons who are conscientiously opposed to bearing arms, asking exemption from military duty, report the same back without any special recommendation, the whole subject having been disposed of in the passage of the Militia Law, and the action of the Senate upon an Act exempting certain persons from the performance of military duty.

On the petition of Henry P. Scholte and others, together with affidavits, the Committee have instructed me to report that it is not in the power of the Legislature to remedy the evil complained of.

GEO. W. McCRARY, Chairman.

The report was adopted.

House File No. 16 :— A Bill for an Act fixing the times of holding Courts in the Third Judicial District, was taken up, the 11th

rule suspended, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, Foote, Gray, Green, Hammer, Hatch, Hastings, Hesser, Holmes, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—36.

The nays were none.

The Bill passed and the title was agreed to.

House File No. 35: A Bill for an Act providing for the publication and distribution of the Journals of the Special Session of the Ninth General Assembly, was taken up, the 11th rule suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Brown, Burdick, Duncombe, Dungan, Dysart, Esteb, Foote, Gray, Green, Gue, Hamner, Hatch, Hastings, Hesser, Holmes, Howard, Jennings, Kent, Kern, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—35.

The nays were, Senators Bowen and Neal—2.

The Bill passed and its title was agreed to.

The Concurrent Resolution of the House, on final adjournment, was taken up. On the motion to lay on the table the yeas and nays were as follows:

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, Foote, Gue, Hatch, Hastings, Hesser, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Potter, Redfield, Shaffer, Smith, Woodward and Woolson—24.

The nays were, Senators Ainsworth, Duncombe, Esteb, Gray, Green, Jennings, Pollard, Teter, Trumbull, Watson and Williams—14.

The motion prevailed.

Substitute for Senate File No. 33: To repeal an Act entitled an Act providing for the Registry of Dogs, &c.

On motion of Mr. Ainsworth, the substitute was amended as follows: Strike out "Daily" after "Des Moines," and after "Times" insert "Iowa Homestead."

Mr. — moved to substitute the Senate Bill for the House substitute.

Mr. Neal rose to a point of order, that the Senate could not amend a House substitute.

The Chair overruled the point of order.

Mr. Neal appealed from the decision.

The question being on sustaining the decision of the Chair, it was sustained.

The question being on the passage of the House amendment, the yeas and nays were called, which were as follows :

The yeas were, Senators Ainsworth, Bowen, Brown, Burdick, Duncombe, Dungan, Dysart, English, Esteb, Foote, Gray, Green, Gue, Hammer, Hastings, Hesser, Holmes, Hurley, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pollard, Potter, Shaffer, Smith, Teter, Trumbull, Watson, Williams and Woodward—34.

The nays were, Senators Boardman, Dixon, Hatch, Howard, Pattison and Woolson—6.

The Senate concurred in the House amendments.

Mr. McCrary of Lee submitted the following report :

MR. PRESIDENT :—The New Committee of Conference to whom was referred the difference between the two Houses in relation to Senate File No. 21, have had the same under consideration and have agreed to recommend to the Senate, that the Senate recede from its refusal to concur in the House amendment, and that the Senate concur in said amendment, fixing the salary of the Assistant Adjutant General at \$1,000 per annum.

GEORGE W. McCRARY,	} Com. of Con.
G. W. TRUMBULL,	
A. F. BROWN,	

The question being on concurring, the yeas and nays were called, which were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, Gray, Gue, Hatch, Hastings, Hurley, Howard, Jennings, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Teter, Trumbull, Watson Williams and Woodward—24.

The nays were, Senators Ainsworth, English, Esteb, Foote, Green, Hammer, Hesser, Holmes, Kent, Neal, Pollard, Potter, Smith and Woolson—14.

The report was concurred in.

House File No. 14: A Bill for an Act supplemental to an Act relating to incorporated Cities and Towns.

On motion of Mr. Woolson, Section 8 was stricken out.

The 11th rule was suspended, the Bill read a third time and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Ainsworth, Boardman, Bowen, Burdick, Dixon, Dungan, Dysart, Foote, Gray, Gue, Hammer, Hatch, Hastings, Hesser, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Watson, Williams, Woodward and Woolson—32.

The nays were, Senator Neal—1.

The Bill passed and its title was agreed to.

Mr. Kent introduced the following :

Resolved, That the Secretary of State be authorized to furnish the Post Master and Mail Carrier of this General Assembly, one copy of the twelfth volume of Iowa Supreme Court Reports. Adopted.

Mr. Shaffer from Committee on Enrolled Bills made the following report :

MR. PRESIDENT:—The Joint Committee on Enrolled Bills of the General Assembly have examined the following, corrected certain errors therein, and present the same for your signature :

Senate File No. 27: To provide for selection of lands granted to the State July 13th, 1862.

Senate File No. 37: To provide for appointment of Sanitary Agents.

Senate File No. 26: A Joint Resolution accepting Grant of Lands made to the State of Iowa, July 13th, 1862.

House File No. 36: To provide for publication and distribution of Laws.

House File No. 22: To regulate right of defense to suits on Bonds, &c.

House File No. 27: To legalize certain acts of Town Council of McGregor.

House File No. 29: To legalize assessment of Taxes in Iowa City.

J. M. SHAFFER, Chairman Sen. Com.

House File No. 41: An Act making appropriations for the per diem and mileage of the officers and members of the Ninth General Assembly at its Special Session.

The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Dysart, English, Foote, Gray, Gue, Hammer, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Kern, Lewis, McCrary of Lee, McCrary of Van Buren, Neal, Pattison, Pollard, Potter, Redfield, Smith, Trumbull, Watson, Williams, Woodward and Woolson—34.

The nays were, Senators Ainsworth, Neal, Shaffer and Woolson—4.

The Bill passed and its title was agreed to.

Senate File No. 39: The question being on concurring in the House amendments to the Bill, the yeas and nays were called, which were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Dixon, Dungan, Dysart, Foote, Gray, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter, Trumbull, Watson, Williams, Woodward and Woolson—30.

The nays were, Senators Ainsworth, Burdick, English, Esteb, Kern, Neal and Potter—8.

The amendments were concurred in.

Senate File No. 30: A Bill to provide compensation for Allotment Commissioners, &c., was taken up, the Bill read a third time and on the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dungan, Foote, Gue, Hatch, Hastings, Hesser, Holmes, Hurley, Howard, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith, Teter, Trumbull, Watson and Woodward—26.

The nays were, Senators Ainsworth, English, Esteb, Gray, Hammer, Jennings, Kern, Neal, Pollard and Potter—10.

The Bill passed and its title was agreed to.

By Mr. Bowen:

Resolved, That the Committee on Military Affairs be requested to report back to the Senate, immediately, the Bill abolishing the office of Surgeon General.

The question being on the adoption of the resolution, the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Bowen, Dysart, English, Foote, Gray, Hammer, Hatch, Holmes, Kern, Lewis, Neal, Potter, Teter, Watson, Williams and Woolson—18.

The nays were Senators Brown, Burdick, Dixon, Esteb, Gue, Hastings, Hesser, Howard, Jennings, McCrary of Van Buren, Pattison, Redfield, Shaffer, Smith and Trumbull—15.

The resolution was adopted.

MR. PRESIDENT:—I am directed to inform the Senate that the House has passed a substitute for Senate File No. 33: A Bill for an Act to repeal an Act providing for the Registry of Dogs and defining the duties of Township Officers in certain cases, in which the concurrence of the Senate is asked.

The House has also concurred in the Senate's amendments to House Files Nos. 4 and 14, and passed the Bills as so amended.

The House has passed House File No. 26: A Bill for an Act to legalize the Recorded Plats of Towns and Cities and additions thereto, and to allow the same to be amended.

House File No. 42: A Bill for an Act to legalize certain Taxes in Pocahontas County.

I herewith return Senate File No. 30: A Bill for an Act to provide for Allotment Commissioners, the same having passed the House with the following amendment: Strike out the word "ten" in Section two and insert "twenty," in which the concurrence of the Senate is asked.

Also, Senate File No. 35: A Bill for an Act to provide for taking acknowledgments, oaths and depositions in the forces in the

military service of the United States, the same having passed the House without amendment.

Senate File No. 33: A Bill for an Act to repeal Chapter 76 of the Acts passed at the 9th Session of the General Assembly, entitled an Act for the Registry of Dogs and defining the duties of Township Officers in certain cases and other provisions relating thereto; the House having concurred in the Senate's amendments thereto and passed the Bill as so amended.

The House has passed the following resolution:

Resolved by the House the Senate concurring, That the General Assembly will adjourn *sine die* this day at 1 o'clock, P. M.

In which the concurrence of the Senate is asked.

C. ALDRICH, Chief Clerk.

The House Concurrent Resolution on adjournment was taken up.

Mr. — moved to lay on the table.

The yeas and nays were called, which were as follows:

The yeas were, Senators Ainsworth, Burdick, Dixon, Dysart, English, Esteb, Gray, Hammer, Kern, Neal, Pollard, Potter, Redfield, Teter, Trumbull, Watson and Williams—17.

The nays were, Senators Boardman, Bowen, Brown, Foote, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kent, Lewis, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer and Smith—17.

The resolution was tabled.

Mr. McCrary of Lee, from Committee on Military Affairs, reported back Senate File No. 17, and recommend it be laid on the table. On the motion to table, the yeas and nays were as follows:

The yeas were, Senators Ainsworth, Boardman, Brown, Burdick, Dixon, English, Esteb, Gue, Hatch, Hastings, Jennings, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield, Shaffer, Smith, Trumbull, Watson and Woodward—23.

The nays were, Senators Bowen, Foote, Gray, Hammer, Howard, Kent, Lewis, Neal, Teter, Williams and Woolson—13.

The Bill was tabled.

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly have examined the following, find the same correctly enrolled, and present them for your signature, viz:

House File No. 40: To provide for the organization of the Militia.

Senate File No. 21: To create office of Assistant Adjutant General.

J. M. SHAFFER, Ch'n Sen. Com.

Message from the House:

MR. PRESIDENT:—I am directed to inform your Honorable Body that the House has passed Senate File No. 39: A Bill for an Act explanatory of an Act to provide for the protection of the Northwestern frontier from hostile Indians, with the addition of two new sections, 2 and 3, in which the concurrence of the Senate is asked.

The House has indefinitely postponed Senate File No. 7, entitled "an Act to require the District Attorneys of the several Judicial Districts of this State to perform such services in their respective Districts as the Trustees of the State University may through their Treasurer require.

House File No. 41: A Bill for an Act making appropriation for the payment of the per diem and mileage of members and officers of the Special Session of the Ninth General Assembly, and for other purposes.

CHA'S. ALDRICH, Chief Clerk.

House File No. 20: An Act to legalize the recorded plat of towns and cities and additions thereto and to allow the same to be amended. Tabled.

House File No. 42: An Act to legalize a certain tax sale in Pocahontas County. Read a first and second time by title.

Mr. Brown moved to suspend the 11th rule. Lost.

The Senate adjourned until half past one o'clock P. M.

Senate convened at half past one o'clock P. M.

On motion of Mr. Woodward a call of the Senate was ordered.

The following Senators were absent and not excused:

Senators Burdick, Dysart, Foote, Gue, Holmes, Hurley, Kent, Leake, Pattison, Pollard, Potter, and Shaffer.

The Sergeant-at-arms was sent for the absentees.

Further proceedings under the call were suspended.

Senate File No. 30. was taken up and on the question, "Shall the Senate concur in the Senate amendment?" the yeas and nays were as follows:

The yeas were, Senators Dixon, Dysart, Foote, Gue, Hurley, Howard, Jennings, McCrary of Lee, McCrary of Van Buren, Pattison, Shaffer and Woodward—14.

The nays were, Senators Burdick, Gray, Green, Hatch, Hesser, Holmes, Kent, Pollard, Potter, Shaffer and Williams—11.

The Senate refused to concur.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform the Senate that the House refuses to recede from its amendment to Senate File No. 30, and that Messrs. Bowdoin and Lane have been appointed as a Committee of Conference on the part of the House.

The House has passed House File No. 42: A Bill for an Act to change the name of Buncombe County to Lyon.

The House has passed the accompanying Joint Resolution in relation to Universalist Army Chaplains.

The House has adopted the following resolution:

Resolved by the House of Representatives, (the Senate concurring,) That the Secretary of State be authorized to have published in the Iowa Homestead so many of the Laws of this Extra Session as have been directed published in the State Register and Des Moines Times, in all of which the concurrence of the Senate is asked.

CHA'S. ALDRICH, Chief Clerk.

MR. PRESIDENT :—The Joint Committee on Enrolled Bills of the General Assembly have examined the following, find the same correctly enrolled, and present them for your signature :

Senate File No. 8 : An Act fixing salaries of certain officers.

House File No. 16 : An Act to amend Chapter 114, Acts of the Ninth General Assembly.

House File No. 28 : An Act to confer additional powers on Boards of Supervisors.

House File No. 35 : To provide for publication and distribution of Journals.

House File No. 1 : To accept of the grant of July 2d, for Agricultural purposes.

House File No. 41 : Making appropriations for mileage and per diem.

Senate File No. 35 : To provide for acknowledgments of instruments by the soldiers.

House File No. 14 : Supplemental to Act, Chap. 51, Rev. 1860.

Senate File No. 39 : Explanatory of Act for protection of Northwest frontier.

Senate File No. 32 : To repeal Chap. 76, Laws Ninth General Assembly.

J. M. SHAFFER, Ch'n Sen. Com.

The concurrent resolution of the House, relating to the publication of the Laws in the Iowa Homestead, was adopted.

House File No. 42 : A Bill for an Act to change the name of Buncombe County to Lyon. Read first and second time by title. The 11th rule was suspended, the Bill read a third time, and on the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Senators Boardman, Bowen, Brown, Burdick, Dixon, Dysart, Foote, Gray, Gue, Hatch, Hesser, Holmes, Hurley, Howard, Jennings, Kent, McCrary of Lee, McCrary of Van Buren, Pattison, Pollard, Potter, Redfield and Shaffer—24.

The nays were, Senators Ainsworth, Green and Williams—3.

The bill passed and its title was agreed to.

The Chair appointed as a Committee of Conference on Senate File No. 30, Senators Redfield, Potter and Hurley.

The Committee reported back the Bill and recommended that the Senate recede from its refusal to concur in the House amendment to amend the Bill by striking out "twenty cents" and insert "fifteen."

Pending the vote, the following message was received from the House :

MR. PRESIDENT:—I am directed to ask that the Bill in relation to the allotment of Soldiers' pay be returned to the House.

MR. PRESIDENT:—The Joint Committee on Enrolled Bills of the General Assembly have examined the following, find the same correctly enrolled, and present it for your signature, viz :

House File No. 42: To change the name of Buncombe County to Lyon.

J. M. SHAFFER, Ch'n Sen. Com.

Message from the House :

MR. PRESIDENT:—I am directed to inform the Senate that the House recedes from its amendment to Senate File No. 30.

CHA'S. ALDRICH, Chief Clerk.

The following resolution was introduced by Mr. Burdick, and unanimously adopted :

WHEREAS, Several Members of the Senate will go forth from this Hall to engage in the sanguinary conflict which has been brought upon the Nation, and

WHEREAS, It is but meet that the feelings entertained for them by their brother Senators should be spread upon the Journals of the Senate; therefore,

Resolved, That we appreciate highly the patriotism and sense of duty which prompts them to exchange a seat in this body for the bloody field of war.

Resolved, That our best wishes and our sympathies will follow them through all their trials, and that we have confidence that their path, though it pass through seas of blood, will finally lead them through all the vicissitudes of war to a glorious triumph.

Resolved, That in case any should fall in defense of the old Flag, endeared to us all, a monument to their worth shall be reared in our memory.

MR. PRESIDENT:—The Joint Committee on Enrolled Bills of the General Assembly have examined the following, find the same correctly enrolled, and present for your signature: Senate File No. 30: To provide Allotment Commissioners for Iowa.

J. M. SHAFFER, Ch'n Senate Com.

A Committee from the House, consisting of Messrs. Hudnutt and Glanville, announced that the House was now ready to adjourn.

Messrs. Brown, Woodward and Kent were appointed a Committee to inform the House that the Senate is now ready to adjourn.

MR. PRESIDENT:—The Joint Committee of Enrolled Bills of the General Assembly have this day, September 11th, 1862, presented the following to His Excellency, the Governor, for his approval, viz :

Senate File No. 35: Joint Resolution concerning Reports of Supreme Court.

Senate File No. 28: An Act changing times of holding Court in Fifth Judicial District.

Senate File No. 34: To provide for the better protection of the Southern Border of this State.

House File No. 10: An Act to amend Title IV of the Revision of 1860, so as to enable the qualified electors of this State, in the military service, to vote at certain elections.

House File No. 11: An Act to legalize appropriations made by the Boards of Supervisors, for the payment of bounties for enlistments, &c.

Senate File No. 27: To provide for selecting lands granted to State July 13, 1862.

Senate File No. 37: To provide for appointment of Sanitary Agents.

Senate File No. 26: Joint Resolution accepting grant of lands made to State of Iowa July 13th, 1862.

House File No. 36: To provide for publication and distribution of laws.

House File No. 22: To regulate the right of defense to suits on bonds, &c.

House File No. 27: To legalize certain acts of Town Council of McGregor.

House File No. 29: To legalize assessment of taxes in Iowa City.

House File No. 40: To provide for organization of militia.

Senate File No. 21: To create office of Assistant Adjutant General.

Senate File No. 8: To fix the salaries of certain officers.

House File No. 16: To amend Chapter 114, Acts Ninth General Assembly.

House File No. 28: An Act to confer additional powers on Boards of Supervisors.

House File No. 35: To provide for publication and distribution of Journals.

House File No. 1: To accept of grant of July 2d, for agricultural purposes.

House File No. 41: Making appropriations for mileage and per diem.

Senate File No. 35: To provide for acknowledgment of instruments by the soldiers.

House File No. 14 $\frac{1}{2}$: Supplemental to Chapter 51, Revision of 1860.

Senate File No. 39: Explanatory of Act for protection of North-West Frontier.

Senate File No. 32: To repeal Chapter 76, laws 9th Session.

House File No. 42: To change name of Buncombe County to Lyon.

Senate File No. 30: To provide compensation for Allotment Commissioners for Iowa.

J. M. SHAFFER,
Ch'n Senate Com.

On motion of Mr. Woodward, the Senate adjourned *sine die*.
W. F. DAVIS, Sec'y Senate.

I N D E X .

AMENDMENTS—

- To Senate File No. 3, 27.
- To Drafting Bill, 30
- To Senate file No. 31, 33.
- To Senate File No. 8, 42, 59.
- To House File No. 1, 42.
- To House File No. 10, 45.
- To House File No. 11, 47.
- To Senate File No. 36, 50.
- To Senate File No. 35, 52.
- To House File No. 29, 52.
- To House File No. 24¹/₂, 60.
- To House File No. 36, 61.
- To House File No. 40, 62.
- To Substitute for Senate File No. 33, 68.

BILLS INTRODUCED—

- Senate File No. 1, repeal of Dog Law, 9.
- Senate File No. 2, giving Soldiers the right to vote, 10.
- Senate File No. 3, Bill regulating the drafting of Militia, 11.
- Senate File No. 4, to amend Section 2, Chap. 173, Acts of 1862, 11.
- Senate File No. 5, giving Soldiers the right to vote, 12.
- Senate File No. 6, to accept grant of land, 12.
- Senate File No. 7, requiring District Attorneys to perform certain legal services, 12.
- Senate File No. 8, on Salaries in Hospital for Insane, 12.
- Senate File No. 9, to repeal Chapter 155, Laws of the 9th General Assembly, 12.
- Senate File No. 10, to amend Chapter 151, Laws of the 9th General Assembly, 13.
- Senate File No. 11, to amend Chapter 113, Acts of the 9th General Assembly, 15.
- Senate File No. 12, to prevent horse-racing, 15.
- Senate File No. 13, Auditing claims of J. Wiley and others, 19.

BILLS INTRODUCED—Continued.

- Senate File No. 14, Requirements from Drafting Commissioner, 19.
 Senate File No. 15, concerning Physician of Penitentiary, 19.
 Senate File No. 16, concerning Commissioners to re-lease Convict labor, 19.
 Senate File No. 17, to abolish office of Surgeon General, 20.
 Senate File No. 18, Assistant Surgeons to Batteries, 20.
 Senate File No. 19, on Indian troubles, 20.
 Senate File No. 20, for protection of Frontier, 20.
 Senate File No. 21, creating office of Assistant Adjutant General, 23.
 Senate File No. 22, to keep full Iowa Regiments, 25.
 Senate File No. 22 $\frac{1}{2}$, in relation to Militia Law, 26.
 Senate File No. 23, protecting Frontier from Indians, 27.
 Senate File No. 24, exempting property of Soldiers from levy, 31.
 Senate File No. 25, Electors to take oath of allegiance, 31.
 Senate File No. 26, accepting grant of lands, 31.
 Senate File No. 27, appointing agents to select lands, 31.
 Senate File No. 28, Courts in 5th Judicial District, 31.
 Senate File No. 29, protection to southern border, 31.
 Senate File No. 30, to provide compensation for Allotment Commissioners, 33.
 Senate File No. 31, to amend Section 855 of Revision, 33.
 Senate File No. 32, to meet extraordinary expenses of Executive Department, 34.
 Senate File No. 33, repeal of Dog Bill, 35.
 Senate File No. 34, for protecting southern border, 39.
 Senate File No. 35, in relation to acknowledgment of Deeds, 41.
 Senate File No. 36, relating to Supreme Courts, 50.
 Senate File No. 37, concerning Sanitary Agents, 64.
 Senate File No. 38, exemption from Draft, 64.
 Senate File No. 39, relative to North-western Frontier, 65.
 Substitute for Senate File No. 35, 67.

BILLS PASSED—

- Senate File No. 4, to amend Sec. 2. Chap. 173, Acts of 1862, 11.
 Senate File No. 9, 16.
 House File No. 3, legalizing proceedings of District Court in Clarke County, 17.
 House File No. 6, legalizing acts of E. Cummins, 17.
 House File No. 8, legalizing acts of M. Alison, 17.
 Senate File No. 13, auditing claims of J. Wiley, &c., 19.
 Senate File No. 19, on Indian troubles, 20.
 Senate File No 20, protection of Frontier, 20.

BILLS PASSED—Continued.

- Senate File No. 21, relating to Assistant Adjutant General, 23.
 Senate File No. 23, protecting Frontier, 29.
 Senate File No. 22, Bill to amend the Militia Law, 32.
 Senate File No. 10, to amend Chapter 151, Acts 9th General Assembly, 33.
 Senate File No. 31, to amend Section 855 of Revision, 34.
 Senate File No. 32, to meet expenses of Executive Department, 34.
 Senate File No. 16, re-leasing Convict labor, 35.
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