

JOURNAL

OF

THE SENATE

OF THE

FOURTEENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH ASSEMBLED AT THE CAPITOL, AT DES MOINES, JAN. 8, 1872.



DES MOINES:

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JOURNAL OF THE SENATE.

SENATE CHAMBER, DES MOINES, IOWA, }
January 8th, 1872. }

Pursuant to law, the Senate of the Fourteenth General Assembly of the State of Iowa, convened at 2 o'clock P. M., and was called to order by Lieutenant-Governor H. C. Bulis, who upon taking the chair addressed the Senate as follows:

Gentlemen of the Senate:—In behalf of the people of the State, I extend to you the hand of greeting and welcome you to this chamber wherein you are about to assume the duties and responsibilities attendant upon your admission to a membership in the legislative department of the State government. Permit me to congratulate you upon the peculiarly favorable circumstances under which you are here assembled—our National Government at peace with all the world and the people of the whole country prosperous and happy; there exists no cause for solicitude in regard to the continued welfare and prosperity of our democratic institutions, save only in so far as it is the duty, as it should be the pride and pleasure of every true patriot, to guard with jealous care the priceless boon of freedom and universal equality bequeathed to us by our Revolutionary forefathers, after having been consecrated by the baptism of blood.

The unexampled prosperity of our own State is a source of gratification and pride to our people, as it is of wonder and pride to those of other and less favored States. That our internal affairs have been wisely and honestly administered in the past is proven beyond the possibility of a doubt, by the rapidity with which we have progressed in all that makes a people great and powerful.

May it be your good fortune, by the wisdom of your legislative enactments, to perpetuate the fair fame of our noble State and to hasten the time when she shall stand in wealth and material prosperity as she now does in patriotism and devotion to freedom, first and foremost in the galaxy of stars that constitutes that glorious constellation to which the eyes of all nations are directed with longing gaze as the palladium of their hopes, free, united Republican America.

Wishing you a pleasant and harmonious session, and in the full confidence that the many important interests of the State will

receive your earnest and careful consideration, I now, by virtue of the authority in me vested, pronounce the Senate of the Fourteenth General Assembly in session.

Prayer by Rev. William J. Gill.

Senator Long moved that James M. Weart, of Buchanan county, be elected Secretary *pro tem.*, which was agreed to.

Senator Vale moved that Val. Mendal, of Monroe county, be elected Sergeant-at-arms *pro tem.*, which prevailed.

Senator Russell moved that Al. Swalm, of Greene county, be elected Postmaster *pro tem.*, which was agreed to.

On motion of Senator McNutt, W. M. Marshman, of Warren county, was elected Door-keeper, *pro tem.*

Senator Beardsley moved that Frank S. Rose, of Mahaska county, be elected Messenger *pro tem.*, which prevailed.

Senator Ireland moved that Willie Baker, of Polk county, be elected messenger *pro tem.*, which was agreed to.

On motion of Senator Stone, Charles Fenn, of Polk county, was elected Messenger, *pro tem.*

Senator McCoid moved that John N. Edwards, of Jefferson county, be elected Assistant Postmaster *pro tem.*, which was agreed to.

Senator Maxwell moved that George Bailey, of Dallas county, be elected assistant Doorkeeper, *pro tem.*

Senator West moved that the motion be laid on the table, which prevailed.

Senator Miles moved that Sampson Carter, of Polk county, be elected Janitor *pro tem.*, which prevailed.

Senator Lowry moved that a committee of five on credentials be elected, which was agreed to.

Senator McKean nominated Senator Lowry, as member of and chairman of the committee.

Senator Larrabee nominated Senator Atkins.

Senator Miles nominated Senator McNutt.

Senator Vale nominated Senator Hurley.

Senator Murray nominated Senator McKean.

The vote being taken *vive voce*, they were elected.

The roll of Senators holding over was then called, and the following were found to be present :

- 1st District—E. S. McCulloch.
- 2d District—Jacob G. Vale.
- 10th District—Charles Beardsley.
- 11th District—John P. West.
- 14th District—James S. Hurley.
- 16th District—Samuel McNutt.
- 17th District—J. W. Havens.
- 21st District—Benjamin F. Murray.
- 22d District—Robert Lowry.

- 22d District—H. R. Claassen.
- 23d District—Alexander B. Ireland.
- 27th District—Joseph Dysart.
- 28th District—Frank T. Campbell.
- 29th District—B. F. Allen.
- 31st District—John McKean.
- 48th District—Charles Atkins.

The roll of newly elected Senators was then called, and the following presented their credentials :

- 3d District—H. A. Wonn.
- 4th District—E. J. Gault.
- 5th District—Martin Read.
- 6th District—R. A. Dague.
- 7th District—Elisha T. Smith.
- 8th District—J. S. McIntyre.
- 9th District—John Y. Stone.
- 12th District—Moses A. McCoid.
- 13th District—J. H. Merrill.
- 15th District—Joseph D. Miles.
- 18th District—J. A. Young.
- 19th District—John L. McCormack.
- 20th District—Mark A. Dashiell.
- 24th District—John C. Chambers.
- 30th District—L. W. Stuart.
- 32d District—E. B. Kephart.
- 33d District—John Shane.
- 34th District—R. Howe Taylor.
- 36th District—Albert Boomer.
- 37th District—George W. Bemis.
- 38th District—John H. Leavitt.
- 39th District—Oliver W. Crary.
- 40th District—William Larrabee.
- 41st District—S. H. Kinne.
- 42d District—G. R. Willett.
- 43d District—Alonzo Converse.
- 44th District—John E. Burke.
- 45th District—George M. Maxwell.
- 46th District—E. A. Howland.
- 47th District—W. H. Fitch.
- 49th District—J. J. Russell.
- Absent—
- 26th District—James P. Ketcham.
- 25th District—Samuel H. Fairall.
- 35th District—B. B. Richards.

At two o'clock and twenty minutes, on motion of Senator Murray, the Senate adjourned until ten o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
January 9th, 1872. }

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

Prayer by the Rev. Wm. J. Gill.

Journal of yesterday read and approved.

Senator Lowry, from the Committee on Credentials, made the following report:

To the President and Senators of the Fourteenth General Assembly, State of Iowa:

Your Committee on Credentials ask leave to report that having examined the credentials of the following named Senators they find the same to be correct, viz:

- District No. 3—H. A. Wonn.
- District No. 4—E. J. Gault.
- District No. 5—Martin Reed.
- District No. 6—R. A. Dague.
- District No. 7—Elisha T. Smith.
- District No. 8—J. S. McIntyre.
- District No. 9—John Y. Stone.
- District No. 12—Moses A. McCoid.
- District No. 13—J. H. Merrill.
- District No. 15—Joseph D. Miles.
- District No. 18—J. A. Young.
- District No. 19—John L. McCormack.
- District No. 20—Mark A. Dashiell.
- District No. 24—John O. Chambers.
- District No. 26—James P. Ketcham.
- District No. 30—L. W. Stuart.
- District No. 32—E. B. Kephart.
- District No. 33—John Shane.
- District No. 34—R. Howe Taylor.
- District No. 36—Albert Boomer.
- District No. 37—G. W. Bemis.
- District No. 38—John H. Leavitt.
- District No. 39—Oliver W. Crary.
- District No. 40—William Larrabee.
- District No. 41—S. H. Kinne.
- District No. 42—G. R. Willett.
- District No. 43—Alonzo Converse.
- District No. 44—John E. Burke.
- District No. 45—George M. Maxwell.
- District No. 46—E. A. Howland.
- District No. 47—W. H. Fitch.
- District No. 49—John J. Russell.

Your committee further report that Col. John Shane, of the 33d District, is present without credentials, but we have satisfactory evidence that he has been duly elected, and would recommend that he be admitted to his seat.

Your committee will report further from time to time as credentials come in.

ROBERT LOWRY, *Chairman.*

Senator McNutt moved to adopt the report, which was agreed to.

The following oath was administered by the President, and subscribed to by the newly elected members:

You, and each of you, do solemnly swear that you will support the Constitution of the United States, and Constitution of the State of Iowa, and that you will faithfully discharge the duties of Senator to the best of your ability.

Senator Beardsley offered the following resolution which was adopted:

Resolved, That the Secretary of State be requested to furnish each member of the Senate with a copy of the Revision of 1860; also the Laws of Iowa since the Revision, and the journals of the two Houses of the Thirteenth General Assembly; also a copy of the report of the commission to revise the statutes.

Senator Vale offered the following resolution:

Resolved by the Senate, the House concurring, That the clergymen in charge of the churches in the city of Des Moines, be invited to officiate as chaplains of the Senate, and they make their own arrangements of the order in which they shall act.

Senator Maxwell moved to amend by adding that they have the pay of one Senator jointly, to be divided among themselves, which amendment was lost.

The resolution was then adopted.

Senator McKean moved to proceed to the election of permanent officers of the Senate, which motion prevailed.

Senator Vale nominated J. A. T. Hull, of Van Buren county, for Secretary.

Senator Kiune nominated John Ardrick, of Clayton county, for Secretary.

The roll was then called.

Those voting for J. A. T. Hull were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dethiell, Dysart, Finch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Young—42.

Those voting for John Ardrick were—

Senators Gault, Kinne, McCormack, McCulloch, Stuart, Wonn

Absent and not voting—

Senators Fairall and Richards—2.

Mr. Hull was then declared duly elected Secretary of the Senate.

Senator Fitch nominated W. L. Vestal, of Buena Vista county, for first Assistant Secretary.

Senator Stuart nominated James Sargent, of Jackson county, for first Assistant Secretary.

The roll was then called.

Those voting for W. L. Vestal were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burk, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, and Young.—Total, 42.

Those voting for James Sargent were—

Senators Gault, Kinne, McCormack, McCulloch, Stuart, and Wonn.—Total, 6.

Absent or not voting—

Senators Fairall and Richards.

Mr. Vestal was declared duly elected first Assistant Secretary of the Senate.

Senator Stone nominated C. V. Gardener, of Pottawattamie county, for second Assistant Secretary.

Senator McCormack nominated Frank Nofsker, of Marion county, for the same office.

The roll was then called.

Those voting for C. V. Gardener were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrell, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, and Young.—Total, 42.

Those voting for Frank Nofsker were:—

Senators Gault, Kinne, McCormack, McCulloch, Stuart, and Wonn.—Total, 6.

Absent or not voting—

Senators Fairall and Richards.

Mr. Gardener was declared duly elected Second Assistant Secretary of the Senate.

Senator Larrabee nominated A. F. Hoffer, of Fayette county, for Sargeant-at-Arms.

Senator Wonn nominated J. W. Caylor, of Davis county, for the same office.

The roll was then called.

Those voting for A. F. Hoffer were—

Senators Allen, Atkins, Beardaley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willet, and Young.—Total, 42.

Those voting for J. W. Caylor were—

Senators Gault, Kinne, McCormack, McCulloch, Stuart, and Wonn.—Total, 6.

Absent or not voting—

Senators Fairall and Richards.—2.

Mr. Hoffer was then declared duly elected Sargeant-at-Arms of the Senate.

Senator Howland nominated Fannie A. Richards, of Clay county, for Engrossing Clerk of the Senate.

Senator Kinne nominated M. B. Hendricks, of Allamakee county, for the same office.

The roll was then called.

Those voting for Fannie A. Richards were—

Senators Allen, Atkins, Beardaley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, and Young.—Total, 42.

Those voting for M. B. Hendricks were—

Senators Gault, Kinne, McCormack, Stuart, and Wonn.—5.

Absent or not voting—

Senators Fairall, McCulloch, and Richards—3.

Mias Fannie A. Richards was declared duly elected Engrossing Clerk of the Senate.

Senator Kephart nominated E. G. Stanley, of Linn county, for Enrolling Clerk of the Senate.

Senator McCulloch nominated A. Cartright, of Lee county, for the same office.

The roll was then called.

Those voting for E. G. Stanley were—

Senators Allen, Atkins, Beardaley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Young—42.

Those voting for A. Cartright were—

Senators Gault, Kinne, McCormack, McCulloch, Stuart, Wonn—6.

Absent or not voting—

Senators Fairall, and Richards—2.

Mr. Stanley was then declared duly elected Enrolling Clerk of the Senate.

Senator Dashiell nominated Wm. McMarshman, of Warren county, for Doorkeeper of the Senate.

Senator Kinne nominated Ed. Narville, of Jefferson county, for the same office.

The roll was then called.

Those voting for Wm. Marshman were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCord, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Taylor, Vale, West, Willett, Young—41.

Those voting for Ed. Narville were—

Senators Gault, Kinne, McCormack, McCulloch, Stuart, Wonn—6.

Absent or not voting—

Senators Fairall, Richards, and Stone—8.

Mr. Marshman was declared duly elected Doorkeeper of the Senate.

Senator McNutt nominated J. E. Guild, Warren county, for janitor of the Senate.

The roll was then called.

Those voting for J. E. Guild were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Reed, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, and Young.—Total, 42.

Absent or not voting—

Senators Fairall, Gault, Kinne, Larrabee, McCormack, McCulloch, Richards, Stuart, and Wonn.—Total, 9.

Mr. Guild was declared duly elected janitor of the Senate.

Senator Lowry offered the following resolution which was adopted:

Resolved, That Frank S. Rice, William L. Baker, and Eddie Long, be appointed messengers, and Miss Ida Stoughton and Mrs. E. M. Wright be appointed paper folders of the Senate.

Senator McNutt offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That Al. Swalm be elected Postmaster, J. N. Edwards, Assistant Postmaster, and Ezra Rathburn, mail carrier of the Fourteenth General Assembly.

Which was agreed to.

Senator Campbell moved that a committee of three be appointed to wait upon the Governor and notify him that the Senate is now organized, and ready to receive any communications which he may see proper to submit, which was agreed to, and the President appointed Senators Campbell, Beardsley, and McCulloch, as such committee.

Senator Murray offered the following resolution:

Resolved, That until otherwise ordered, the Senate be governed by the rules of the Thirteenth General Assembly, and that a standing committee on Congressional Districts be appointed.

The resolution was adopted.

Senator McNutt moved that a committee of two be appointed to inform the House that the Senate was organized and ready for business, which motion prevailed, and Senators McNutt and Boomer were appointed such committee.

INTRODUCTION OF BILLS.

By leave Senator Lowry introduced S. F. No. 1, A bill for an act to repeal an act of the Thirteenth General Assembly, chapter 102, to enable townships, incorporated towns, and cities to aid in the construction of railroads.

Read first and second time.

Senator Lowry moved to refer the bill to a special committee of one from each Judicial District, and that they report at 11 o'clock to-morrow.

The committee to wait upon the Governor reported that they had performed that duty, and that he would soon communicate with the Senate.

The consideration of the motion to refer S. F. No. 1 to a special committee was then resumed.

Senator Dashiell offered an amendment that the bill pass on file.

Senator Lowry demanded the yeas and nays.

The yeas were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Clausen, Crary, Dagne, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McIntyre, McKean, Merrill, Miles, Murray, Russell, Smith, Stone, Taylor, Vale, West, and Young—32.

The nays were—

Senators Allen, Bemis, Burke, Converse, Gault, Kephart, Lowry, McCoid, McCormack, McCulloch, McNutt, Read, Shane, Stuart, Willett, and Worn—16.

Absent or not voting—

Senators Fairall and Richards—2.

So the amendment was adopted and the motion as amended agreed to.

Senator McKean offered the following resolution, which was adopted:

Resolved by the Senate, the House concurring, That the Senate will meet the House in joint convention for the purpose of canvassing the vote for Governor and Lieutenant-Governor, on Wednesday, January 10th, at 10 o'clock A. M.

The following resolution, offered by Senator Maxwell, was not agreed to:

Resolved, That any and all documents belonging to the Senate be equally divided among the members, and placed in the hands of the postmaster and distributed to the Senators.

Senator Ketcham offered the following resolution:

Resolved, That each member of the Senate be allowed two daily papers, or their equivalent in weeklies.

Senator McCormack moved to amend by adding "*provided, they pay for them themselves.*"

Senator Murray moved to strike out "two" and insert "twenty-five," which motion prevailed.

The question being on the adoption of the resolution as amended, Senator Campbell demanded the yeas and nays.

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Claussen, Converse, Crary, Dague, Dysart, Havens, Howland, Ireland, Kephart, Leavitt, Lowry, McIntyre, McKean, McNutt, Murray, Russell, Smith, Stone, Stuart, Taylor, and Willett. Total, 26.

The nays were

Senators Beardsley, Campbell, Chambers, Dashiell, Fitch, Gault, Hurley, Ketcham, Kinne, Larrabee, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Read, Shane, Vale, West, Wonn, and Young.—22.

Absent or not voting

Senators Fairall and Richards.—2.

So the resolution was adopted.

The following resolution, offered by Senator Ireland, was adopted:

Resolved, That until otherwise ordered this Senate meet at 10 o'clock A. M., each day.

Senator Allen offered the following resolution, which was agreed to:

Resolved, That I. N. Mills be allowed to keep a fruit stand in the vestibule of the two Houses, so to be occupied as not to interfere with the passage ways.

At 11 o'clock and 30 minutes A. M., on motion of Senator McNutt, the Senate adjourned until 2 o'clock P. M.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment, the President in the chair.

Senator McNutt offered the following resolution, which was agreed to :

Resolved, That the President of the Senate be allowed the same number of papers, and the same amount of postage and stationery as a Senator ; and that the officers of the Senate be allowed five daily papers, and one dollar and a-half in postage stamps, per week, and each newspaper reporter be furnished with the amount of stationery necessary to make out their reports.

Senator Dysart offered the following resolution, which was adopted :

Resolved, That the Congressional District Committee be constituted of one Senator from each Judicial District.

Senator Lowry, from the Committee on Credentials, made a further report that Samuel H. Fairall, Senator elect from Johnson county, was present without credentials, and moved that Senator Fairall be admitted and sworn in.

The motion prevailed, and Senator Fairall took and subscribed to the oath of office.

The following resolution was offered by Senator McNutt :

Resolved, That a committee of five be appointed on mileage.

The resolution was adopted, and Senators McNutt, Willett, Stuart, McKean and Russell were appointed such committee.

On motion of Senator Murray, at two o'clock and fifteen minutes P. M. the Senate adjourned till ten o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
January 10th, 1872. }

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

On motion of Senator McNutt, Senator Lowry was elected temporary President.

Prayer by Rev. Wm. J. Gill.

A committee from the House announced that that body was organized and ready to proceed to business.

Journal of yesterday read and approved.

Senator Atkins, from the Committee on Credentials, made the following report:

To the President and Senators of the Fourteenth General Assembly of the State of Iowa:

The committee appointed on Credentials ask leave to report that having examined the credentials of B. B. Richards, 35th District, find the same to be correct, and recommend that he be admitted to a seat in this Senate.

CHAS. ATKINS, *Chairman.*

On motion of Senator McNutt the report was adopted, and Senator Richards took and subscribed to the oath of office.

Frank S. Rice, messenger, was sworn in.

The Governor's biennial message and reports of State officers were received of the hands of his private Secretary, Wm. H. Fleming, and laid upon the President's table.

Senate McNutt from the Committee on Mileage, submitted the following report:

Your committee appointed to ascertain the amount of mileage due each member of the Senate, have performed that duty as near as possible according to the provisions of Chapter 155 of the laws of the Twelfth General Assembly, and respectfully submit their report of the same:

NAME OF SENATOR.	DISTRICT.	AMOUNT.
E. S. McCulloch	1	\$ 54.00
J. G. Vale	2	45.00
H. A. Wonn	3	38.00
E. J. Gault	4	45.00
Martin Read	5	80.00
R. A. Dague	6	18.00
E. T. Smith	7	75.00
J. S. M. Intyre	8	84.00
J. Y. Stone	9	60.00
C. Beardsley	10	48.00
J. P. West	11	42.00
M. A. McCoid	12	39.00
J. H. Merrill	13	30.00
J. S. Hurley	14	60.00
J. D. Miles	15	66.00
Samuel McNutt	16	54.00
J. W. Havens	17	35.00
J. A. Young	18	20.00
J. L. McCormack	19	17.00
M. A. Dashiell	20	6.00
B. F. Murray	21	12.00
Robert Lowry	22	54.00
H. R. Claussen	22	54.00
A. B. Ireland	23	81.00

NAME OF SENATOR.	DISTRICT.	AMOUNT.
J. C. Chambers.....	24.....	44.00
S. H. Fairall.....	25.....	89.00
J. P. Ketcham.....	26.....	27.00
J. Dyar.....	27.....	66.00
F. T. Campbell.....	28.....	12.00
B. F. Allen.....	29.....	8.00
L. W. Stuart.....	30.....	81.00
J. McKean.....	31.....	60.00
E. B. Kephart.....	32.....	60.00
John Shane.....	33.....	60.00
R. H. Taylor.....	34.....	39.00
B. B. Richards.....	35.....	82.00
A. Boomer.....	36.....	75.00
Geo. W. Bemis.....	37.....	66.00
J. H. Leavitt.....	38.....	60.00
O. W. Crary.....	39.....	98.00
W. Larrabee.....	40.....	90.00
S. H. Kinne.....	41.....	111.00
G. R. Willett.....	42.....	83.00
A. Converse.....	43.....	60.00
J. E. Burke.....	44.....	62.00
G. M. Maxwell.....	45.....	9.00
E. A. Howland.....	46.....	54.00
W. H. Fitch.....	47.....	27.00
C. Atkins.....	48.....	63.00
J. J. Russell.....	49.....	18.00
Lieutenant Governor Bulis.....		90.00

SAMUEL McNUTT, *for Committee.*

On motion of Senator *Wale*, the report was adopted.

Senator *McKean* moved to reconsider the vote by which the Senate yesterday adopted the concurrent resolution to meet the House in joint convention at 10 o'clock A. M., to-day, for the purpose of canvassing the votes cast at the General Election, October 10th, 1871, for Governor and Lieutenant Governor, which motion prevailed.

Senator *McNutt* moved to amend the resolution by adding "and 35 minutes" after the word "o'clock," which motion was agreed to.

Senator *Ireland* offered the following resolution:

Resolved, That until otherwise ordered the Senate will hold but one session each day, and that in the forenoon.

The resolution was adopted.

The hour for proceeding to the Hall of the House having arrived, Senators *McNutt* and *Kephart* were appointed tellers on the part of the Senate.

Senator *McNutt* moved that the Senate do now proceed to the

Hall of the House of Representatives, pending which, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has amended the joint resolution of the Senate to meet the House in joint convention, to canvass the votes for Governor and Lieutenant-Governor, to read Wednesday, January 10th, at 11 o'clock A. M.

JOHN J. SAFELEY, *Chief Clerk.*

Senator Vale moved that the Senate concur in the House amendment to the concurrent resolution, which motion prevailed.

A committee from the House announced that the House was ready to receive the Senate in joint convention, for the purpose of canvassing the votes for Governor and Lieutenant-Governor.

At 11 o'clock Senator McNutt moved that the Senate proceed to meet the House in joint convention.

The motion prevailed and the Senate proceeded to the Hall of the House of Representatives.

SENATE AND HOUSE OF REPRESENTATIVES, }
IN JOINT CONVENTION, JAN. 10th, 1872. }

Senator Lowry, President, *pro tem.*, of the Senate, in the chair, who called the joint convention to order, and announced that the convention had met to canvass the votes for Governor and Lieutenant-Governor of the State of Iowa and to declare the result, and that Senators McNutt and Kephart had been appointed tellers on the part of the Senate.

The Speaker announced that Messrs. Teale and Beresheim were appointed tellers on the part of the House.

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

On motion of Mr. Kasson, the joint convention took a recess till 2 o'clock P. M.

2 O'CLOCK, P. M.

Joint convention called to order by the President, *pro tem.*, when the canvass was concluded with the following result:

FOR GOVERNOR.

Whole number of votes cast.....	177,380
Of which Cyrus C. Carpenter received.....	109,128
Of which Joseph C. Knapp received.....	68,226
Scattering.....	26

LIEUTENANT-GOVERNOR.

Whole number of votes cast.....	177,247
Of which Henry C. Bulis received.....	108,858
Of which M. M. Ham received.....	68,388
Scattering.....	1

Whereupon the President *pro tem.* announced Cyrus C. Carpenter duly elected Governor of the State of Iowa, for the term of two years from the second Monday in January, 1872, and Henry C. Bulis, duly elected Lieutenant-Governor of the State of Iowa, for the term of two years from the second Monday in January, 1872, they having received a majority of all the votes cast at the election in October last (1871), and certificates of their election were read and signed as follows:

REPRESENTATIVE'S HALL, }
Des Moines, Iowa, January 10, 1872. }

This is to certify, That upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1871, for the office of Governor of the State of Iowa, it appeared that Cyrus C. Carpenter received a majority of all the votes cast at said election, for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention this tenth day of January, A. D. 1872.

ROBERT LOWRY,
President pro tem. of the Senate.
JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAMUEL McNUTT,
E. B. KEPHART,
Tellers of the Senate.

FRED. TEALE,
JOHN BERRSHEIM,
Tellers of the House of Representatives.

REPRESENTATIVE'S HALL, }
Des Moines, Iowa, January 10, 1872. }

This is to certify, That upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1871, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Henry C. Bulis received a majority of all the votes cast at said election for said office, and was therefore declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this tenth day of January, A. D. 1872.

ROBERT LOWRY,
President pro tem. of the Senate.
JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAMUEL McNUTT,
E. B. KEPHART,
Tellers on part of Senate.

FRED. TEALE,
JOHN BERSHEIM,
Tellers on part of House of Representatives.

Mr. O'Donnell moved that the joint convention do now rise.
Which motion prevailed, and the joint convention dissolved.

FORTY MINUTES PAST THREE O'CLOCK.

The Senate having returned to its chamber, was called to order by the President *pro tem.*

The Governor's biennial message was taken up, and on motion of Senator McNutt the reading was dispensed with.

Senator McIntyre offered the following resolution, which was adopted :

Resolved, That the Secretary of State be requested to procure lithograph letter heads for the use of the Senate.

Senator Maxwell offered the following resolution, which was agreed to :

Resolved by the Senate, That there be printed of the Governor's biennial message, 1,000 copies in the English language, 1,000 copies

in the Norwegian language, 1,500 copies in the German language, 500 copies in the Bohemian language, 700 copies in the Swedish language, 500 copies in the Holland language ; provided, however, that it shall not be printed in the Holland language unless it can be done within the State.

MESSAGE FROM THE HOUSE.

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 resolution, in which the concurrence of the Senate is asked :

Resolved by the House of Representatives the Senate concurring, That 'Squire Smith, late of the Sixtieth U. S. Colored Infantry, be appointed Mail Carrier for the Fourteenth General Assembly, during its present session.

Also, that the House has refused to concur in the concurrent resolution of the Senate, appointing Ezra Rathburn, Mail Carrier of the Fourteenth General Assembly, and has appointed a Committee of Conference on the part of the House, consisting of Messrs. Butler, Stedman and Irish.

Also, the following resolution, in which the concurrence of the Senate is asked :

Resolved by the House of Representatives, the Senate concurring, The two Houses will meet in joint convention on Thursday, the eleventh inst., at half-past two o'clock P. M., for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

JOHN J. SAFELY, *Chief Clerk.*

On motion of Senator Miles, House messages were taken up

Senator Miles moved that the Senate adhere to its resolution in relation to Mail Carrier, and that a Committee of Conference be appointed ; which motion prevailed, and Senators Miles and Kinne were appointed such committee.

On motion of Senator Dashiell the Senate concurred in the House resolution, in relation to the inauguration of the Governor and Lieutenant Governor elect.

At three o'clock and forty minutes, on motion of Senator Dashiell, the Senate adjourned till ten o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
 January 11, 1872. }

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

On motion of Senator Larrabee, Senator Lowry was elected temporary chairman.

Prayer by the Rev. L. M. Walters.

Journal of yesterday read and approved.

Senator Fairall offered the following resolution:

Resolved, That there be appointed a committee of three to arrange for the inauguration of the Governor and Lieutenant Governor, which was adopted, and Senators Fairall, Dysart and Leavitt appointed as such committee.

A communication was received from the Governor, which was laid upon the President's table.

Senator Dysart moved that when the Senate adjourn it be until 2 o'clock p. m., which motion prevailed.

On motion of Senator Vale at 20 minutes past 10 o'clock the Senate adjourned.

2 O'CLOCK, P. M

The Senate convened pursuant to adjournment.

On motion of Senator Richards the Senate took a recess until five minutes before half past 2 o'clock.

2 O'CLOCK AND 25 MINUTES.

Senate re-assembled.

A committee from the House announced that the House was now ready to meet the Senate in joint convention for the purpose of inaugurating the Governor and Lieutenant Governor elect.

On motion of Senator McNutt the Senate proceeded to the House of Representatives.

Senator Lowry, President *pro tem* of the Senate, announced the meeting of the joint convention for the purpose of inaugurating the Governor and Lieutenant Governor elect.

On motion of Mr. Kasson a committee of three—one from the Senate and two from the House—was appointed to notify the

Governor and Lieutenant Governor elect that the joint convention was ready to receive them.

Senator Lowry, President *pro tem* announced as such committee Messrs. Kasson and Caldwell and Senator Leavitt.

On motion of Mr. Beresheim the supreme judges, the United States Senator, and the United Senator elect, and the State officers, were invited to seats on the platform.

The President *pro tem* appointed appointed Messrs. Beresheim and O'Donnell and Senator Willett as such committee.

The Sergeant-at-Arms announced the Governor and Lieutenant Governor elect, the Supreme Judges, United States Senators and and State officers, who came in and took seats on the platform.

INAUGURATION CEREMONIES.

Prayer by the Rev. Frisbee, D.D.

Music by the band.

The oath of office was then administered to the Governor and Lieutenant Governor elect, by Senator Lowry, President *pro tem* of the joint convention.

Music by the band.

Governor Carpenter then proceeded to deliver his inaugural address.

The Senate having returned to its chambers, was called to order by the President *pro tem*.

Senator Fairall moved that when the Senate adjourn it be until Monday the 15th inst., at 10 o'clock A. M., which motion prevailed.

Senator Ireland moved that a committee of two be appointed to confer with the Lieutenant Governor and ascertain at what time it would suit his pleasure and convenience to assume the duties of presiding officer of the Senate.

The motion prevailed, and Senators Ireland and Miles were appointed as such committee.

The committee appointed to wait on the Lieutenant Governor reported that they had preformed that duty, and that he would assume his duties as presiding officer of this body on Monday next at 10 o'clock A. M.

On motion of Senator Larrabee the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 15, 1872. }

The Senate convened pursuant to adjournment, and was called to order by the Secretary.

On motion of Senator Larrabee, Senator Fairall was chosen temporary President.

Prayer by the Rev. Mr. Frisbee.

Journal of Thursday read and approved.

Senator Larrabee moved that a committee of three be appointed to conduct the Lieutenant Governor to the chair, which motion prevailed, and Senators Larrabee, Kinne and Dashiell were appointed such committee.

The committee immediately reported by presenting the Lieutenant Governor, who, on taking the chair, addressed the Senate as follows:

SENATORS:—Called by the partiality of the people of this State, to again preside over the deliberations of your honorable body, I feel deeply impressed with a sense of the responsibilities of the position, and ask your full sympathy, and the same kind consideration that has characterized our intercourse in the past. Claiming neither superior fitness for the place, nor arrogating to myself a more profound knowledge of the laws and practices governing legislative assemblies, than that possessed by yourselves, I shall endeavor, by a close attention to the proceedings of the Senate, and a firm and impartial enforcement of the rules, to facilitate the disposal of the business coming before you, not forgetting, however, that the great purpose of all rules is to subserve the will of the Assembly, rather than restrain it—entirely confident of your ability and desire to satisfactorily and faithfully discharge the important trusts confided to you by your several constituencies, I refrain from any and all suggestions relative to your duties as legislators. Conscious of my obligations to the people of the State for the honors so generously bestowed upon me, and deeply gratified for the many warm expressions of sympathy and condolence from all sections in my recent severe affliction, I desire to improve this opportunity of returning my earnest and heartfelt thanks to each and all for the interest so impressively expressed for my welfare. Believing that your efforts to sustain and advance the interests of our young and growing State will be crowned with all the success that earnest endeavor is sure to achieve, I will now enter upon the discharge of my official duties by announcing the Standing Committees for the session:

STANDING COMMITTEES.

Ways and Means—Senators Larrabee, McNutt, Dysart, McKean, Allen, Havens, Leavitt, McCulloch, Crary.

Judiciary—Senators Hurley, McKean, Claussen, Fairall, Burke, Willett, Stone, Russell, McCoid.

Federal Relations.—Senators Murray, Havens, Beardsley, Dague, McCormack.

Constitutional Amendments—Senators Shane, Claussen, Kinne, Converse, McNutt, Murray, Willett.

Schools—Senators Beardsley, Ketcham, Chambers, Staurt, Boomer, Miles, Kephart.

Agriculture—Senators West, Vale, Maxwell, McCulloch, Crary, Bemis, McNutt.

County and Township Organizations—Senators Havens, Campbell, Wonn, Smith, Young, Dashiell, Fitch, Larrabee.

Railroads—Senators Lowry, Murray, Beardsley, Campbell, Crary, Allen, West, Dysart, Taylor, McIntyre, Richards, Smith, Burke.

State University—Senators Ireland, Beardsley, Fairall, Claussen, Shane, Kephart, Boomer.

Military—Senators Campbell, Murry, Stone, Converse, McCormack, Read, Boomer.

Elections—Senators McNutt, Hurley, Atkins, Stuart, Young.

Claims—Senators Ketcham, Ireland, Stuart, Allen, Smith.

Banks—Senators Allen, Leavitt, Richards, McIntyre, Chambers.

Commerce—Senators McKean, Atkins, Campbell, Larrabee, Lowry.

Public Buildings—Senators Bemis, McKean, Allen, Stone, Gault.

Charitable Institutions—Senators Leavitt, West, Kephart, Dague, Vale, McCulloch, Shane.

Medical Institutions—Senators Boomer, Miles, Dashiell, Ireland, Taylor.

Incorporations—Senators Burke, Wonn, Merrill, Smith, Howland.

Manufactories—Senators Willett, Atkins, Larrabee, Stuart, Fitch.

Printing—Senators Dague, Beardsley, Read, McCormack, Havens.

Public Lands—Senators McCoid, Taylor, Kinne, McNutt, Bemis.

Internal Improvements—Senators Miles, Howland, Leavitt, Ketcham, Ireland.

Roads—Senators Fitch, Stuart, Gault, West, Converse.

New Counties—Senators McIntyre, Atkins, Richards, Fairall, Chambers.

County Boundaries—Senators Read, McCulloch, Dashiell, Merrill, Wonn.

State Library—Senators Dysart, Claussen, Shane.

Engrossed Bills—Senators Young, Ketcham, Wonn.

Enrolled Bills—Senators Converse, Fitch, Kinne.

Congressional Districts—Senators Stone, Murray, Hurley, Read, Fitch, Havens, Ireland, McKean, Bemis, Larrabee, Howland Burke.

Senatorial Districts—Senators Atkins, Richards, Converse, Burke, Stone, Smith, Howland, Dysart, Murray.

Representative Districts—Senators Russell, Vale, Read, Gault, Kephart, Dague, Crary, Chambers, Maxwell.

Orphan's Home—Senators Claussen, McCoid, McCormack, Willet, Stone, Leavitt, Shane, Read, Campbell.

Horticulture and Forestry—Senators Vale, West, Boomer, Stuart, Lowry.

Penitentiary—Senators Taylor, McKean, Miles, Beardsley, Wonn.

Reform School—Senators Dashiell, West, Vale, McCulloch, McCoid.

Suppression of Intemperance—Senators Kephart, Chambers, Claussen, Dague, Gault.

Agricultural College—Senators Maxwell, Dysart, McNutt, Kinne, McIntyre.

Compensation of Public Officers—Senators Chambers, Havens, Maxwell, Fairall, Young, Hurley, Lowry.

INTRODUCTION OF BILLS.

By Senator McKean: S. F. No. 2, A bill for an act to change the times of holding District Courts in the Eighth Judicial District of Iowa.

Read first and second time, and referred to committee composed of Senators from the Eighth Judicial District.

By Senator Beardsley: S. F. No. 3, A bill for an act to repeal an act entitled "An act to authorize the improvement of streets and alleys."

Read first and second time, and referred to Committee on Incorporations, and ordered printed.

By Senator Beardsley: S. F. No. 4, A bill for an act to authorize the appointment of short-hand reporters in District and Circuit Courts.

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

By Senator Shane: S. F. No. 5, A bill for an act to provide for establishing Superior Courts in cities of a certain grade.

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

By Senator McNutt: S. F. No. 6, A bill for an act to legalize certain conditions regarding the voting of aid to railroads, and to provide that taxes levied to aid in the construction of railroads shall not become delinquent until the conditions are complied with.

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

By Senator Fitch: S. F. No. 7, A bill for an act to legalize the organization of certain townships in Dickinson county.

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

RESOLUTIONS.

Senator Dysart offered the following resolution, which was adopted:

Resolved, That the rules of the last Senate be the standing rules of this Senate, and that the Chief Clerk is instructed to have five hundred copies printed for the use of members; and have attached to said rules the names, age, weight, occupation, county, postoffice address, length of time in the State, religion, nativity, arm of the service, and boarding place of members of the Senate; also a diagram of the Senate Chamber attached to said rules, and lists of the Standing Committees of the Senate.

Senator Vale offered the following resolution:

Resolved by the Senate, That the Secretary of State be requested to furnish the Secretary of the Senate whatever postage stamps may be necessary for sending off orders for newspapers and official letters.

The resolution was agreed to.

Senator Fairall offered the following resolution which was adopted:

Resolved, That the Secretaries of the Senate are hereby allowed five daily papers or their equivalent in weeklies, in addition to those provided for in a former resolution of the Senate.

The following concurrent resolution, offered by Senator Maxwell, was agreed to.

Resolved by the Senate, the House of Representatives concurring, That so much of the Governor's inaugural address as refers to the Des Moines river lands, be referred to a joint committee composed of the Senators and Representatives from the counties of Polk, Boone, Webster, and Hamilton, and that said committee have liberty to report by bill or otherwise.

Senator Vale offered the following:

Resolved, That the Ways and Means Committee be requested to prepare and report a bill for the equalization of taxes, as between real estate, moneys, and credits, and the property of railroad corporations.

The resolution was adopted.

Senator McNutt offered the following preamble and resolution, which was agreed to:

WHEREAS, Capitol Hill is underlaid with strata of coal, and miners are constantly taking out the same; and

WHEREAS, There is danger that the property of the State may be undermined and the site of the Capitol buildings seriously injured by excavating for coal; therefore

Resolved by the Senate and House of Representatives, That the Census Board are hereby directed to take whatever steps may be necessary to prevent mining underneath the State property, and to stop the taking out coal from under the same.

Senator McKean offered the following concurrent resolution, which was agreed to :

Resolved by the Senate, the House concurring, That of all documents ordered printed by either branch of the General Assembly, which would otherwise appear in the journals, the State Printer shall print five hundred additional copies, which additional number shall be retained by the State Binder, who shall bind the same with the legislative documents, required to be bound together by section two, chapter one hundred and fourteen, of the laws of the Tenth General Assembly ; and such documents shall be excluded from the journals of the Houses of the General Assembly.

Senator Miles, from the Committee of Conference, in reference to Mail Carrier, submitted the following report :

The Committee of Conference, to whom was referred the question of disagreement in regard to Mail Carrier of this General Assembly, have instructed me to report that they have *unanimously* agreed to recommend that each House recede from its resolution, and that H. C. Russell be appointed to that office.

J. D. MILES, *for Committee.*

The report was adopted.

The report of Col. John M. Dewey, Commissioner to settle the war claims of the State of Iowa against the United States, was taken from the President's table, read, and, on motion of Senator Larrabee, was ordered printed and referred to the Committee on Ways and Means.

The Governor's biennial message was taken from the President's table and the various portions referred to committees, as follows :

Finance—Committee on Ways and Means.

Indebtedness—Committee on Ways and Means.

Public Lands—Committee on Public Lands.

Common Schools—Committee on Schools.

The State University—Committee on State University.

Permanent School Fund—Committee on Schools.

The Library—Committee on State Library.

Military Matters—Committee on Military Affairs.

Claims Against the General Government—Committee on Ways and Means.

Blind, Institution for the Deaf and Dumb, and Hospitals for the Insane—Committee on Charitable Institutions.

Agricultural College—Committee on Agricultural College.

Soldiers' Orphans' Homes—Committee on Soldiers' Orphans' Homes.

Penitentiary of the State—Committee on Penitentiary.

Reform School—Committee on Reform School.

State Historical Society—Committee on State University.

Immigration—Committee on Ways and Means.

The New Capitol—Committee on Public Buildings.

The Geological Survey—Committee on Ways and Means.

Railroads—Committee on Railroads.

Census and Apportionment—Committee on Congressional Districts.

Reunion of Iowa Soldiers—Committee on Military Affairs.

Fox and Wisconsin Rivers Improvement—Committee on Commerce.

Centennial Celebration—Committee on Federal Relations.

Constitutional Convention and Amendments—Committee on Constitutional Amendments.

Codification of the Laws—Committee on Judiciary.

Vacancies in Office—Committee on Judiciary.

Road Laws—Committee on Roads.

Insurance—Committee on Incorporations.

Counties and Cities—Committee on Incorporations.

Miscellaneous—Committee on Ways and Means; except that part in relation to *Savings Banks*, which was referred to the Committee on Banks.

At eleven o'clock, on motion of Senator McCulloch, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, {
January 16, 1872. }

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

Prayer by the Rev. Mr. Frisbee.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked:

H. F. No. 2, A bill for an act fixing the time for holding the District Courts in the Eleventh Judicial District of Iowa.

Also, that the House has adopted the report of the Committee of

Conference in relation to the appointment of H. C. Russell as mail-carrier of the 14th General Assembly.

Also, requested that the Senate return to the House of Representatives the concurrent resolution of the Senate in relation to the appointment of postmaster, assistant postmaster, and mail-carrier of the 14th General Assembly.

JOHN J. SAFELEY, *Chief Clerk.*

Senator Larrabee asked and obtained leave of absence for Senator Richards till to-morrow.

The President presented a communication from the President of the State Temperance Society, inviting the members of the Senate to attend a meeting of said Society, to be held in Des Moines, at 2 o'clock P. M. on the 17th inst., which communication was read by the Secretary.

PETITIONS AND MEMORIALS.

Senator Converse presented a petition from O. S. Newcomb and others, asking for the repeal of chapter 102 of the laws passed by the 13th General Assembly.

Referred to Committee on Railroads.

Senator Burke presented a petition from M. S. Miles and others, asking for the repeal of the same law.

Referred to same Committee.

Senator Ireland presented a petition from A. M. Finch and others, asking for the passage of a law to prevent the growth of a weed known as "cuckleburr."

Referred to the Committee on Agriculture.

Also a petition from the Board of Supervisors of Clinton county, in relation to the title to certain swamp lands in said county.

Referred to Committee on Judiciary.

Senator Chambers presented a petition from Elisha Negus and others, in relation to certain school taxes in the Independent School District of Springdale, Cedar county, Iowa.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Dysart: S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of Chapter 26 of the laws of the Thirteenth General Assembly, entitled "An Act to restrain stock from running at large."

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

By Senator Campbell: S. F. No. 9, A bill for an act to prevent unjust discrimination and extortions in the rates to be charged by

the different Railroad Companies in the State of Iowa, for the transportation of freight on said roads.

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

By Senator Shane: S. F. No. 10, A bill for an act to legalize the organization of the Shilo Presbyterian church, in Benton county, Iowa.

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

By Senator McIntyre: S. F. No. 11, A bill for an act to protect the people of Iowa from empiricism and imposition in the practice of medicine and surgery.

Read first and second time, and referred to Committee on Medical Institutions, and ordered printed.

By Senator Merrill: S. F. No. 12, A bill for an act to legalize the official acts of H. B. Hendershott, a Notary Public.

Read first and second time.

On motion of Senator Merrill the 11th rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dy-sart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, Young—47.

The nays were none.

Absent or not voting—

Senators Havens, McCoid and Richards—3.

So the bill passed and the title was agreed to.

Senator Lowry moved that S. F. No. 1, A bill for an act to repeal chapter 102 of the laws of the Thirteenth General Assembly to enable townships, incorporated towns and cities to aid in the construction of railroads, be taken from the files and referred to the Committee on Railroads.

Senator Campbell offered an amendment that the bill be referred to the Committee on Judiciary.

The amendment was adopted and the motion as amended agreed to.

RESOLUTIONS.

Senator Lowry offered the following concurrent resolution, which was adopted:

Resolved by the Senate, the House concurring, That the two houses meet in joint convention on Wednesday, January 17, 1872,

at 12 o'clock, meridian, in accordance with the act of Congress, approved July 25, 1866, for the purpose of hearing the journals of the Senate and House of Representatives compared in relation to the election of United States Senator and for other purposes required by said act of Congress.

Senator McNutt offered the following resolution:

Resolved, That the thanks of the Senate be tendered to Hon. Robert Lowry, President *pro tem.*, for the impartial and efficient manner in which he has discharged the duties devolving upon him.

The resolution was unanimously adopted.

The following resolution, offered by Senator Russell, was agreed to:

Resolved, That a standing committee of seven be appointed on Judicial Districts.

Senator McKean offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That there shall be printed for the use of the committees of this General Assembly, one thousand blank reports of committees of the following form:

..... File No.
 Report of Committee
 Mr.
 Your Committee on.....,
 to whom was referred the following bill: File No. ... ,
 A bill for an act.....

 beg leave to report that they have had the same under considera-
 tion and have instructed me to report the same back to the.....
, with the recommendation that it.....

The resolution was adopted.

Senator Hurley offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That there be appointed a joint committee consisting of five members of the Senate, and a like number of the House, whose duty it shall be to examine and report to their respective houses the most practicable, judicious, and expeditious manner of considering the report and the statutes as revised and re-written by the commission created by chapter 75 of the laws of the Thirteenth General Assembly.

Senator Read moved to amend by referring to the Judiciary Committees of the two houses.

The amendment did not prevail.

Senator Burke offered an amendment to limit the committee to the consideration of parts one and two of the report of the Commissioners.

The amendment was lost.

The resolution was then adopted.

Senator Miles offered the following concurrent resolution, which was agreed to:

Resolved by the Senate, the House concurring, That committees consisting of one member of the Senate and two members of the House, be appointed to visit each of the following State Institutions, and report upon their management and wants:

Penitentiary.

Insane Asylum at Mt. Pleasant.

Insane Asylum at Independence.

Deaf and Dumb Asylum.

Blind Asylum.

Each of the three Soldiers' Orphans' Homes.

State University.

Agricultural College and Farm.

Reform School.

COMMUNICATIONS.

The President submitted a communication from the Governor in relation pardons.

On motion of Senator Larrabee, reading was dispensed with and the communication was ordered printed.

The President also presented the following communication from the Governor:

STATE OF IOWA, EXECUTIVE DEPARTMENT, }
Des Moines, Jan., 1872. }

Gentlemen of the Senate and House of Representatives:

I have the honor to submit herewith a statement of the contingent fund of this office, up to January 1st, 1872:

Balance in my hands, March 31st, 1870.....	\$	29	05
Amount drawn from State Treasury.....		1900	67
		<hr/>	
Total	\$	1929	72
Amount expended .. .	\$	1768	62
Balance in my hands (paid to my successor).....		161	10
		<hr/>	
Total	\$	1929	72

Whole amount of appropriation by 13th General Assembly \$ 2000 00

Amount drawn as above from State Treasury.....	\$ 1900 67
Amount undrawn	99 83
	\$2000 00

Of the amount drawn from the Treasury \$860 was expended for traveling expenses, \$736 for clerk hire, and the remainder, \$173.62, was paid out for various contingent expenses of the office.

Vouchers for all these items may be found on file in this department.

[Signed.]

SAMUEL MERRILL, *Governor.*

Ordered that the communication pass on file.

Pursuant to "an act to regulate the times and manner of holding elections for Senators in Congress," approved July 25th, 1866, on motion of Senator Lowry, the Senate proceeded to name a person for Senator in Congress, for the term commencing March 4th, 1873.

Senator McNutt nominated William B. Allison, of Dubuque county.

Senator McCormack nominated Joseph C. Knapp, of Van Buren county.

The roll was called with the following result:

Whole number of votes cast.....	49
Of which Mr. Allison received.....	42
Of which Mr. Knapp received.....	7

Whereupon William B. Allison, having received a majority of all the votes cast, was declared to be the choice of the Senate for Senator in Congress for the term commencing March 4, 1873.

Those voting for Mr. Allison were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Young—42.

Those voting for Mr. Knapp were—

Senators Fairall, Gault, Kinne, McCormack, McCulloch, Stuart, Wonn—7.

Absent or not voting—

Senator Richards—1.

On motion of Senator Taylor, House messages were taken up.

H. F. No. 2, "A bill for an act fixing the time for holding the District Courts in the Eleventh Judicial District of Iowa," was taken up, read a first and second times.

On motion of Senator Fitch, the 11th rule was suspended, and the bill read a third time.

On the question " Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dyart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, Young—45.

The nays were none.

Absent or not voting—

Senators Havens, McCoid, Murray, Richards and Shane—5.

So the bill passed, and the title was agreed to.

House message in reference to the Senate resolution in relation to postmaster, assistant postmaster, and mail carrier, and requesting the Senate to return the resolution to the House, was taken up.

Senator McNutt moved that the Secretary be instructed to inform the House that the concurrent resolution had been returned, which motion prevailed.

Senator Campbell moved to reconsider the vote by which S. F. No. 1 was referred to the Judiciary Committee.

The motion was agreed to, and on motion of Senator Fairall the bill was referred to the Committee on Railroads.

At 11:30, on motion of Senator Taylor, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 17, 1872. }

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

Prayer by the Rev. Mr. Frisbie.

The Journal of yesterday was read and approved.

Senator Lowry asked leave for Senators McCoid and Havens to have their votes recorded in favor of Wm. B. Allison for United States Senator.

Leave was granted and the Journal of yesterday was changed accordingly.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

Resolved by the House of Representatives, the Senate concurring, That the two Houses will assemble in joint convention in this Hall, at twelve o'clock M., to-morrow, January 17th, for the purpose of declaring the result of the election of U. S. Senator.

Also, that the House of Representatives has concurred in the Senate resolution in regard to excluding certain documents from the Journals of the two Houses, and requiring the same to be bound with legislative documents.

Also, concurrent resolution in relation to Postmaster and Assistant Postmaster of the Fourteenth General Assembly.

The resolutions are herewith submitted.

JOHN J. SAFELY, *Chief Clerk.*

Resolved by the House of Representatives, the Senate concurring, That Al. Swalm be Postmaster, and John N. Edwards be assistant Postmaster of the Fourteenth General Assembly of the State of Iowa.

PETITIONS AND MEMORIALS.

Senator Bemis presented three several petitions from citizens of Buchanan county, asking for the repeal of Chapter 102, of the laws of the Thirteenth General Assembly.

Referred to Committee on Railroads.

Senator Campbell presented a petition from the Board of Supervisors of Jasper county asking for the repeal of Chapter 92, of the acts of the Twelfth General Assembly.

Referred to the Committee on Horticulture and Forestry.

Senator Dashiell presented a petition from a committee of the Iowa Society of Friends, asking for the passage of a joint resolution, by this General Assembly, instructing our Senators and requesting our Representatives in Congress to use their influence against any project having in view the removal of the Indians from their respective reservations, or that would in any way embarrass the President in carrying out his plan for the peaceable solution of the Indian question.

Referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Maxwell : S. F. No. 13, A bill for an act to amend Section 109, Chapter 1, of the School Laws of Iowa.

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

By Senator Dashiell : Senate File No. 14, A bill for an act to provide for the appointment of a Board of Inspectors and Warden of the Iowa Penitentiary, and to amend the several acts relative to the government and discipline of the Penitentiary.

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

By Senator Willett : Senate File No. 15, A bill for an act regulating railroad rates for the conveyance of passengers and freight.

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

By Senator McCormack : Senate File No. 16, A bill for an act legalizing the acts of the City Council and Mayor of Knoxville, Marion county, Iowa, citizens of territory contiguous to said city of Knoxville, and the Circuit Court, setting in and for said Marion county, annexing to said city of Knoxville certain territory.

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

By Senator McIntyre : S. F. No. 17, A bill for an act to amend chapter 102 of the acts of the Thirteenth General Assembly.

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

By Senator Campbell : S. F. No. 18, A bill for an act for the relief of Jasper county, Iowa, for money stolen from the county safe.

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

By Senator Chambers : S. F. No. 19, A bill for an act in relation to certain school taxes in the independent school district of Springdale, Cedar county, Iowa.

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

RESOLUTIONS.

Senator Ireland presented the following resolution, which was adopted:

Resolved, That a committee of five on Normal Schools be added to the standing committees of this body.

Senator McNutt presented the following resolution, which was agreed to:

Resolved, That the Secretary of the Senate be instructed to have bound in each copy of the Rules, a copy of Mills & Co.'s small skeleton map of Iowa, showing the population of the counties according to the last Federal Census.

Senator Dysart offered the following resolution :

Resolved, That the President of the Senate be authorized to appoint, at large, three additional members of the Congressional District Committee.

The resolution was adopted.

Senator Fairall offered the following resolution, which was agreed to and ordered printed :

Resolved, That the sense of the Senate, that the following amendments be made to Chapter 45 of the Revision of 1860:

First—Strike the word “January” from sections 719, 731 and 732, and in lieu thereof the word “February.”

Second—From the tenth and eleventh lines of section 745, eliminate the words, “in cases where the owner is unknown.”

Third—From the sixth and seventh lines of section 748, strike the words “and no informality in the above requirements shall render any proceedings for the collection of tax illegal.”

Fourth—Add to section 750 the following: “And any sale for the whole or any part of such delinquent tax not entered shall be invalid.”

Fifth—From section 751, strike out the words “against any illegality in the proceedings prior to receiving the list,” and insert the word “therefor” in place thereof.

Sixth—From section 753, strike out all down to and including the words, “and valid and” in the twelfth line.

Seventh—Repeal all of section 762 after the word “tax payer” in the sixth line.”

Eighth—Repeal all of section 770 after the word “cost” in the sixth line.

Ninth—Repeal section 784 and enact in lieu thereof the following: “The deed shall be signed by the treasurer in his official capacity, and acknowledged by him before some officer authorized to take the acknowledgment of deeds, and when thus substantially executed and recorded in the proper record of titles to real estate, shall vest, except as against minors, idiots, and lunatics, in the purchaser, all the right, title, interest and estate of the former owner in and to the property conveyed, and also all the right, title, interest and claim of the State and the county thereto, and shall be presumptive evidence of the regularity of all previous proceedings; *Provided*, that in any case where a person had paid his tax and through fraud or mistake the land upon which the taxes were paid was afterwards sold for the tax so paid the treasurer’s deed shall convey no title; and *provided further*, that in all cases the owner of lands may allege and prove fraud committed by any officer in the proceedings, prior to or at the time of sale, or by the purchaser to defeat the sale, and if such fraud be established, such sale shall be void, and all right, title, interest and claim thereunder invalid.”

Tenth—That the word “five” be stricken from section 790, and the word “ten” be inserted in lieu thereof, in the third line, and the word “one” in the seventh line.

Eleventh—Actual possession by the purchaser, his heirs or assigns, of lands sold for delinquent tax, under the provisions of the revenue laws of Iowa, for a period of seven years, after the execution and recording of the tax deed, shall vest in such purchaser, his heirs and assigns, as against all persons an absolute and indefeasible fee simple title.

Twelfth—That at any time within seven years after the execution and recording of the tax deed, the tax purchaser, or those claiming

under him may quiet his or their title under such deed by an action as authorized by the provisions of of Section 3584 of Revision of 1860, as amended by Chapter 167 of the Laws of the Thirteenth General Assembly, and all judgments and decrees rendered in such actions shall be as conclusive as those rendered in other civil actions.

On motion of Senator Fairall the resolution passed on file, and ordered printed.

Senator Willett offered the following concurrent resolution, which was adopted:

Resolved by the Senate, the House concurring, That the Secretary of State is hereby instructed to distribute to each member of the Fourteenth General Assembly, and the President of the Senate four copies of White's Geological Survey; *Provided,* there is a sufficient number on hand after supplying the Library, and one copy of Hall's Report, *Provided,* there are enough to give one to each member. Also, four copies of White's survey to Dr. White, ex-State Geologist.

Senator Claussen offered the following resolution:

Resolved, That there shall be printed of Governor Carpenter's Inaugural Address:

6000	copies	in	the	English	language.
3000	"	"	"	German	"
2000	"	"	"	Bohemian	"
2000	"	"	"	Norwegian	"
2000	"	"	"	Holland	"
2000	"	"	"	Swedish	"

The resolution was adopted.

Senator Shane offered the following resolution:

Resolved, That the several orders of the Senate allowing to the Lieutenant Governor and each Senator 25 daily newspapers or their equivalent in weeklies; and allowing to the Clerk of the Senate and first and second Assistant Clerks 10 daily newspapers or their equivalent in weeklies; and allowing 5 daily newspapers or their equivalent in weeklies to the other officers of the Senate, be and the same is hereby rescinded; and the Clerk of the Senate is hereby instructed to notify the publishers of the several newspapers and periodicals subscribed for or ordered by virtue of said several orders, of the passage of this resolution and to order them to discontinue all such subscriptions, and send in their bills.

Senator Fairall raised the point of order that the resolution contained two distinct propositions and would not properly bring the subject before the Senate and that the time for a reconsideration of the vote on that subject had now passed.

The President decided the point of order well taken.

Senator Hurley offered the following resolution:

Resolved, That the Committee on Ways and Means, the Judiciary

Committee and the committees on Schools and Railroads, are hereby authorized to employ such clerical force as may be necessary to facilitate their labors during the present session of the Legislature, and that the compensation shall be three dollars per day for each person so employed.

The resolution was agreed to.

The following concurrent resolution, offered by Senator Kephart, was adopted:

Resolved by the Senate, the House concurring, That the Committee on Printing be instructed to examine into the expense of State Printing and Binding, and report by bill or otherwise, looking to retrenchment in this department.

Senator McKean offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Senate will meet the House in joint convention on January 18th, 1872, at 11 o'clock A. M., for the purpose of electing a State Printer, State Binder, and Warden of the State Penitentiary.

The resolution was agreed to.

House messages were taken up.

On motion of Senator Larrabee the Senate concurred in the resolution of the House relative to joint session for comparing the journals, etc., on the election of United States Senator.

The President announced as the Committee on Judicial Districts, Senators Russell, Merrill, McCormack, Kinne, Converse, Shane and Claussen.

Senator Lowry, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred S. F. No. 1, A bill for an act to repeal chapter 48 of the acts of the Twelfth General Assembly, and chapter 102 of the acts of the Thirteenth General Assembly, enabling townships, towns, and incorporated cities to vote aid to railroads, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the accompanying substitute to the Senate, with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

Ordered that the report pass on file.

Substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships, incorporated towns and cities to aid in the construction of railroads, passed March 27th, 1868, being chapter 48, acts of the Twelfth General Assembly; and also to repeal an act entitled an act to enable townships, incorporated towns and cities to aid in the construction of railroads, approved April 12th, 1870, being chapter 102 of the acts of the Thirteenth General Assembly.

Read first and second time, and ordered passed on file and ordered printed.

Senator McKean, from the Special Committee, to whom was referred S. F. No. 2, "A bill for an act to change the time of holding the district courts in the Eighth Judicial District of Iowa," submitted the following report:

MR. PRESIDENT—Your Special Committee, consisting of Senators Kephart, Chambers, Dysart, Ketcham, Shane, Fairall, and McKean, of the Eighth Judicial District, beg leave to report that they have had S. F. No. 2 under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN McKEAN, *Chairman.*

On motion of Senator McKean the report was considered.

Senator McKean moved that the rule be suspended and the bill read a third time now, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—Total, 49.

The nays were none.

Absent or not voting—

Senator Richards—1.

So the bill passed and the title was agreed to.

By leave, Senator Ireland presented a memorial and joint resolution in relation to a bridge over the Mississippi River at Clinton, Iowa.

Read first and second times.

On motion of Senator Ireland, the eleventh rule was suspended and the memorial and joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCord, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, Young—49.

The nays were—none.

Absent or not voting—

Senator Richards—1.

So the joint resolution passed, and the title was agreed to.

Senator Miles asked and obtained leave to call up the concurrent resolution in relation to Postmaster and Assistant Postmaster of the Fourteenth General Assembly.

On motion of Senator Miles the Senate concurred in said resolution.

On motion of Senator McNutt the Senate took a recess until ten minutes before twelve o'clock meridian.

ELEVEN O'CLOCK AND FIFTY MINUTES.

The Senate was called to order by the President.

A committee from the House announced that the House was ready to receive the Senate in joint session for the purpose of hearing the journals of both Houses read in relation to the election of United States Senator.

At twelve o'clock, on the order of the President, the Senate proceeded to the hall of the House of Representatives.

JOINT SESSION.

The President of the Senate called the joint session to order.

That portion of the House and Senate journals relating to the election of United States Senator, on Tuesday, January 16th, 1872, were read and compared, whereupon it appeared that William B. Allison had received a majority of all the votes cast in both Houses for United States Senator, for the term of six years, commencing on the fourth of March, 1873.

Mr. Kasson offered the following resolution, which was agreed to :

Resolved by the General Assembly of the State of Iowa in joint session assembled, Pursuant to the act of Congress regulating the time and manner of holding elections for Senators in Congress, approved July 25th, 1866, that William B. Allison be declared the Senator elect from this State, in the Congress of the United States, for the term of six years from the fourth of March, 1873.

Mr. Dunham moved that a copy of the proceedings of the joint session be forwarded to the Governor.

The motion prevailed.

On motion of Mr. Peet, the joint session dissolved.

At twelve o'clock and fifteen minutes the Senate returned to its chamber, and was called to order by the President.

At twelve o'clock and twenty minutes, on motion of Senator McKean, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 18, 1872. }

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

Prayer by the Rev. Mr. Kooker.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the Senate resolution in relation to the appointment of committees to visit the various State Institutions.

Also, the concurrent resolution in relation to the appointment of Postmaster and Assistant Postmaster.

Also, the concurrent resolution for a committee to devise the best means by which the Assembly may consider the report of the commissioners to revise the statutes.

Also, concurrent resolution in reference to printing blanks for committees. All of which were concurred in by the House of Representatives.

JNO. J. SAFELY, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Kinne presented a memorial from S. H. Davis, late 2nd Lieutenant, Company "D," Ninth Iowa Cavalry, claiming pay for certain military services.

Referred to Committee on Claims.

Senator Larrabee presented a petition from W. R. Morley and 120 others, of Fayette county, asking that the system of township and county organization of Illinois be adopted in the State of Iowa.

Referred to the Committee on County and Township Organizations.

INTRODUCTION OF BILLS.

By Senator McCormack: S. F. No. 20, A bill for an act to amend section 2524, of the Revision of 1860.

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

By Senator Dashiell: S. F. No. 21, A bill for an act to permanently locate the State Reform School for juvenile offenders.

Read first and second time, ordered printed, and referred to Committee on Reform School.

By Senator Leavitt: S. F. No. 22, A bill for an act to amend section 3875, of the Revision of 1860.

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

By Senator Dague: S. F. No. 23, A bill for an act to amend chapter 45, and to repeal section 781, of chapter 45, of the Revision of 1860.

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

By Senator Howland: S. F. No. 24, A bill for an act to vacate a portion of the town or village plat of Ontario, in the county of Wright, and State of Iowa.

Read first and second time.

Senator Howland moved that the eleventh rule be suspended, and the bill read a third time now.

Senator Maxwell moved that the bill be referred to the Committee on Judiciary, which motion prevailed, and the bill was so referred.

By Senator Leavitt: S. F. No. 25, A bill for an act to amend Section 3449, Chapter 137, of the Revision of 1860.

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

RESOLUTIONS.

Senator Allen offered the following resolution, which was adopted:
Resolved, That the President of the Senate is hereby requested to appoint an additional member of the Committee on Ways and Means.

Senator Stuart offered the following resolution:

Resolved, That the enrolling clerk of the Senate be instructed to furnish the members of the House ten daily newspapers, or their equivalent in weeklies, upon the application of such members severally.

On motion of Senator Larrabee the resolution was laid on the table.

Senator Maxwell offered the following resolution:

Resolved, That the Committee on Railroads be instructed to report as soon as possible a bill to establish uniform and reasonable rates of tariff for frieghts on railroads, and also like rates for passenger fare.

On the adoption of the resolution the yeas and nays were demanded.

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Converse, Crary, Dague, Dashiell, Dyeart, Fairall, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Maxwell, McCoid, McCormack,

McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Stone, Stuart, Vale, West, Willett, Young—35.

The nays were—

Senators Allen, Atkins, Claussen, Fitch, Havens, Ireland, Leavitt, McIntyre, Russell, Smith, Taylor, Wonn—12.

Absent or not voting—

Senators Chambers, Lowry, and Richards—3.

So the resolution was adopted.

Senator Shane asked for the reading of the resolution adopted by the Senate on the second day of the session giving twenty-five daily papers or their equivalent in weeklies to such member of the Senate.

The resolution was read by the Secretary.

Senator Shane moved to rescind the vote on the resolution.

Senator McCormack demanded the yeas and nays.

And the yeas were—

Senators Beardsley, Campbell, Crary, Dysart, Gault, Kephart, McCoi, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Shane, Vale, West, Willett, Young—19.

The nays were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Claussen, Converse, Dagne, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McKean, Murray, Russell, Smith, Stone, Stuart, Taylor, Wonn—29.

Absent or not voting—

Senators Chambers and Richards—2.

So the motion to rescind did not prevail.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has refused to concur in the concurrent resolution of the Senate to meet the House of Representatives on January 18th, 1872, at 11 o'clock a. m., for the purpose of electing a State Printer, State Binder, and Warden of the Penitentiary.

Also, that the House has passed the following resolution in relation to the first joint rule of the two houses, in which the concurrence of the Senate is asked.

The resolution is herewith transmitted.

JOHN J. SAFELY, *Chief Clerk.*

Resolved by the House of Representatives, the Senate concurring, That the first joint rule of the two houses be amended by inserting after the word "conference," in the 7th line of said rule, the following: "In case of agreement the report shall be first made, with the papers referred accompanying it, to the disagreeing house, and there

acted upon; and such action shall be immediately reported by the clerk to the other house, the papers referred accompanying the message. In case of disagreement the papers shall remain with the house which referred them. The agreeing report of a conference committee shall be made and signed in duplicates by all the members of the committee, or by a majority of those of each house, one of the duplicates being retained by the committee of each house."

The President announced Senators Kinne, Fairall, and McCormack as the members at large on the Congressional District Committee, as provided for by Senator Dysart's resolution, adopted yesterday.

At 12 o'clock and 30 minutes, on motion of Senator Vale, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA. }
January 19, 1872. }

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

Prayer by the Rev. P. P. Ingalls.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the Senate resolution in relation to the distribution of Hall's and White's Geological Surveys.

JOHN J. SAFELY, *Chief Clerk.*

Ordered passed on file.

Senator Larrabee asked and obtained leave of absence for Senator Leavitt for to-day.

Leave was granted Senator Fairall to record his vote in favor of Senator Maxwell's resolution in regard to railroads adopted yesterday.

The President announced Senator Merrill as an additional member of the Committee on Ways and Means.

Also, Senators Hurley, Larrabee, Beardsley, West and Fairall, as the Committee to report on the best means of considering the report of the Commission to revise the statutes.

PETITIONS AND MEMORIALS.

Senator Claussen presented the petition of E. R. Fogg and others asking for the amendment of Section 3670, Chapter 146 of the Revision of 1860.

Referred to Committee on Judiciary.

Senator Wonn presented a petition from J. W. Ellis and others asking for the same amendment.

Referred to same Committee.

Senator Howland presented a petition from R. S. Benson and others on the same subject.

Referred to same committee.

INTRODUCTION OF BILLS.

By Senator Converse: S. F. No. 26, A bill for an act to legalize the official acts of Charles Ensign, a notary public of Butler county, Iowa.

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

By Senator Stuart: S. F. No. 27, A bill for an act to prevent the sale of oils for illuminating purposes inflammable at a less temperature, or fire test, than one hundred and ten degrees Fahrenheit.

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

By Senator Lowry: S. F. No. 28, A bill for an act to prevent frequent changes in school books.

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

By Senator Wonn: S. F. No. 29, A bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Iowa.

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

RESOLUTIONS.

Senator Smith offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Senate meet the House in joint convention on Monday, January 22, 1872, at 11 o'clock a. m., of said day, for the purpose of electing a Warden of the Penitentiary.

Senator McNutt moved to amend by adding the words "State Printer and State Binder," which motion prevailed.

Senator Stone moved to strike out the words and figures "Monday, January 22d," and insert "Wednesday, January 24th," which was agreed to.

Senator Vale offered the following resolution:

Resolved by the Senate, That the law authorizing the publication of the laws, of a general character, in two newspapers in the several counties, be repealed, other than the two named in the several acts, and that laws of a local character be published without expense to the State, when such publication is desired.

On motion of Senator Stone the resolution was referred to the Committee on Printing.

Senator Campbell offered the following :

Resolved, That the Auditor of State be requested to furnish the General Assembly with a statement of the amount paid J. N. Dewey, commissioner to settle certain claims against the General Government, as per diem, per centage, expenses, etc., since his appointment; also, Josiah A. Harvey, commissioner to settle certain claims.

The resolution was adopted.

Senator Shane offered the following joint resolution :

Joint resolution for certain amendments to the constitution of the State of Iowa.

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

First. Strike out of section eleven, article one, the following words: "And no person shall be held to answer for any higher criminal offense, unless on presentment or indictment by a grand jury, except in cases arising in the army or navy, or in the militia when in actual service in time of war or public danger," and insert the following in place thereof: "And the General Assembly may provide by law for the commencement of proceedings against persons charged with higher criminal offences, either by presentment, indictment or by information, or by other proceedings before a judicial officer.

Second. Strike out all after the figures 13, in section 13, of article 5, and insert the following in the place thereof "The General Assembly shall provide by law for the election by the qualified electors of each organized county in the State, of one prosecuting attorney, who shall be a resident of the county for which he is elected, and who shall hold his office for the term of two years, and until his successor is elected and qualified, and whose duties shall be prescribed and salary fixed by law.

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

The following concurrent resolution, offered by Senator McKean, was adopted:

Resolved by the General Assembly of the State of Iowa: That the Capitol P. O. be kept open on each week day from 8 o'clock a. m., to 8 o'clock p. m., and on Sabbath from 8 o'clock a. m., to 10 o'clock a. m., and the postmaster and his assistant are instructed accordingly.

Senator Stuart offered the following, which was agreed to:

Resolved, That at such times as the Senate is in regular session, Willie Baker a page of the Senate, be instructed to remain in the Senate Chamber, and hold himself in readiness to transmit documents from the hands of members to the Secretary's table, but nothing in this resolution to be so construed as to reflect upon the inattention of any of the pages of the Senate.

The following resolution offered by Senator Chambers, was adopted:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of amending the Revenue Law, so as to provide for the correction of tax books, and collection of taxes that remain unpaid by such correction.

Senator Boomer offered the following resolution, which was agreed to :

Resolved, That the practice of smoking in the Senate Chamber is offensive to many, and positively injurious to others, and that the Sergeant-at-Arms be required to suppress it.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :
House File No. 2, A bill for an act, fixing the time of holding the District Courts, in the Eleventh Judicial District of Iowa.

BEN. VAN STEINBURG, *Assistant Clerk.*

REPORTS OF COMMITTEES.

Senator Beardsley, from the Committee on Schools, submitted the following report :

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 19, A bill for an act in relation to certain school taxes, in the Independent School District of Springdale, Cedar county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

CHARLES BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following :

Your Committee on Schools, to whom was referred Senate File No. 13, A bill for an act to amend Section 109, Chapter first, of the school laws of Iowa, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do not pass.

CHARLES BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Burke, from the Committee on Corporations, submitted the following report :

MR. PRESIDENT—Your Committee on Incorporations, to whom was referred S. F. No. 10, A bill for an act to legalize the organization of the Shiloh Presbyterian Church in Benton county, Iowa, have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the seventh, eighth, and ninth lines in the second section, and inserting in lieu thereof the following :—“in the State Register, a newspaper published at Des Moines, Iowa, and the People’s Journal, a newspaper published at Vinton, Iowa,” and when so amended that the bill do pass.

JOHN E. BURKE, *Chairman.*

On motion of Senator Shane the report was adopted.

Senator Shane moved that the rule be suspended and the bill be read a third time now, which motion prevailed.

On the question “Shall the bill pass?”

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burk, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young.—Total, 46.

The nays were none.

Absent or not voting—

Senators Atkins, Dague, Leavitt, and Richards.

So the bill passed and the title was agreed to.

Senator Beardsley moved to take up the report of the committee on S. F. No. 19, A bill for an act in relation to certain school taxes in the independent school district of Springdale, Cedar county, Iowa, which motion prevailed.

The report of the committee was adopted, and on motion of Senator Beardsley the rule was suspended and the bill read a third time.

On the question “Shall the bill pass?”

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall,

Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrell, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young.—Total, 46.

The nays were none.

Absent or not voting—

Senators Atkins, Dague, Leavitt, and Richards.—4.

So the bill passed and the title was agreed to.

Senator Miles was granted leave of absence until Monday.

House messages were taken up.

On motion of Senator Larrabee, the Senate concurred in the House resolution in relation to the amendment of the first joint rules of the two houses.

Senator Stone moved that when the Senate adjourn it be until Monday, January 22d, at 10 o'clock a. m.

The motion did not prevail.

At 11 o'clock and 10 minutes, on motion of Senator Boomer, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 20th, 1872. }

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

Prayer by the Rev. Mr. Kooker.

Journal of yesterday read and approved.

Leave of absence until Monday was granted Senators Taylor, Campbell, Leavitt, Beardsley, Fairall and Dague.

Senator Dysart was granted leave of absence until Tuesday.

INTRODUCTION OF BILLS.

By Senator Boomer: S. F. No. 30, "A bill for an act amending an act entitled an act to provide for the publication of general and certain local laws, and of the proceedings of the boards of supervisors in the several counties."

Read first and second time, and referred to Committee on Printing, and ordered printed.

By Senator Howland: S. F. No. 31, "A bill for an act to repeal chapter 118 of the laws of the Eleventh General Assembly."

Read first and second time.

Senator Howland moved to refer the bill to the Committee on Judiciary.

Senator Murray moved to amend by referring to Committee on Printing, which amendment prevailed and the motion as amended was adopted.

By Senator Merrill: S. F. No. 32, "A bill for an act authorizing municipal corporations to levy poll taxes."

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

By Senator McCoid: S. F. No. 33, "A bill for an act for the taxation of railroad property."

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

RESOLUTIONS.

Senator Larrabee offered the following:

Resolved by the Senate, the House concurring, That both houses of the General Assembly take a recess from Friday, February 16th, at 12 o'clock M., until Wednesday, February 28th; and that during the recess the committees appointed to visit the State institutions shall perform the duties pertaining to such appointments.

Senator Burke moved to amend the resolution by adding, "*Provided,* That no compensation per day, during the recess, shall be claimed or received by the members of the General Assembly."

Senator Stone raised the point of order that the amendment was out of order from the fact that the compensation of members of the General Assembly was fixed by law, and that it could not be changed by a concurrent resolution.

The President decided the point of order well taken.

Senator Willett moved to amend by striking out "16th" and inserting "22d," which amendment did not prevail.

Senator Lowry moved to strike out "Wednesday 28th," and insert "Monday 26th," which was not agreed to.

The resolution was then adopted.

Senator Howland moved to reconsider the vote by which the Senate yesterday adopted the resolution in relation to the Capitol postoffice.

The motion prevailed.

Senator Howland offered the following as a substitute for the original resolution:

Resolved by the General Assembly of the State of Iowa, That the Capitol postoffice be kept open on each week day from 8 o'clock A. M. to 7 o'clock P. M., and on the Sabbath from 8 o'clock A. M. to 10 o'clock A. M., and the Postmaster and his assistant are instructed accordingly.

The substitute was agreed to.

REPORT OF COMMITTEE.

Senator Hurley, from the Special Joint Committee, on the best means of considering the report of the commission to revise the statutes, submitted the following report:

MR. PRESIDENT:—The joint committee to whom was referred the report on the statutes as revised and re-written by the commissioners, created by Chapter 75, of the Laws of the Thirteenth General Assembly, have had the same under consideration, and have for the present instructed me to report the following resolution and recommend its adoption.

Resolved by the Senate, the House concurring, That there be one thousand copies of parts one and two of the manuscript copy of the code submitted by the commissioners, created by Chapter 75 of the laws of the Thirteenth General Assembly, be printed—600 of such reports for the use of the House, 300 of same for the use of the Senate, and 100 thereof for the use of said commissioners.

JAMES S. HURLEY, *Chairman of Committee.*

On motion the report was considered and the resolution reported by the committee was adopted.

BILLS ON SECOND READING.

S. F. No. 1, "A bill for an act to repeal an act of the Thirteenth General Assembly, Chapter 102, to enable townships, incorporated towns and cities to aid in the construction of railroads," with the report of the committee recommending a substitute, was taken up, considered, and motion of Senator Lowry ordered passed on file.

S. F. No. 13, "A bill for an act to amend Section 109, Chapter 1, of the School Laws of Iowa," with the report of the committee recommending that it do not pass, was taken up, considered, and on motion of Senator Maxwell ordered passed on file.

At 11:45, on motion of Senator McKean, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA. }
 January 22, 1872. }

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

Prayer by the Rev. J. A. Nash.

Journal of Saturday read and approved.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following resolution, in respect to the memory of Hon. Martin E. Kair, late member elect from the Forty-ninth Representative District of this State. The resolution is herewith transmitted.

JOHN J. SAFELY, *Chief Clerk.*

WHEREAS, Intelligence has been received by this House, of the death of Hon. Martin E. Kair, Representative elect from the Forty-ninth District, therefore,

Resolved, By the House of Representatives that with deep and unfeigned sorrow we sincerely deplore the sad dispensation of Providence that has taken from this General Assembly, in the person of our deceased brother, an honest and efficient citizen, an able, honest, and upright Representative.

Resolved, That to the widow and family so deeply bereft, we extend our warmest sympathies, and hope they may find the balm of consolation by looking to Him who is, indeed, the God of the widow and fatherless.

Resolved, That these proceedings be ordered spread upon the journal, and the clerk be instructed to forward an engrossed copy of these resolutions to the relict of the deceased.

Resolved, That these resolutions be transmitted to the Senate, and as further indicating our esteem, that this House do now adjourn.

The President announced Senators Ireland, Boomer, Fitch, Wonn and McIntyre as Committee on Normal Schools, as provided for in a former resolution of the Senate.

The Postmaster and Mail Carrier of the Fourteenth General Assembly appeared before the bar of the Senate and the oath of office was administered by the President.

PETITIONS AND MEMORIALS.

Senator Burke presented a petition from Peter Miller and others asking for the repeal of Chapter 102 of laws passed by the Thirteenth General Assembly.

Referred to Committee on Railroads.

Senator Clanssen presented three several petitions from citizens of Monroe, Chickasaw, and Muscatine counties, asking for a change in the law in relation to the satisfaction of mortgages.

Referred to the Committee on Judiciary.

Senator Ketcham presented a petition from Mr. P. Smith, and other citizens of Iowa county, on the same subject.

Referred to same Committee.

Senator Havens presented the petition of J. B. Shellenbarger, and thirty-six others, asking for the passage of a law for the protection of bees, and the encouragement of agriculture.

Referred to Committee on Agriculture.

Senator Leavitt was granted leave of absence.

INTRODUCTION OF BILLS.

By Senator McCormack : S. F. No. 34, A bill for an act to repeal Chapter 171, of the acts of the Twelfth General Assembly, entitled, An act for the registry of electors, and to prevent fraudulent voting; and Chapter 174, of the acts of the Thirteenth General Assembly, entitled, An act to amend the registry law.

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

By Senator Kinne : S. F. No. 35, A bill for an act to facilitate the construction of the Chicago, Clinton and Dubuque Railroad, and to legalize the acts of said company, and the change of name from the Dubuque, Bellevue and Mississippi Railroad Company, and for other purposes.

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

By Senator Boomer : S. F. No. 36, A bill for an act amendatory of the acts now in force for the suppression of intemperance.

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

By Senator Havens : S. F. No. 37, A bill for an act to repeal Chapter 155, laws of the Twelfth General Assembly, and to provide a substitute therefor.

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

RESOLUTIONS.

Senator Campbell offered the following resolution :

Resolved, That the Judiciary Committee be instructed to report a

bill for an act to repeal Chapter 86, of the acts of the Twelfth General Assembly, establishing Circuit Courts, and supplementary acts relating to the same.

On motion of Senator Fairall, the resolution was made the special order for Thursday next, at 10:30 o'clock A. M.

Senator McNutt offered the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of Iowa: That the so-called Civil Service Reform Regulations, in so far as they are calculated to create an office holding class, or to perpetuate in office the same person, or persons of a particular class, are no reform at all; but, on the contrary, are a dangerous innovation, under a specious and delusive name, and are in opposition to the spirit and life of our Republican institutions.

Resolved, That said so-called regulations, if carried out, will establish in our midst an aristocratic governmental class of office holders, composed, in the first instance, of those now in office, admit to this favored class only the sons of the educated and the wealthy, secure to them life tenures in office, make the offices hereditary in their families, descending from father to son, beyond the reach or control of the people or their representatives.

Resolved, That honesty and capacity should be the only tests for office under our form of government, that the people or their immediate representatives should be the judges, and not a committee of favorites appointed by a President.

Resolved, That we oppose the movement, in its present shape, as anti-Republican; we regard it as a step toward *imperialism*, utterly unworthy the countenance or support of the people of this Republic, and merits only our condemnation.

Resolved, That our Senators in Congress be instructed, and our Representatives requested to use their influence for the speedy abolition of this anti-Republican movement, and the repeal of the law under which it has been inaugurated.

On motion of Senator McNutt the joint resolution was ordered printed, and referred to the Committee on Federal Relations.

Senator Beardsley offered the following preamble and concurrent resolution.

WHEREAS, In the consideration of the report of the commissioners appointed under chapter 75 of the laws of the Thirteenth General Assembly to revise the statutes of Iowa it is deemed important to have the counsel and co-operation of said commissioners; therefore,

Resolved by the Senate, the House concurring, That said commissioners, Wm. H. Seevers, Wm. J. Knight, and Wm. G. Hammond, be invited to seats on the floors of the two houses, and granted the privilege of participating in examining and perfecting said report, and in the consideration of such amendments as may be offered thereto.

Resolved, That the Secretary of State be requested to provide the seats referred to in the above resolution

Referred to the Joint Committee on the Revision of the Statutes.

The following joint resolution, offered by Senator Bemis, was read first and second time and referred to Committee on Charitable Institutions:

Joint resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane at Independence to continue work on the same.

Resolved by the General Assembly of the State of Iowa, That the Board of Commissioners of the Iowa Hospital for the Insane at Independence are hereby authorized to continue the work on said hospital until further appropriations are made for that purpose.

Resolved, That the Secretary of State inform the Board of Commissioners of the passage of this resolution.

Senator Shane offered the following:

Resolved, That the Committee on Schools be instructed to enquire into the policy and propriety of abolishing the sub-district system of our common schools, and establishing in lieu thereof school districts co-extensive with civil townships, towns, or cities; and that they report their action to the Senate at an early day by bill or otherwise.

The resolution was referred to the Committee on Schools.

BILLS ON SECOND READING.

S. F. No. 1, "A bill for an act to repeal an act of the Thirteenth General Assembly, chapter 102, to enable townships, incorporated towns and cities to aid in the construction of railroads," with the report of the committee recommending a substitute, was taken up and considered.

Senator Larrabee moved to refer to the Committee on Judiciary, with instructions.

Senator Burke moved to postpone the further consideration of the bill until 11 o'clock to-morrow, which motion prevailed.

At 11 o'clock, on motion of Senator Willett, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, {
January 23d, 1872. }

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

Prayer by Rev. J. A. Nash.

Journal of yesterday read and approved.

MESSAGE 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:

H. F. Fo. 58, A bill for an act to repeal chapter 56 of the acts of the Eleventh General Assembly, and fixing the time for holding courts in Winneshiek county, Iowa.

Also, S. F. No. 2, A bill for an act to change the times for holding the District Court of the 8th Judicial District of Iowa.

Also, S. F. No. 10, A bill for an act to legalize the organization of the Shiloh Presbyterian Church in Benton county, Iowa.

Also, S. F. No. 19, A bill for an act in relation to certain school taxes in the independent school district of Springdale, Cedar county, Iowa.

Also, that the House of Representatives has adopted the following joint resolution of the Senate: In relation to a bridge across the Mississippi river at Clinton.

Also, concurrent resolution of the Senate, in relation to the printing and distribution of parts one and two of the manuscript copy of the code.

Also, concurrent resolution of the Senate in relation to the time of opening and closing the Capitol postoffice.

All of which have passed the House without amendment.

JNO. J. SAFELY, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Converse presented a petition from J. N. Davis and other citizens of Butler county, asking for a change in the law in relation to the satisfaction of mortgages.

Referred to the Committee on Judiciary.

Senator McIntyre presented a petition from Chas. Wickware and other citizens of Hamilton county, on the same subject.

Referred to same committee.

Also, a similar petition from J. W. Wilson and other citizens of Jasper county.

Same reference.

INTRODUCTION OF BILLS.

By Senator Beardsley: S. F. No. 38, A bill for an act legalizing the incorporation of the Burlington & Northwestern Railway Company.

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

By Senator Ketcham: S. F. No. 39, A bill for an act to repeal an act in relation to the transfer books.

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

By Senator Murray: S. F. No. 40, A a bill for an act to amend section 18, chapter 173, laws of the Ninth General Assembly.

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

By Senator Kephart: S. F. No. 41, A bill for an act amending an act entitled "An act to provide for the election of county auditors, and to define their powers and duties, and providing for the appointment of deputies.

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

RESOLUTIONS.

Senator Smith offered the following preamble and resolution, which was adopted:

WHEREAS, By some oversight of the Senate, the Secretary and Assistants were allowed ten daily papers, and the Enrolling and Engrossing Clerks only five; therefore

Resolved, That the Enrolling and Engrossing Clerks be allowed an additional number of five daily papers, or their equivalent in weeklies.

Senator Stuart presented the following preamble and resolutions:

WHEREAS, The following resolutions were adopted by the Board of Supervisors of Jackson county, Iowa, at its January meeting, 1872,

Resolved, That it is the opinion of the board of supervisors of Jackson county, Iowa, that the registry law of the State of Iowa should be repealed, the same being an unnecessary expense to the county to the amount of \$300 or more per annum, with no corresponding benefit to the public.

Resolved, That our Senator and Representatives be instructed and requested to use their influence to secure the repeal of said law.

Resolved, That a copy of these resolutions be forwarded by the county auditor to our Senator and Representatives.

Therefore be it Resolved, That the Committee on Elections be hereby instructed to inquire into the expediency of repealing or modifying the registry law passed by the acts of the Twelfth and Thirteenth General Assemblies of Iowa, and report by bill or otherwise as soon as practicable.

The preamble and resolution was referred to the Committee on Elections.

Senator Bemis offered the following joint resolution:

Joint resolution requesting the Senators and Representatives in Congress from this State to vote for and use their influence in procuring an amendment to the Constitution of the United States so that United States Senators shall be elected by the people.

Resolved by the General Assembly of the State of Iowa, That the Senators and Representatives in Congress from this State be requested to vote and use their influence to have the following amendments to the Constitution of the United States proposed by Congress, to-wit: "After the adoption of this amendment Senators from each State shall be chosen by the people of the several States, and not by the Legislature thereof. Whenever the term of a Senator is about to expire, his successor shall be chosen by the people of the State at the general election for the members of the House of Representatives in such State occurring next previous to the expiration of such term, and whenever a vacancy shall happen otherwise than by expiration of such term, such vacancy shall be filled at the first general election for members of the House of Representatives, which shall take place in the State in whose representation in the Senate the vacancy shall have happened, not less than three months after the vacancy shall have occurred, and in the meantime the Governor of the State may make a temporary appointment of Senator until the expiration of one month after the election at which the vacancy shall be permanently filled.

Read first and second time, ordered printed and referred to Committee on Federal Relations.

HOUSE MESSAGES.

House File No. 58, "A bill for an Act repealing Chapter 56 of the Acts of the Eleventh General Assembly, and fixing the time of holding courts in Winneshiek county," was taken up, read first and second time, and referred to Committee on Judiciary.

REPORT OF COMMITTEES.

Senator Hurley, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 18, a bill for an act for the relief of Jasper

county for money stolen from county safe, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate, with the recommendation that it be referred to the committee on Ways and Means.

JAMES S. HURLEY, *Chairman.*

The report was adopted, and the bill was so referred.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 20, a bill for an act to amend Section 2524 of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered that the report pass on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 24, a bill for an act to vacate a portion of the town or village plat of Ontario in the county of Wright, and State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered that the report pass on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 25, a bill for an act to amend Section 3449, (Chapter 137) of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered that the report pass on file.

BILLS ON SECOND READING.

S. F. No. 13, "A bill for an act to amend section 109, chapter 1, of the School Laws of Iowa," with the report of the Committee recommending that the bill do not pass, was taken up and considered.

Senator Ketchum moved to lay the bill on the table, which motion did not prevail.

Senator Larrabee moved that the bill pass on file.

Senator Maxwell moved that the bill be recommitted to the committee with instruction to have it printed, which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body, that the House of Representatives has amended the Senate resolution, relative to both Houses taking a recess, in which the concurrence of the Senate is asked.

Strike out the words "Friday, February 16," and insert "Thursday, February 1st," and strike out the words "Wednesday, February 28th," and insert the words "Tuesday, February 13th."

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Burke moved to take up substitute for S. F. No. 1, "A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities, to aid in the construction of railroads, passed March 29th, 1868, being chapter 48, acts of the Twelfth General Assembly, and also to repeal an act entitled an act, to enable townships, incorporated towns and cities, to aid in the construction of railroads, approved, April 12th, 1870, being chapter, 102, of the acts of the Thirteenth General Assembly.

The motion prevailed.

Senator Russell moved to postpone the further consideration of the bill until Friday 26th instant.

On this question the yeas and nays were demanded.

The yeas were—

Senators Allen, Campbell, Chambers, Claussen, Crary, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Larrabee, Leavitt, Maxwell, McIntyre, McKean, McNutt, Merrill, Murray, Read, Russell, Smith, Stone, Taylor, and Young.—25.

The nays were.

Senators Beardsley, Bemis, Boomer, Burke, Converse, Dague, Fairall, Gault, Ireland, Kephart, Ketcham, Kinne, Lowry, McCoid, McCormack, McCulloch, Miles, Shane, Stuart, Vale, West, Willett, and Wonn.—23.

Absent or not voting

Senators Atkins, Richards.—2.

On motion of Senator Lowry, House message in relation to Senate resolution providing for a recess was taken up and considered.

Senator Ireland moved that the Senate do not concur in House amendments, and ask a Committee of Conference.

Senator Larrabee moved to amend the motion by striking out the word "not" and all that part relating to a Committee of Conference.

The amendment prevailed.

The question being on the adoption of the motion as amended, the yeas and nays were demanded, and were as follows:

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Claussen, Dashiell, Dy-

sart, Havens, Howland, Hurley, Kinne, Larrabee, Leavitt, Maxwell, McIntyre, McNutt, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn, and Young—Total, 25.

The nays were—

Beardsley, Campbell, Chambers, Converse, Crary, Dague, Fairall, Fitch, Gault, Ireland, Kephart, Ketcham, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Shane, Vale, West, and Willett—Total, 23.

Absent or not voting—

Senators Atkins and Richards—Total, 2.

So the House amendments were concurred in.

Senator Converse asked and obtained leave of absence for Senator Dashiell.

By leave, Senator Fairall introduced S. F. No. 42, "A bill for an act abolishing the Argument Term of the Supreme Court at Davenport, and for the holding of the Supreme Court at Iowa City."

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

The President submitted a communication from the Auditor of State showing the *per diem*, expenses, etc., paid Hon. J. N. Dewey and Hon. J. A. Harvey, Commissioners of the State of Iowa to settle certain war claims against the General Government.

Senator Maxwell moved that the reading be dispensed with and that the reports be printed, which motion prevailed.

At 12 o'clock, on motion of Senator Vale, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 24, 1872. }

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

Prayer by the Rev. J. A. Nash.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 resolutions, in which the concurrence of the Senate is asked:

Concurrent resolution, authorizing the Printing Committees of both houses to provide for the translation and printing of the Governor's message and inaugural address in foreign languages.

Joint resolution asking Congress to pass an act to increase the

pension of Charlotte D. Crocker, widow of the late Gen. M. M. Crocker.

Also, that the House has passed the following bill:

H. F. No. 13; A bill for an act defining the meaning of the term "newspaper," as used in chapter 118 of the acts of the Eleventh General Assembly.

The resolutions and bill are herewith transmitted.

Also that the House has concurred in the joint resolution of the Senate to meet the House in joint convention for the purpose of electing a State Printer, State Binder, and Warden of the Penitentiary, on Wednesday, January 24th, at 11 o'clock a. m.

JNO. J. SAFELY, *Chief Clerk.*

Resolved by the House of Representatives, the Senate concurring, That the Committees on Printing of both houses be, and they are hereby, authorized to provide for the translation and printing of the biennial and inaugural messages in the several foreign languages, in conformity with the resolutions in regard to the same; *Providing,* that the compensation for translating shall not exceed, for the biennial, the sum of fifty dollars, and for the inaugural, the sum of thirty-five dollars for each such translation; and that the rates for composition, press work, etc., shall be the same as now allowed the State Printer by law; *And provided further,* that in all cases where copies in any such foreign language are ordered by both houses, only one charge shall be allowed for translation and composition of the same.

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed and our Representatives requested to use their best efforts to secure the passage of an act granting to Charlotte D. Crocker, widow of the late Gen. Marcellus M. Crocker, an increase of pension from thirty to fifty dollars per month.

Resolved, That the Secretary of State be directed to forward a certified copy of this resolution to each of our Senators and Representatives in Congress, and to Hon. W. W. Belknap, Secretary of War.

Senator McCormack asked and obtained leave to have his vote recorded in the negative on the resolution in relation to recess.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 2, A bill for an act to change the time of holding the District Court in the Eighth Judicial District of Iowa.

S. F. No. 19, A bill for an act in relation to certain school taxes in the independent school district of Springdale, Cedar county, Iowa.

S. F. No. 10, A bill for an act to legalize the organization of Shiloh Presbyterian Church in Benton county, Iowa.

Also, memorials and joint resolution in relation to a bridge across the Mississippi river at Clinton.

BENJ. VAN STIENBURG, *Ass't Clerk*.

PETITIONS AND MEMORIALS.

The President presented a memorial from R. G. Orwig in relation to certain charges which had been made against him.

Senator Beardsley moved to refer the memorial to the Committee on Charitable Institutions.

Senator West moved to amend by referring to the Committee on Schools.

The amendment was adopted, and the motion as amended agreed to.

Senator Shane presented the petition of 21 lawyers of Cedar Rapids in favor of the passage of the bill providing for Superior Courts in cities of a certain grade.

INTRODUCTION OF BILLS.

By Senator Stone: S. F. No. 43, A bill for an act to provide for an argument term of the Supreme Court at Council Bluffs.

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

By Senator Howland: S. F. No. 44, A bill for an act to amend chapter 26 of the laws of the Thirteenth General Assembly, and to repeal chapter 144 of the laws of the Twelfth General Assembly, and to repeal chapter 24 of the laws of the Thirteenth General Assembly.

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

By Senator Ireland: S. F. No. 45, A bill for an act in relation to fences along the lines of railroads.

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

By Senator Russell: S. F. No. 46, A bill for an act creating the Thirteenth Judicial District, dividing the same into Circuits, and providing for the election of District and Circuit Judges, and a District Attorney therein; and changing the boundaries of the Third, Fourth, and Fifth Judicial Districts, and fixing the boundaries of the Circuits therein.

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

By Senator Fitch : S. F. No. 47, A bill for an act to protect persons in the possession of personal property.

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

By Senator Kephart : S. F. No. 48. A bill for an act entitled, An act to provide for establishing public libraries in the district townships and independent districts in the State of Iowa.

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

The President presented a communication from the Secretary of the Board of Immigration, transmitting a report of the operations of the Board for the past two years.

On motion of Senator Lowry, the reading was dispensed with, and the report referred to Committee on Printing.

RESOLUTIONS.

Senator Read offered the following resolution :

Resolved, That the Committee on Orphans' Homes be and are hereby instructed to prepare and present a bill which shall provide that the Iowa Soldiers' Orphans' Homes shall be made permanent institutions of the State, for the purpose of providing such orphan children of the State of Iowa, as have no home or support, with suitable maintenance and education ; and that the provisions of the law shall apply to all orphans, whether of soldiers or civilians.

Referred to Committee on Orphans' Homes.

Senator Read also presented the following :

Resolved, That the Committee on Normal Schools be instructed to prepare and report a bill which shall provide for the establishment of at least one Normal School in each Congressional District in this State, after the number of the same have been ascertained by act of Congress.

Referred to Committee on Normal Schools.

Senator Converse presented the following resolution, which was adopted:

Resolved, That the Committee on Schools be directed to inquire into the expediency of so amending the laws as to provide for a system of Independent School Districts, and to report by bill or otherwise.

Senator McKean offered the following resolution :

Resolved, That the Committee on Elections be requested to examine whether any greater security is required in regard to the safe keeping and counting of ballots at elections, and report by bill or otherwise.

The resolution was agreed to.

A committee from the House announced that the House was ready to receive the Senate in joint convention, for the purpose of

electing State Printer, State Binder, and Warden of the State Penitentiary.

At eleven o'clock, on the order of the President, the Senate proceeded to the hall of the House of Representatives.

JOINT CONVENTION.

The President of the Senate announced that the Convention had met for the purpose of electing State Printer, State Binder, and Warden of the Penitentiary.

The President announced Senators Atkins and Murray, tellers on the part of the Senate.

The Speaker announced Messrs. Irish and Beresheim, as tellers on the part of the House.

For State Printer, Senator Burke nominated R. P. Clarkson, of Des Moines.

Mr. Paul nominated D. H. Richardson, of Davenport.

On a call of the joint roll, the result was as follows:

Those voting for R. P. Clarkson were—

Messrs. Allen, Appleton, Atkins, Beardsley, Beatty, of Cedar; Beatty, of Jasper; Bemis, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Boomer, Booth, Burke, Cadwell, Caldwell, Campbell, of Jasper; Cardell, Carver, Chambers, Clark, of Benton; Clarke, of Iowa; Claussen, Close, Converse, Crary, Crawford, Dague, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Dysart, Ellsworth, Ericson, Evans, Fitch, Flenniken, Freeman, Gault, Gear, Goodspeed, Green, Hanson, Havens, Heberling, Hewett, Hopkirk, Hovey, Howland, Hurley, Ireland, Johnston, Kasson, Keables, Kephart, Ketcham, Larrabee, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Guthrie; Maxwell, of Story; McAllister, McClure, McCoid, McCoy, McIntyre, McKean, McNutt, Merrill, of Wapello; Miles, Miller, Mills, Morrison, Murray, Newbold, Peet, Perkins, Pratt, Read, of Wayne; Reuther, Rice, Rohlf, Rule, Russell, Secor, Shane, Smith, Stedman, Stone, Struthers, Taeker, Taylor, Teale, Tufts, Vale, Van Deventer, Van Meter, Van Sann, West, Whitten, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright of Mills; Wright, of Van Buren; and Young.

Those voting for D. H. Richardson were—

Messrs. Ainsworth, Campell, of Jefferson; Dayton, Fairall, Hall, Hilton, Irish, Kinne, McCormack, McCulloch, Merrell, of Clinton; O'Donnell, Paul, Reed, of Jackson; Sandry, Schweer, Stewart, of Lee; Stuart, of Jackson; Stow, Tuttle, and Wonn.

Absent or excused—

Messrs. Ballinger, Blakely, Booth, Butler, Dashiell, Durham, Havens, Richards, and Skillen.

Whole number of votes cast.....	138
Necessary to a choice.....	70
Of which R. P. Clarkson received.....	115
Of which D. H. Richardson received.....	23

Mr. R. P. Clarkson, having received a majority of all the votes cast was declared duly elected State Printer for the ensuing term.

STATE BINDER.

Senator Leavitt nominated J. J. Smart, of Black Hawk county.
 Senator Fairall nominated James Lee, of Johnson county.

The joint roll was then called with the following result:

Those voting for J. J. Smart were

Messrs. Allen, Appleton, Atkins, Beardsley, Beatty, of Cedar, Beatty, of Jasper, Bemis, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Boomer, Burke, Cadwell, Caldwell, Campbell, of Jasper, Cardell, Carver, Chambers, Clark, of Benton, Clarke, of Iowa, Claussen, Close, Converse, Crary, Crawford, Dague, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Dysart, Ellsworth, Ericson, Evans, Fitch, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Howland, Hurley, Ireland, Johnston, Kasson, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Guthrie; Maxwell, of Story; McAllister, McClure, McCoid, McCoy, McIntyre, McKean, McNutt, Merrill, of Wapello; Miles, Miller, Mills, Morrison, Murray, Newbold, Peet, Perkins, Pratt, Read, of Wayne; Reuther, Rice, Rohlf, Rule, Russell, Secor, Shane, Smith, Stedman, Stone, Struthers, Tasker, Taylor, Teale, Tufts, Vale, Van Deventer, Van Meter, Van Sann, West, Whitten, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Young.

Those voting for James Lee were—

Messrs. Ainsworth, Campbell, of Jefferson; Day, Dayton, Fairall, Gault, Hall, Hilton, Irish, Kinne, McCormack, McCulloch, Merrill, of Clinton; O'Donnell, Paul, Reed, of Jackson; Sandry, Scwheer, Stewart, of Lee; Stuart, of Jackson; Stow, Tuttle, Wilson, of Washington, Wonn.

Absent or excused—

Messrs. Ballinger, Blakely, Booth, Butler, Dashiell, Durham, Havens, Keables, Larrabee, Richards and Skillin.

Whole number of votes cast.....	136
Necessary to a choice.....	69
Of which J. J. Smart received.....	113
Of which James Lee received.....	23

Mr. J. J. Smart having received a majority of all the votes cast, was declared duly elected to the office of State Binder, for the term next ensuing.

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

Mr. Beresheim nominated S. H. Craig, of Pottawattamie county.

Mr. O'Donnell nominated William D. Bucknam, of Dubuque county.

The joint roll was called with the following result :

Those voting for Seth H. Craig were—

Messrs. Appleton, Atkins, Beardsley, Beatty, of Cedar, Beatty, of Jasper, Bemis, Beresheim, Bergh, Blackman, Blake, Bliss, Bone-witz, Boomer, Burke, Butler, Cadwell, Caldwell, Campbell, of Jasper, Cardell, Carver, Chambers, Clark, of Benton, Clarke, of Iowa, Claussen, Close, Converse, Crary, Crawford, Dague, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Dysart, Ellsworth, Ericson, Evans, Fitch, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Howland, Hurley, Ireland, Johnston, Kasson, Keables, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Guthrie, Maxwell, of Story, McAllister, McClure, McCoid, McCoy, McIntyre, McKean, McNutt, Merrill, of Wapello, Miles, Miller, Mills, Morrison, Murray, Newbold, Peet, Perkins, Pratt, Read, of Wayne, Reuther, Rice, Rohlf, Rule, Russell, Secor, Shane, Smith, Stedman, Stone, Struthers, Tasker, Taylor, Teale, Tufts, Vale, Van Deventer, Van Meter, Van Saun, West, Whitten, Willett, Wilson, of Keokuk, Wilson, of Tama, Wilson, of Washington, Wood, of Clay, Wood, of Story, Wright, of Mills, Wright, of Van Buren, Young.

Those voting for William D. Bucknam were—

Messrs. Ainsworth, Campbell, of Jefferson, Day, Dayton, Duncombe, Fairall, Gault, Hall, Hilton, Irish, Kinne, McCormack, McCulloch, Merrell, of Clinton, O'Donnell, Paul, Reed, of Jackson, Sandry, Schweer, Stewart, of Lee, Stuart, of Jackson, Stow, Tuttle, Wonn.

Absent or excused—

Messrs. Allen, Ballinger, Blakely, Booth, Butler, Dashiell, Durham, Havens, Hanan, Larrabee, Richards, and Skillen.

Whole number of votes cast.....	137
Necessary to a choice.....	69
Of which Seth H. Craig received.....	113
Of which William D. Bucknam received.....	24

Mr. Seth H. Craig, having received a majority of all the votes cast, was declared duly elected to the office of Warden of the State Penitentiary for the ensuing term.

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

REPRESENTATIVE HALL, }
Des Moines, Iowa, January 24, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the twenty-fourth day of January, A. D. 1872, for the purpose of electing a State Printer, R. P. Clarkson, having received a majority of all the votes cast for said office, was declared duly elected State Printer, for the term of two years, from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-fourth day of January, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAS. WILSON,

Speaker of the House of Representatives.

ATTEST :

CHAS. ATKINS,
B. F. MURRAY,
Tellers of the Senate.

JOHN BERESHEIM,
JOHN P. IRISH,
Tellers of the House of Representatives.

REPRESENTATIVE HALL,
Des Moines, Iowa, January 24, 1872.

This is to certify, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the twenty-fourth day of January, A. D. 1872, for the purpose of electing a State Binder, J. J. Smart, having received a majority of all the votes cast for said office, was declared duly elected State Binder, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-fourth day of January, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAS. WILSON,

Speaker of the House of Representatives.

ATTEST :

CHAS. ATKINS,
B. F. MURRAY,
Tellers of the Senate.

JOHN BERESHEIM,
JOHN P. IRISH,
Tellers of the House of Representatives.

REPRESENTATIVE HALL,
Des Moines, January 24, 1872.

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the twenty-fourth day of January, A. D. 1872, for the purpose of electing a Warden of the State Penitentiary, Seth H. Craig, having received a majority of all the votes cast for said office, was declared duly elected Warden of the State Penitentiary, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-fourth day of January, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAS. WILSON,
Speaker of the House of Representatives.

ATTEST:

CHAS. ATKINS,
B. F. MURRAY,
Tellers of the Senate.

JOHN BERESHEIM,
JOHN P. IRISH,
Tellers of the House of Representatives.

Mr. O'Donnell moved that the joint convention now dissolve.
The motion prevailed, and the joint convention dissolved.

ELEVEN O'CLOCK AND FIFTY MINUTES.

The Senate returned to its Chamber.

HOUSE MESSAGES.

H. F. No. 13, A bill for an act defining the meaning of the term "newspaper," as used in chapter 118 of the acts of the Eleventh General Assembly, was taken up, read first and second time, and referred to Committee on Printing.

The joint resolution in relation to the increase of pension of Charlotte M. Crocker, was taken up, read first and second time, and referred to the Committee on Military.

The joint resolution relative to the translation into the German

and other foreign languages of Governor Merrill's Biennial Message and Governor Carpenter's Inaugural Address, was taken up, considered, and referred to Committee on Printing.

By leave, Senator McIntyre offered the following resolution:

Resolved, That the Janitor of the Senate be ordered to return from the House of Representatives the chairs belonging to the Senate Chamber.

The resolution was not adopted.

Senator Hurley offered the following:

Resolved, That the clerks of the committees be allowed a gold pen and pen-holder, and the necessary stationery for use in the discharge of their duties.

The resolution was lost.

REPORTS OF COMMITTEES.

Senator Lowry, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred S. F. No. 38, A bill for an act legalizing the incorporation of the Burlington and Northwestern Railway Company, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

ROBERT LOWRY, *Chairman*.

Senator Beardsley moved that the rule be suspended and the bill read a third time now, which motion prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Burke, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Wonn, and Young—Total, 42.

The nays were—

Senators Campbell, McNutt, and Willett—Total, 3.

Absent or not voting—

Senators Allen, Boomer, Dashiell, McKean, and Richards—Total, 5.

So the bill passed and the title was agreed to.

Also, the following:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred S. F. No. 17, A bill for an act to amend chapter 48 of the acts of the Twelfth General Assembly, and chapter 102 of the acts of the Thirteenth General Assembly, beg leave to report that they

have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate, with the recommendation that it be adopted and do pass.

ROBERT LOWRY, *Chairman*.

Substitute for S. F. No. 17, A bill for an act to repeal an act to amend chapter 48, of the acts of the Twelfth General Assembly, and chapter 102, of the Thirteenth General Assembly, and to provide for the collection of taxes now levied, or may hereafter be levied thereunder.

Was read first and second time, passed on file and ordered printed.

Senator Converse, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined S. F. Nos. 2, 10, and 19, and also the memorial and joint resolution in relation to a bridge across the Mississippi river at Clinton, and find the same correctly enrolled.

A. CONVERSE, *Chairman*.

By leave Senator Boomer presented two petitions, asking for a change in the law in relation to the satisfaction of mortgages.

Referred to Committee on Judiciary.

Senator Leavitt, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred joint resolution in regard to Hospital for Insane, at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with recommendation that it do pass.

JOHN H. LEAVITT, *Chairman*.

Senator Larrabee moved that the rule be suspended, and the joint resolution read a third time now, which motion prevailed.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCord, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Allen, Dashiell, Richards, and Stone—4.

So the joint resolution passed, and the title was agreed to.

Senator Hurley, from the Special Committee on the best means of considering the report of the Commissioners to revise the statutes, submitted the following report:

MR. PRESIDENT—The joint committee of the Senate and House, to whom was referred the matter of suggesting to the general assembly, the most practicable, judicious, and expeditious manner of considering the report of the Statute as revised and re-written by the commissioners created by chapter 75, of the laws of the 13th General Assembly have considered the same, and have instructed me to make the following report:

First, to recommend the adoption of the following concurrent resolution, to-wit:

Resolved by the Senate, the House concurring, That the report and matter submitted by the Commissioners of Revision, be divided and referred to the several committees as follows:

PART I.

Chapters 8 and 9, of title 2, to Committee on Printing.

Chapters 1 to 9, of title 4, to Committee on County and Township Organization.

Chapters 10 and 11, of title 4, to Committee on Incorporations.

All of title 5, to Committee on Elections.

All of title 6, to committee on Ways and Means.

All of title 7, to committee on Roads and Highways.

All of title 8, to committee on Military Officers.

Chapters 124 and 125, of title 9, to committee on Incorporations.

Chapter 3, of title 9, to committee on Agriculture.

Chapters 1, 2, and 4, of title 10, to committee on Internal Improvement.

Chapter 3, of title 10, to committee on Railroads.

Chapters 1, 5, 6, and 8, of title 11, to committee on Police Regulations in the House, and to committee on Judiciary in the Senate.

Chapter 2, of title 11, to Committee on Insane Asylum in the House, and to Committee on Charitable Institutions in the Senate.

Chapters 3 and 4, of title 11, to Committee on Agriculture.

Chapter 6, of title 11, to Committee on Suppression of Intemperance.

Chapters 1, 8, 9, 10, 11, and 12, of title 12, to Committee on Schools.

Chapter 2, of title 12, to Committee on University.

Chapter 3, of title 12, to Committee on Agricultural College.

Chapter 4, of title 12, to Committee on Soldiers' Orphans' Home.

Chapter 5, of title 12, to Committee on Reform School.

Chapter 6, of title 12, to Committee on Institution for the Blind in the House, and on Charitable Institutions in the Senate.

Chapter 7, of title 12, to Committee on Asylum for Deaf and Dumb in House, and on Charitable Institutions in the Senate.

Chapter 13, of title 12, to Committee on Public Library.

Chapter 14, of title 12, to Committee on University.

Title 2, of part 2, to Committee on Commerce.

All other parts and chapters to the Judiciary Committee.

That when considering such report and matter, said Committee of the Senate and House shall be organized and act as a Joint Committee.

That there shall be constituted a Joint Committee, consisting of five members of the Senate and five members of the House, to be called the Committee of Revision, through whom the other committees should report to the respective houses their action so far as the revision is concerned, so as to prevent confusion and the possibility of conflicting action of the several committees.

Second. To report back to the Senate this concurrent resolution to invite to seats on the floors of the two houses, and in the Committee of the Whole, the commissioners of revision with the recommendation that the same be adopted.

The committee would further report that having discharged the duties for which they were created, ask to be discharged from further duties.

JAMES S. HURLEY,
Chairman Joint Committee.

Ordered passed on file and printed.

The resolutions inviting the Commissioners to revise and re-write the Code, to seats on the floors of the two houses during the consideration of their report, with report of Special Committee, recommend that said resolutions be amended by inserting the words "in Committee of the Whole" after the word "and" and before the word "granted," was taken up, considered, and amendments reported by the committee were adopted and the resolutions as amended were agreed to.

At 12 o'clock and 30 minutes, on motion of Senator Read, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, {
January 25, 1872. }

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

Prayer by the Rev. Mr. Swope.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 resolution in which the concurrence of the Senate is asked:

Resolved by the House of Representatives, the Senate concurring, That there be printed for the use of the General Assembly, and the Board of Immigration, 4000 copies of the Biennial Report of said Board.

JOHN J. SAFELEY, *Chief Clerk.*

The President made the following appointments of Senators to visit the State Institutions:

State University—Senator Miles.

Penitentiary—Senator McNutt.

Insane Asylum, Mt. Pleasant—Senator Willett.

Insane Asylum, Independence—Senator Ireland.

Deaf and Dumb Asylum—Senator Beardsley.

Asylum for Blind—Senator McKean.

Orphans' Home, Davenport—Senator Atkins.

Orphans' Home, Cedar Falls—Senator West.

Orphans' Home, Glenwood—Senator Murray.

Agricultural College and Farm—Senator McCulloch.

Reform School—Senator Smith.

PETITIONS AND MEMORIALS.

Senator Murray presented a remonstrance from F. H. Whitney and 152 other citizens of Cass county, remonstrating against the repeal of the law permitting townships, incorporated towns and cities, to aid in the construction of railroads.

Passed on file to be considered with S. F. No. 1.

Senator McCoid presented a petition from 600 citizens of Jefferson county, asking for the passage of a law fixing the rates of tariff on freights and passengers on railroads, and that railroad property be taxed the same as other property.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Campbell: S. F. No. 49, "A bill for an act giving the consent of the Legislature of the State of Iowa to the purchasing by the United States of certain real estate."

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

By Senator Shane: "S. F. No. 50, "A bill for an act to enlarge the Iowa Institution for the education of the Blind and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments and a printing press for the use of the Blind."

Read first and second time, ordered printed and referred to the committee on Charitable Institutions.

By Senator Leavitt: S. F. No. 51, "A bill for an act authorizing the appropriation of money to build bridges."

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

By Senator Crary: S. F. No. 52, "A bill for an act to amend chapter 175 of the laws of the 13th General Assembly, entitled an act providing additional fees for sheriffs, constables and others in certain criminal cases."

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

At 10:30 the President announced that the hour for the consideration of the special order had arrived.

On motion of Senator Campbell the Special Order was postponed 30 minutes.

Senator Beardsley introduced S. F. No. 53, "A bill for an act to authorize the improvement of streets and alleys."

Read first and second time, ordered printed and referred to the committee on Incorporations.

By Senator Smith: S. F. No. 54, "A bill for an act to amend an act entitled an act to provide for the election of county auditors and to define their duties."

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

By Senator McCoid: S. F. No. 55, "A bill for an act amendatory to an act of the 12th General Assembly, chapter 155, entitled an act fixing the compensation of members of future General Assemblies."

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

RESOLUTIONS.

Senator Maxwell offered the following resolution:

Resolved, That the committee on Schools be requested to ascertain whether it is at this time expedient to enact a law for the education of paupers at the County Poor Houses.

The resolution was adopted.

Senator Beardsley offered the following:

Resolved by the Senate, the House concurring, That one hundred copies of White's Geology of Iowa be placed in the hands of Dr. Charles A. White, the late State Geologist, to be distributed by him in such manner as will, in his judgment, give the widest and most favorable publicity to the facts contained in that work.

Senator McCoid moved to amend by striking out all that part relating to giving copies to Dr. White, and insert the following:

"That there be two additional copies of White's Geological Report, furnished each member of this General Assembly."

Senator Fairall moved to amend the amendment by giving one copy to each officer of the Senate, and one to each of the institutions named on pages 119 and 122, of the report of the Superintendent of Public Instruction, which have not already received a copy, and one to Gilford Academy at Vinton, Iowa."

Senator Campbell moved to lay the resolution and the amendments on the table, which motion did not prevail.

Senator Ketcham moved to commit resolution and amendments to the Committee on Schools, with instructions to report a joint resolution providing for the proper and judicious distribution of White's Geological Report.

The motion did not prevail.

Senator Fairall's amendment was lost.

By leave Senator McCoid amended his amendment, by inserting after the word "member," and before the words "General Assembly," the words "and each officer."

The amendment was adopted, and the resolution as amended agreed to.

SPECIAL ORDER.

The hour for the consideration of the special order having arrived being the following resolution:

Resolved, That the Judiciary Committee be instructed to report a bill for an act to repeal chapter 86, of the acts of the Twelfth General Assembly, establishing circuit courts, and supplementary acts relating to the same.

It was taken up and considered.

On motion of Senator Shane, the further consideration of the special order was postponed until Friday, February 15th, at 11 o'clock a. m., and made the special order of that hour.

By leave Senator Larrabee offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That Revs. T. O. Rice, J. G. Dimmit, and O. C. Mabee, clergymen of Des Moines, as well as the pastors of the churches, be included in the invitation to officiate as Chaplains of the General Assembly.

The resolution was adopted.

Senator Ireland offered the following:

Resolved, That the Judiciary Committee be required to inquire into the expediency of amending section 2, chapter 132, of the acts of the Twelfth General Assembly, so as to provide for a suitable bond to be given by township collectors.

The resolution was agreed to.

REPORTS OF COMMITTEES.

Senator Converse, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz: S. F. Nos. 2, 10, and 19, also, memorial and joint resolution in relation to a bridge across the Mississippi river at Clinton.

A. CONVERSE, *Chairman.*

Senator Beardsley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 28, A bill for an act to prevent frequent changes in school books, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended by striking out the word "three" in the fourth line of section 1, printed bill, and insert the word "five," and that when thus amended, it do pass.

CHARLES BEARDSLEY, *Chairman.*

Ordered passed on file.

By leave, Senator Fairall introduced S. F. No. 56, A bill for an act to make a contribution towards the completion of the Washington National Monument.

Read first and second time.

On motion of Senator Larrabee the bill was laid on the table.

On motion of Senator Claussen House messages were taken up.

Resolved by the House, the Senate concurring, That there be printed for the use of the General Assembly and the Board of Immigration, 4,000 copies of the biennial report of said board, was read.

Senator Claussen moved that the Senate concur in the resolution, which motion prevailed.

At 12 o'clock and 10 minutes, on motion of Senator Howland, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 26, 1872. }

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

Prayer by the Rev. Mr. Kephart.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 resolution, in which the concurrence of the Senate is asked :

Joint resolution in relation to the apportionment bill before Congress, asking for its immediate passage.

Also, resolution, instructing joint visiting committee to the State University to examine and report upon the condition of the State Historical Society at Iowa City.

Also, preamble and joint resolution relative to proof of occupancy on homesteads, and to extend the right of soldiers under homestead acts.

Also, that the House has concurred in the Senate resolution relative to the admission of Wm. H. Seevers, Wm. J. Knight, and Wm. G. Hammond to seats on the floor of both houses while in committees of the whole.

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

House File, No. "64," A bill for an act to facilitate the construction of the Chicago, Clinton and Dubuque Railroad company and to legalize certain acts done by said Company.

Also, that the House has passed without amendment, Senate File No. 38, A bill for an act to legalize the incorporation of the Burlington and North-western Railway Company.

The resolutions and bills are herewith transmitted.

J. J. SAFELY, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Dysart presented a petition from L. Clark and others asking for an amendment to the law of the 12th General Assembly in relation to poor farms.

Referred to Committee on County and Township Organization.

Senator Claussen presented a petition from James E. Woods and other citizens of Keokuk county asking for a change in the law in relation to the satisfaction of mortgages.

Referred to Committee on Judiciary.

Senator Russell presented a remonstrance from John W. Scott and other citizens of Audubon county, remonstrating against the repeal of Chapter 102 of the laws of the 13th General Assembly, authorizing townships, incorporated towns and cities to aid in the construction of railroads.

Passed on file to be considered with S. F. No. 1.

Senator Beardsley presented a memorial from J. H. Brugge in relation to a claim against the Hospital for the Insane at Mt. Pleasant.

Referred to committee on Charitable Institutions.

INTRODUCTION OF BILLS.

By Senator Burke: S. F. No. 57, "A bill for an act to tax railroad property."

Read first and second time, ordered printed and referred to committee on Railroads.

By Senator Ketcham: S. F. No. 58, A bill for an act to establish a maximum rate of charges for the transportation of passengers on the different railroads in the State.

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

By Senator Gault: S. F. No. 59, A bill for an act authorizing the Board of Supervisors of Appanoose county to transfer an excess of a fund levied for the payment of county bonds to the ordinary county fund.

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

By Senator McKean: S. F. No. 60, A bill for an act to regulate taxes and the collection thereof voted to aid in the construction of railroads.

Senator McKean moved that the eleventh rule be suspended and the bill read a third time now.

Senator Ireland moved to refer to the Committee on Railroads, with instructions to have it printed, which motion prevailed.

By Senator McCormack: S. F. No. 1, A bill for an act for the relief of Mrrion county, Iowa.

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

By Senator Russell: S. F. No. 62, A bill for an act to provide for a change of venue on preliminary examinations before a magistrate under chapter 195 of the Revision of 1860.

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

By Senator Hurley: S. F. No. 63, A bill for an act for the taxation of railways and railway property within the limits of this State.

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

Senator Lowry moved to take up S. F. No. 1, A bill for an act to repeal an act of the Thirteenth General Assembly, chapter 102, to enable townships, incorporated towns and cities to aid in the construction of railroads, with the report of the Committee on Railroads recommending a substitute, as follows:

Substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, passed March 29th, 1868, being chapter 48, acts of the Twelfth General Assembly, and also to repeal an act entitled an act to enable townships, incorporated towns and cities to aid in the construction of railroads, approved April 12th, 1870, being chapter 102, of the acts of the Thirteenth General Assembly, was taken up and considered.

Senator Boomer to strike out all after the word "voted" in the fifth line of the substitute, and insert "under such act."

On this question the yeas and nays were demanded.

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Chambers, Converse, Crary, Dague, Gault, Kephart, Kinne, Larrabee, Lowry, McCulloch, McKean, Merrill, Read, Shane, Stuart, Vale, West, Willett, and Young—Total, 23.

The nays were—

Senators Allen, Atkins, Campbell, Claussen, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Ketchan, Leavitt, McCord, McCormack, Miles, Murray, Russell, Smith, Taylor, and Wonn—Total, 22.

Absent or not voting—

Senators Maxwell, McNutt, McIntyre, Richards, and Stone—Total, 5.

So the amendment was adopted.

Senator Vale moved to amend by adding the following section:

Sec. 2. This act being deemed of immediate importance, shall be in force and take effect from and after its publication in the *Daily State Register* and *Daily State Leader* newspapers published at Des Moines, Iowa.

Senator Fairall moved a call of the House.

The call was sustained.

Senators McIntyre, McNutt, and Stone, were excused.

Senator Maxwell was absent without leave.

On motion of Senator Converse, further proceedings under the call were dispensed with.

Consideration of substitute for S. F. No. 1, was resumed.

Senator Fitch moved that further consideration of the bill be postponed until Friday, February 16th, at 11 o'clock, a. m.

On this question the yeas and nays were demanded.

And the yeas were—

Senators Allen, Atkins, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Ireland, Kephart, Larrabee, Leavitt, McKean, Murray, Read, Russell, Smith, and Young—23.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Dagne, Gault, Hurley, Ketcham, Kinue, Lowry, McCoid, McCormack, McCulloch, Merrill, Miles, Shane, Stuart, Taylor, Vale, West, Willett, and Wonn—22.

Absent or not voting—

Senators Maxwell, McNutt, McIntyre, Richards, and Stone—5.

So the motion was agreed to.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commissioner to examine and report upon the losses of settlers upon Des Moines River Lands.

BENJ. VAN STEINBURG, *Ass't Clerk.*

By leave Senator Beardsley offered the following resolution:

Resolved, That on and after Monday, February 19th, the special order of the Senate, each day at eleven o'clock, shall be the reports of committees on the report of the Code Commissioners, such reports to be taken up in the order made, or in such order as the Senate may hereafter determine.

Senator McKean moved to amend by striking out the word "eleven" after the word "at" and inserting "two," which was agreed to and the resolution as amended adopted.

Senator Larrabee offered the following:

Resolved by the Senate, That the action of the Census Board in providing additional clerk services for the office of Superintendent of Public Instruction is approved, and the board is recommended to continue such services, if, in their opinion, necessity demands.

The resolution was adopted.

Senator Dagne offered the following:

Resolved, That the Postmaster and Assistant Postmaster be allowed papers and postage, the same as allowed to officers of the Senate.

Senator Miles moved to amend by adding "Mail Carrier." The amendment did not prevail.

Senator Boomer moved to amend by adding "Messengers." The amendment was not agreed to.

Senator West moved to amend by adding "Paper Folders." The amendment was lost.

MESSAGE FROM THE HOUSE.

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 bill in which the concurrence of the Senate is asked:

House File No. 29, A bill for an act to legalize the acts of the city of Clinton, Iowa.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Senator Maxwell offered the following concurrent resolution, which was adopted:

Resolved by the Senate, the House concurring, That the committee appointed to visit the Institution for the Deaf and Dumb, at Council Bluffs, be, and they are hereby instructed, to inquire into the expediency of providing suitable work-shops at that place, so that the pupils may be enabled to learn some valuable trade that will enable them to maintain themselves and be useful citizens when they leave that institution.

Senator Vale moved to amend by adding, "And that the same instructions be given the committee appointed to visit the Reform School."

The amendment was accepted by Senator Maxwell.

By leave, Senator Fitch presented a petition from David H. Taylor and other citizens of Webster county, asking for a change in the law in relation to the satisfaction of mortgages.

Referred to the Committee on Judiciary.

The following resolution, offered by Senator Fairall, was adopted:

Resolved, That the Committee on Ways and Means be instructed to consider and report by bill or otherwise, the expediency of charging a fee of five dollars for each notarial commission hereafter issued.

REPORTS OF COMMITTEES.

By leave, Senator Hurley, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 51, A bill for an act authorizing the appropriation of money to build bridges, beg leave to report that they

have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Senator Leavitt moved to take up Senate File No. 51, A bill for an act authorizing the appropriation of money to build bridges.

The motion prevailed.

Senator Leavitt moved to amend section one, by adding, "*Provided*, That in no case shall they appropriate for said purpose to exceed \$25,000.

On motion of Senator Leavitt, the eleventh rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Chambers, Clausen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Taylor, Vale, West, Willett, Wonn, Young—40.

The nays were—

Senators Beardsley, Campbell, Dashiell, McCormack, McCulloch, Stuart—6.

Absent or not voting—

Senators McIntyre, McNutt, Richards, and Stone—4.

So the bill passed and the title was agreed to.

Senator Maxwell moved to take up House messages, which motion prevailed.

Senators Gault and Fairall were excused for to-morrow.

House File No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton and Dubuque Railroad, and to legalize the acts of said company, and the change of name from the Dubuque, Bellevue and Mississippi Railway Company, and for other purposes, was read first and second time, and referred to Committee on Railroads.

The preamble and joint resolution, relative to proof of occupancy on homesteads, and to extend the right of soldiers under homestead acts, was read first and second time, and referred to Committee on Public Lands.

Substitute for House File No. 1, A bill for an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines River Lands, on account of failure of title, and providing for applying to Congress for relief, was read first and second time, referred to special committee, and made the special order for Monday next, at eleven o'clock.

H. F. No. 29, A bill for an act to legalize the acts of the Council

of the city of Clinton, was read first and second time, and referred to the Committee on Incorporations.

House concurrent resolution instructing the committee appointed to visit the State University, to also visit and examine the condition of the State Historical Society, at Iowa City, and report fully thereon, was concurred in.

Joint resolution relative to the Congressional apportionment bill, was read first and second time.

On motion of Senator Murray the eleventh rule was suspended, and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were—none.

Absent or not voting—

Senators Fairall, Leavitt, McIntyre, McNutt, Miles, Richards, and Stone—7.

So the joint resolution passed and the title was agreed to.

At 12 o'clock and 20 minutes, on motion of Senator McCormack, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA. }
January 27, 1872. }

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

Prayer by the Rev. Mr. Dimmitt.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked.

House File No. "23," A bill for an act to legalize the sale by the Auditor of Washington county of, and authorizing the issue of a patent, to the purchaser, or his heirs, or assigns, for the ne $\frac{1}{2}$ of

nw $\frac{1}{4}$ of section 16, township 74, No. and range 7, W. Washington county, Iowa.

JOHN J. SAFELY, *Chief Clerk.*

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

Resolved by the Senate, the House concurring, That there be two additional copies of White's Geological report furnished each member and officer of this General Assembly.

Which resolution was amended by striking out the word "two" and inserting "three" so as to read three copies of White's Geological Report instead of two.

Also, that the House has concurred in the Senate resolution respecting the invitation to Messrs. Rice, Dimmitt and Maybee to officiate as chaplains as set forth in the resolution.

JOHN J. SAFELY, *Chief Clerk.*

Senator Converse from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—The Committee on Enrolled bills respectfully report that they have examined Senate File No. 38 and find the same correctly enrolled.

A. CONVERSE, *Chairman.*

PETITIONS AND MEMORIALS.

Senator Lowry presented a petition from Dr. Gamble and one hundred and two other citizens of Scott county asking for the repeal of section 18, chapter 173 of the laws of the Ninth General Assembly.

Referred to Committee on Judiciary.

Senator Allen presented a remonstrance from J. H. Jenkins and other citizens of Audubon county remonstrating against the repeal of chapter 102, laws of the 13th General Assembly.

Referred to committee on Ways and Means.

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 Senate joint resolution, with the following amendments in which the concurrence of the Senate is asked:

Provided however, that all expenditures are made in strict conformity to Chapter 120, of the acts of the 13th General Assembly, and shall not exceed in amount the sum of \$10,000.00.

BENJ. VAN STEINBURG, *Ass't Clerk.*

INTRODUCTION OF BILLS.

By Senator Taylor: S. F. No. 64, A bill for an act to punish the makers of mortgages in certain cases.

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

By Senator Bemis: S. F. No. 65, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane at Independence.

Read first and second time, ordered printed, and referred to Committee on Public Buildings.

By Senator Merrill: S. F. No. 66, A bill for an act to amend section 17 of chapter 178 of the acts of the Ninth General Assembly.

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

By Senator McCoid: S. F. No. 67, A bill for an act to amend chapter 115 of the acts of the Ninth General Assembly.

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

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature, the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 38, A bill for an act legalizing the incorporation of the Burlington and Northwestern Railway Company.

BENJ. VAN STEINBURG, *Asst. Clerk.*

RESOLUTIONS.

Senator McCoid offered a memorial and joint resolution to Congress in relation to commerce by railroads.

Read first and second time, ordered printed, and referred to Committee on Federal Relations.

Senator Ketcham offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Secretary of State is hereby authorized to furnish the Chicago Law Institute with copies of all the Iowa Reports and Session Laws he may have on hand.

Senator Ketcham moved to adopt the resolution.

Senator Shave moved to refer to the Committee on Judiciary, which motion prevailed.

Senator Boomer offered the following:

Resolved, That the Committee on Printing, be instructed to return at an early day, S. F. No. 30, A bill for an act amending sections 1 and 2, of chapter 118, of the acts of the Eleventh General Assembly.

The resolution was adopted.

By leave Senator Russell, introduced S. F. No. 68, A bill for an act to legalize the acts of Wm. H. Price, as Auditor of Carroll county, in taking and certifying acknowledgements to certain school fund mortgages, and other conveyances of real estate.

Read a first and second time.

Senator Russell moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young.—41.

The nays were—none.

Absent or not voting

Senators Fairall, Gault, Kephart, Larrabee, McIntyre, McKean, McNutt, Richards, and Stone—9.

So the bill passed and the title was agreed to.

Senator Beardsley offered the following resolution :

Resolved, That the Committee on Ways and Means be instructed to prepare and report as soon as practicable, a bill providing for taxation of the property of railroad corporations the same as that of individuals.

Senator Campbell moved to amend, by striking out the words "the same as that of individuals."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Burke, Campbell, Chambers, Claussen, Crary, Fitch, Havens, Ireland, Kinne, Larrabee, Leavitt, Murray, Read, Russell, Smith, and Taylor—19.

The nays were—

Senators Beardsley, Boomer, Converse, Dague, Dashiell, Dysart, Hurley, Ketcham, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrell, Miles, Shane, Stuart, Vale, West, Willett, Wonn, and Young.—Total, 23.

Absent or not voting—

Senators Fairall, Gault, Howland, Kephart, McIntyre, McNutt, Richards, and Stone—8.

So the amendment did not prevail.

Senator McKean asked, and obtained leave for Senator Kephart until Tuesday next.

On the question "Shall the resolution pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Fitch, Howland, Hurley, Ketcham,

Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—35.

The nays were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Havens, Ireland, and Read—8.

Absent or not voting—

Senators Fairall, Gault, Kephart, McIntyre, McNutt, Richards, and Stone—7.

So the resolution was adopted.

Senator Converse moved to reconsider the vote by which the further consideration of substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities, to aid in the construction of railroads, passed March 29, 1868, being chapter 48, acts of the 12th General Assembly, and also to repeal an act entitled an act, to enable townships, incorporated towns and cities, to aid in the construction of Railroads, approved April 12th, 1870, being chapter 102, of the acts of the Thirteenth General Assembly, was yesterday postponed until February 16th, at 11 o'clock a. m.

Senator Russell moved to lay the motion to reconsider on the table.

The motion did not prevail.

Senator Murray moved to postpone the consideration of the motion until the 16th of February.

On this question, the yeas and nays were demanded, and—

The yeas were—

Senators Allen, Atkins, Bemis, Campbell, Claussen, Crary, Dashiell, Fitch, Havens, Howland, Ireland, Larrabee, Leavitt, McKean, Murray, Russell, Smith, Taylor, Wonn, and Young—20.

The nays were—

Senators Beardsley, Boomer, Burke, Chambers, Converse, Dague, Dysart, Hurley, Ketcham, Kinne, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Read, Shane, Stuart, Vale, West, and Willett—23.

Absent or not voting—

Senators Fairall, Gault, Kephart, McIntyre, McNutt, Richards, and Stone—7.

So the motion to postpone did not prevail.

On the motion of Senator Converse, to reconsider the vote, the yeas and nays were demanded, and—

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Hurley, Ketcham, Kinne, Lowry, McCoid, McCormack, McCulloch, Merrill, Miles, Read, Shane, Stuart, Vale, West, and Willett—24.

The nays were—

Senators Allen, Atkins, Claussen, Crary, Dashiell, Fitch, Havens,

Howland, Ireland, Larrabee, Leavitt, Maxwell, Murray, Russell, Smith, Taylor, Wonn, and Young—18.

Absent or not voting—

Senators Fairall, Gault, Kephart, McIntyre, McKean, McNutt, Stone—8.

So the motion prevailed.

Senator Lowry moved to postpone until Tuesday next, at 11 o'clock A. M.

Senator Fitch moved to amend by striking out "Tuesday next" and inserting "February 17th and that it be made the special order for that day."

On this question the yeas and nays were demanded, and were as follows:

The yeas were—

Senators Allen, Atkins, Claussen, Crary, Dashiell, Fitch, Havens, Howland, Ireland, Larrabee, Leavitt, Maxwell, Murray, Russell, Smith, Taylor, and Young—Total, 17.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Hurley, Ketcham, Kinne, Lowry, McCoid, McCormack, McCulloch, Merrill, Miles, Read, Shane, Stuart, Vale, West, Willett, and Wonn—Total, 25.

Absent or not voting—

Senators Fairall, Gault, Kephart, McIntyre, McKean, McNutt, Richards, and Stone—Total, 8.

So the motion did not prevail.

On Senator Lowry's motion to postpone until Tuesday next at 11 o'clock A. M., the yeas and nays were demanded, and were as follows:

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dague, Dysart, Hurley, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Read, Shane, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—Total, 30.

The nays were—

Senators Atkins, Claussen, Dashiell, Fitch, Havens, Howland, Ireland, Leavitt, McCoid, Murray, Russell, and Smith—Total, 12.

Absent or not voting—

Senators Fairall, Gault, Kephart, McIntyre, McKean, McNutt, Richards, and Stone—Total, 8.

So the motion prevailed.

By leave, Senator Burke submitted the following report from the Committee on Railroads:

MR. PRESIDENT:—Your committee on Railroads to whom was referred Senate File No. 60, A bill for an act, etc., beg leave to report that they have had the same under consideration and have in-

structed me to report the same back to the Senate, with the recommendation that it be amended as follows: After the word "treasurer" in 3rd line of 1st section insert the words "and township Collectors." After the word "treasurer" in the 6th line of the 2d section insert the words or township collector. Strike out section 3 and add the following sections:

Sec. 3. That all taxes now levied or that may be hereafter levied under the provisions of chapter forty-eight of the acts of the Twelfth General Assembly, and also under the provisions of chapter one hundred and two of the acts of the Thirteenth General Assembly of the State of Iowa, shall draw no interest, be subject to no penalty, nor shall the property upon which such taxes are now or hereafter may be levied, be sold for said taxes until the railroad company shall be entitled to receive said taxes under the provisions of the aforesaid acts.

Sec. 4. If taxes, levied under the provisions of chapter one hundred and two of the acts of the Thirteenth General Assembly, become a part of the consolidated tax provided for in section one of chapter one hundred and thirty-eight, of the acts of the Thirteenth General Assembly, the tax payer may pay the full amount of any county, State, school, or other tax; and it shall be the duty of the county treasurer to give a separate receipt therefor.

Sec. 5. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily Iowa State Register, and the State Leader, newspapers published at Des Moines, Iowa.

JOHN E. BURKE, *for Committee.*

Senator Burke moved that the bill and the report of the committee be taken up and considered now.

Senator Young moved that the bill be placed on file and ordered printed.

Senator Campbell moved the bill and report be made the special order at 10 o'clock and thirty minutes on Monday next, which motion prevailed.

REPORTS OF COMMITTEES.

Senator Converse, from the Committee on Enrolled Bills, submitted the following report :

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz.: Senate File No. 88, An act legalizing the incorporation of the Burlington and North-Western Railway Company.

A. CONVERSE, *Chairman.*

Senator Maxwell, from the Special Committee, to whom was referred that portion of the Governor's Message relating to the settlers on Des Moines river lands, submitted the following report :

Report of Select Committee, to whom was referred that portion of the Governor's Message, relating to settlers on Des Moines river lands ; also, substitute for House File No. 1, have fully considered the matters referred to them, and have unanimously agreed to recommend the passage of the bill, as passed by the House. The committee are of opinion that it will be the best means of affording relief to the settlers on the lands, and earnestly recommend its passage.

Your committee held a joint meeting with a similar committee appointed by the House on the same subject, and agreed substantially to a report made by the House committee, which has been printed and laid on the desks of members of the Senate, to which Senators are respectfully referred, as embodying the views of your committee on the subject.

GEO. W. MAXWELL,
B. F. ALLEN,
WM. H. FITCH.

Passed on file to be considered with the bill relating to that subject.

HOUSE MESSAGES.

Senate joint resolution, relating to the continuance of work on the Asylum for the Insane, at Independence, with House amendments, was taken up and considered.

On the question, Shall the Senate concur in the House amendments ?

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young.—Total 40.

The nays were none.

Absent or not voting—

Senators Fairall, Gault, Kephart, Leavitt, McCulloch, McIntyre, McNutt, Richards, Shane, and Stone—Total, 10.

So the Senate concurred in the House amendments.

H. F. No. 23, A bill for an act to legalize the sale by the Auditor of Washington county, of, and authorize the issue of a patent to the purchaser or his heirs or assigns, for n. e. $\frac{1}{4}$ of n. w. $\frac{1}{4}$ of section 16, township 74, north of range 7, west, Washington county, Iowa, was taken up and referred to Committee on Schools.

The House amendments to Senate resolution in relation to White's Geological Report were concurred in.

By leave Senator Hurley, from the Committee on Judiciary, made the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred H. F. No. 58, A bill for an act repealing chapter (56,) fifty-six of the acts of the Eleventh General Assembly, and fixing the time of holding court in Winnesheik county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered that the report pass on file.

At 12 o'clock and 20 minutes, on motion of Senator Campbell, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 29th, 1872. }

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

Prayer by the Rev. T. O. Rice.

Journal of Saturday last read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the following Senate resolution:

Resolution respecting the instructions given to the visiting committees to visit the Deaf and Dumb Institution at Council Bluffs, and Reform School in Lee county, Iowa.

JNO. J. SAFELY, *Chief Clerk.*

The following message was also received from the House:

MR. PRESIDENT—I herewith present for your signature the following joint resolution which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Joint Resolution authorizing the Board of Commissioners of the

Iowa Hospital for the Insane at Independence to continue the work on the same.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Converse, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have examined the joint resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane at Independence to continue the work on the same, and find the same correctly enrolled.

A. CONVERSE, *Chairman.*

PETITIONS AND MEMORIALS.

Senator McCormack presented a petition from A. Yetter and others, asking that the boundary lines of School District No. 18, Knoxville township, Marion county, Iowa, be changed.

Referred to Committee on Schools.

Senator Howland asked leave of absence for Senator Leavitt.

Leave granted.

Senator Dysart asked and obtained leave of absence for Senator Shane.

By leave, Senator Campbell submitted the following report from the Committee on Military:

MR. PRESIDENT—Your Committee on Military, to whom was referred joint resolution in relation to an increase of pensions for Charlotte D. Crocker, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

Also, the following:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 49, A bill for an act giving the consent of the Legislature to the purchase by the United States of certain real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

INTRODUCTION OF BILLS.

By Senator Lowry: S. F. No. 69, A bill for an act to provide for the examination of the State institutions.

Read first and second time, and referred to Committee on Charitable Institutions.

By Senator Stuart: S. F. No. 70, A bill for an act to amend

chapter 171, of the acts of the Twelfth General Assembly, entitled, An act for the registry of electors and to prevent fraudulent voting ; and chapter 174, of the acts of the Thirteenth General Assembly, entitled, An act to amend the registry law.

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

By Senator Russell : S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands by Carroll county, to E. F. Burgan.

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

By Senator Boomer : S. F. No. 72, A bill for an act to change the time of holding the District Courts in the Ninth Judicial District of Iowa.

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

By Senator Taylor : S. F. No. 73, A bill for an act to amend Section 3,293, of the Revision of 1860, relating to stay of execution.

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

SPECIAL ORDER

The President announced that the hour for the special order had arrived, it being the consideration of S. F. No. 60, A bill for an act to regulate taxes and the collection thereof, voted to aid in the construction of railroads, with report of committee recommending amendments, it was taken up and considered.

The question being on the amendments of the committee, on motion of Senator Larrabee they were considered singly.

Senator Fairall moved to strike out the figure " 3 " in the original bill, which prevailed.

Senator Larrabee moved to amend section 3, in the 5th line by adding after the word " receive," the words " the whole amount of."

The amendment did not prevail.

The President announced that the hour for the special order had arrived, it being substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines river lands, on account of failure of title, and providing for applying to Congress for relief, with the report of the special committee recommending that it do pass.

On motion its consideration was postponed for thirty minutes.

Senator Lowry moved that when the Senate adjourn it shall be until 2 o'clock and 30 minutes, which motion prevailed.

On motion of Senator Larrabee the consideration of the special order, it being substitute for H. F. No. 1, was postponed until S. F. No. 60, was disposed of.

Senator Vale moved to amend section 3, of the report of committee, by inserting after the word " now " in the 4th line, the word

"levied," transposing in the same line the words "hereafter may," striking out in the 5th line the word "be" before the word "entitled," and inserting the words "have been."

The amendments were adopted.

By leave Senator Claussen moved to amend the original bill by striking out of the 6th line of section 1, the word "company," and inserting the words "the railroad company to be benefitted by said tax," and inserting in the 8th line of said section, after the word "extended," the words "by said railroad company."

The amendment was adopted.

The third section as reported by committee and amended, was then adopted.

Senator Larrabee moved to amend the fourth section by striking out of the 4th line before the word "county" the word "any," also, strike out the word "or" after the word "school," and insert the word "and," also, strike out of the 5th line the word "separate."

The amendment was adopted.

At 12 o'clock and 10 minutes, on motion of Senator Willett, the Senate adjourned.

2 O'CLOCK AND 30 MINUTES.

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

By leave Senator Lowry, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred S. F. No. 35, A bill for an act to facilitate the construction of the Chicago, Clinton and Dubuque Railroad and to legalize the acts of said company, and the change of name from the Dubuque, Bellevue and Mississippi Railway Company, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that H. F. No. 64, a bill for the same purpose, be substituted therefor, and do pass.

Ordered passed on file.

Also, S. F. No. 63, A bill for an act for the taxation of railways and railway property within the limits of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be referred to the Committee on Ways and Means.

Also, S. F. No. 33, A bill for an act for the taxation of railroad property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be referred to the Committee on Ways and Means.

ROBERT LOWRY, *Chairman.*

On motion of Senator Beardsley, the bills were referred in accordance with the recommendations of the committee.

Senator Claussen, from the Committee on Soldiers' Orphans' Homes, submitted the following report:

MR. PRESIDENT—Your Committee on Orphans Home, to whom was referred a resolution, requiring a bill, which shall provide that the Iowa Soldiers' Orphans' Home shall be made a permanent institution of the State and shall apply to all orphans, whether of soldiers or civilians, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate, with the recommendation that in their opinion a law on said subject is not desirable at the present time.

H. R. CLAUSSEN, *Chairman.*

Ordered passed on file.

Senator West, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate File No. 9, A bill for an act to enable civil townships to adopt the provisions of chapter 26 of the laws of the 13th General Assembly entitled "An act to restrain stock from running at large," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

J. P. WEST, *Chairman.*

Passed on file.

The special order, being S. F. No. 60, with the report of the committee, was taken up.

The 4th section, reported by the committee, was adopted.

Senator Fairall moved that the publication clause reported by the committee be stricken out, which motion prevailed.

The report of the committee as amended was then adopted.

Senator Fairall moved that the bill be amended by adding the following as section 5:

SEC. 5. That when it is certified to the county treasurer or township collector by the trustees of any township, or the trustees or council of any incorporated city or town that the railway company has in all respects complied with the statutes and with all contracts and agreements referred to in section two of this act relative to such tax and is entitled thereto, it shall be the duty of said treasurer or collector to give 60 days notice thereof by publication in some newspaper published in the county, and if there be no such newspaper, by posting three notices thereof in each township, city or town from which said tax is to be collected and from the time of the giving of such notice said tax shall become delinquent and not before.

A message from the House was announced.

The President objected to receiving the message from the fact that the House was not in session, and should refuse to receive the message unless the Senate, by a vote, authorized him to do so.

Senator Read moved that the Senate refuse to receive any message from the House unless that body was in session.

Senator Fairall moved to refer the question to the Committee on Rules, which motion prevailed.

Senator Beardsley moved that the message now at the door of the Senate be received.

The motion was adopted, and the following message was received from the House:

MESSAGE FROM THE HOUSE.

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

H. F. No. 13, A bill for an act prescribing the time when taxes voted or to be voted in aid of railroads, shall become due, payable and collectable, and to repeal chapter 48 of the acts of the Twelfth General Assembly, and chapter 102 of the acts of the Thirteenth General Assembly.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Senator Maxwell moved to take up House messages.

The motion did not prevail.

Senator Larrabee moved to substitute H. F. No. 16 for S. F. No. 60.

Senator McKean raised the point of order that it was not in order to substitute one bill on the files of the Senate for another bill also on the files of the Senate.

The President held that the Senate having just refused to take the bill from the table, it would not be in order to substitute it for the bill under consideration, but that it would be in order to substitute one bill on the files for another bill on the files when both were before the Senate. The President therefore decided the point not well taken, but the motion of Senator Larrabee out of order.

Senator West moved that the further consideration of the bill be postponed until 11 o'clock and five minutes to-morrow morning.

Senator Fairall raised the point of order that the question in regard to postponement had been settled by a prior vote of the Senate.

The President decided the point of order well taken.

Senator Larrabee moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, Merrell, Miles, Murray, Read, Russell, Smith, Stuart, Taylor, Vale, West, Wonn, and Young—42.

The nays were—

Senators McCoid and Willett—2.

Absent or not voting—

Senators Kephart, Leavitt, McNutt, Richards, Shane, and Stone—6.

So the bill passed and the title was agreed to.

The special order being substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines river lands on account of failure of title, and providing for applying to Congress for relief, was taken up and considered.

Senator Maxwell submitted a document which the Secretary proceeded to read.

On motion of Senator Dashiell the further reading of the communication was dispensed with.

Senator Kinne moved to suspend the 11th rule and read the bill a third time now, which motion prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stuart, Taylor, Vale, West, Willett, and Young—42.

The nays were none.

Absent or not voting—

Senators Kephart, Larrabee, Leavitt, McNutt, Richards, Shane, Stone, and Wonn—8.

So the bill passed and the title was agreed to.

Senator Larrabee moved to take up the report of the committee on S. F. No. 35, A bill for an act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad Company and to legalize the acts of said company, and to change the name from the Dubuque, Bellevue & Mississippi Railway Company, and other purposes, and make it the special order for to-morrow at 10½ o'clock.

Senator Stuart moved to amend by striking out the words "to-morrow at 10½ o'clock," and insert February 16th, at 11 o'clock,
A. M.

The motion did not prevail.

Senator Larrabee's motion was then agreed to.

On motion of Senator Beardsley, House messages were taken up.

H. F. No. 16, A bill for an act prescribing the time when taxes voted or to be voted in aid of railroads shall become due, payable, and collectable, and to repeal chapter 48 of the acts of the 12th General Assembly, and chapter 102 of the acts of the 13th General Assembly, was read first and second time and ordered printed.

Senator Beardsley moved to refer the bill to the Committee on Railroads.

Senator Fairall moved to amend by striking out the word "Railroad" and inserting the word "Judiciary," which was agreed to, and the motion as amended was adopted.

At 4 o'clock and 25 minutes, on motion of Senator McIntyre, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
January 30, 1872. }

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

Prayer by Col. J. P. Sanford.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE HOUSE.

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 memorial and joint resolution, in which the concurrence of the Senate is asked:

Joint resolution asking Congress to pass a law granting one hundred and sixty acres of land to honorably discharged soldiers and sailors of the war of the Rebellion.

JOHN J. SAFELEY, *Chief Clerk.*

Senator Converse, from the Committee on Enrolled Bills, submitted the following report :

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following:

A joint resolution authorizing the Board of Commissioners of

the Iowa Hospital for the Insane at Independence to continue the work on the same.

A. CONVERSE, *Chairman.*

PETITIONS AND MEMORIALS,

Senator Vale presented a petition from Allen Gephart and seven other members of the bar and officers of Van Buren county, asking for the repeal of section 8670, chapter 146 of the Revision of 1860, and to amend the same.

Referred to Committee on Judiciary.

Also, a petition from L. N. Thomas and other citizens of Polk county, on the same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Beardsley : S. F. No. 74, A bill for an act to enlarge the powers of school directors and increase the efficiency of the public schools.

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

By Senator Fairall : S. F. No. 75, A bill for an act pertaining to the division of civil townships.

Read a first and second time, ordered printed, and referred to a special committee consisting of Senators Fairall, Richards, Ireland, Clauseen, Lowry, McNutt, Beardsley, McCulloch, Allen, and Stone.

By Senator Russell : S. F. No. 76, A bill for an act to amend sections 1 and 2 of chapter 54 of the acts of the Thirteenth General Assembly.

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

By Senator Larrabee : S. F. No. 77, A bill for an act to provide for funding city and county indebtedness.

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

By Senator Orary : S. F. No. 78, A bill for an act to amend chapter 25 of the Revision of 1860.

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

By Senator Leavitt : S. F. No. 79, A bill for an act to amend chapter 89 of the laws of the Thirteenth General Assembly, in relation to equalization of assessments by township trustees.

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

The President announced that the hour for the special order, being S. F. No. 85, A bill for an act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad, and to legalize the

acts of the said company, and the change of name from the Du-buque, Bellevue & Mississippi Railway Company, and for other purposes, with the report of the Committee on Railroads recommending that it do pass.

On motion of Senator Harley this special order was postponed ten minutes.

By leave, Senator Vale introduced the following resolution :

Resolved by the Senate, That the Committee on County and Township Organizations be instructed to inquire into the propriety of enacting a law authorizing civil townships to levy a tax to build town houses, and report by bill, or otherwise, at an early day.

The resolution was not adopted.

The introduction of bills was resumed.

By Senator Leavitt: S. F. No. 80, A bill for an act to amend sections 777 and 778 of chapter 45 of the Revision of 1860, in relation to tax sales.

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

By Senator Taylor: S. F. No. 81, A bill for an act to amend section 3362 of chapter 125 of the Revision of 1860.

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

By Senator Merrill: S. F. No. 82, A bill for an act authorizing the purchase and improvement of county agricultural fair grounds.

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

RESOLUTIONS.

Senator Larrabee offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be and are hereby earnestly requested to use their influence to procure at an early day, the passage of a law providing for a connection with and adding to the present postoffice facilities, a complete system of telegraph, so as to bring it within the reach and means of the great mass of the people.

The resolution was referred to the Committee on Internal Improvements.

Senator Hurley offered to following concurrent resolution, which was adopted.

Resolved by the Senate, the House concurring, That the commissioners created under chapter 75 of the laws of the 18th General Assembly be, and are hereby, requested and empowered to superintend the printing of their written report, and have the same upon the desks of the members of this assembly at an early day.

Senator Ketcham offered the following :

Resolved. That the Secretary of the Senate is hereby instructed to furnish each Senator a printed list containing the number and disposition made of all bills introduced in the Senate to date, and after the recess he shall twice each week furnish such list.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 40, A bill for an act to authorize incorporated towns to appropriate a certain portion of the road tax, to aid in the construction and repair of roads leading thereto.

Also, joint resolution relating to the terminus of the Union Pacific railroad, and the violation of its charter by action of the Union Pacific Railroad Company.

BENJ. VAN STEINBURG, *Ass't Clerk.*

The hour for the special order having arrived, it being S. F. No. 35, A bill for an act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad, and to legalize the acts of the said company, and the change of name from the Dubuque, Bellevue & Mississippi Railway Company, and for other purposes, with the report of the Committee on Railroads, recommending that H. F. No. 64, be substituted therefor, was taken up and considered.

Senator Stewart moved to strike out all of section 3, after the words "Dubuque Railroad Company" where it occurs the last time, and insert the following :

Provided, That nothing in this act shall be construed as to prevent any citizen, company or corporation, from prosecuting any just claim they may have against said company, officers, or directors of said company.

The amendment was lost.

MESSAGE FROM THE HOUSE.

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 without amendment :

S. F. No. 51, A bill for an act authorizing the appropriation of moneys to build bridges.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Lowry moved that when the Senate adjourn, it shall be until 2½ o'clock this afternoon.

On this question the yeas and nays were demanded.

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Chambers, Claussen, Converse, Crary, Dague, Dysart, Gault, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Reade, Shane, Smith, Taylor, Vale, West, and Wonn—31.

The nays were—

Senators Atkins, Boomer, Campbell, Dashiell, Fairall, Fitch, Havens, Howland, Leavitt, Maxwell, McIntire, Murray, Russell, Stone, Stuart, Willett, and Young—17.

Absent or not voting—

Senators McNutt, and Richards—2.

So the motion prevailed.

The President announced that the hour had arrived for the special order, it being the consideration of substitute for S. F. No. 1.

On motion of Senator Lowry the special order was postponed fifteen minutes.

The substitute was then adopted.

Senator Stone moved to suspend the eleventh rule and read the bill a third time now, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCulloch, McIntyre, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, West, Willett, Wonn, and Young—44.

The nays were—

Senators Maxwell and Stuart—2.

Absent or not voting—

Senators McCormack, McNutt, Richards, and Vale—4.

So the bill passed and the title was agreed to.

Senator Lowry moved to take up the special order, S. F. No. 1, A bill for an act to repeal an act of the Thirteenth General Assembly, chapter 102, to enable townships, incorporated towns and cities to aid in the construction of railroads, with the report of the Committee on Railroads recommending a substitute.

The motion was agreed to.

Senator Hurley presented a communication from D. A. Mahoney, which the Secretary proceeded to read.

On motion of Senator Murray, the further reading was dispensed with.

The question was on the adoption of the following amendment

offered by Senator Vale to the substitute reported by the committee:

SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Daily State Register and Daily State Leader, newspapers published in Des Moines, Iowa.

On motion of Senator Maxwell the Senate adjourned.

TWO O'CLOCK AND THIRTY MINUTES.

The Senate met pursuant to adjournment.

President in the chair.

The question was on the adoption of the amendment offered by Senator Vale.

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

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Chambers, Dague, Gault, Kephart, McCoid, McCormack, Miles, Shane, Vale, and Wonn—14.

The nays were—

Senators Atkins, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McIntyre, McKean, Merrill, Murray, Russell, Smith, Stone, Taylor, West, Willett, and Young—30.

Absent or not voting—

Senators Allen, McOnloch, McNutt, Read, Richards, and Stuart—6.

So the amendment did not prevail.

A communication in writing from the Governor was received, at the hands of his Private Secretary, Capt. W. H. Fleming, which was laid on the President's table.

Senator Willett moved to amend section 1, by adding, "nor will any right of the State in regard to the management of railroads, and regulation of their charges for the transportation of freight and passengers, as provided in section 4, of said chapter 102."

The amendment was adopted.

The substitute as amended was then adopted.

Senator Burke asked and obtained leave of absence for Senator Allen.

Senator Lowry moved that the 11th rule be suspended, and the bill read a third time now, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dague, Dysart, Fairall, Gault, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Read, Shane, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—36.

The nays were—

Senators Atkins, Claussen, Dashiell, Fitch, Havens, Howland, Leavitt, McIntyre, Murray, and Russell—11.

Absent or not voting—

Senators Allen, McNutt, and Richards—3.

So the bill passed and the title agreed to.

Senators Maxwell and McIntyre, were granted leave of absence.

REPORT OF COMMITTEE.

Senator Beardsley submitted the following report from the Committee on Schools:

MR. PRESIDENT—Your Committee on Schools, to whom was referred H. F. No. 23, "A bill for an act to legalize the sale by the auditor of Washington county, of and authorize the issue of a patent to the purchaser or his heirs or assigns, for the north east $\frac{1}{4}$ of north west $\frac{1}{4}$, of section 16, township 74, north of range 7 west, Washington county, Iowa," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

CHARLES BEARDSLEY, *Chairman*.

Senator Beardsley moved that the bill and report be taken up and considered.

The motion prevailed.

Senator Beardsley moved that the 11th rule be suspended, and the bill read a third time now, which motion was agreed to.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

The absent or not voting—

Senators Allen, McIntyre, McNutt, Richards, and Russell—5.

So the bill passed and the title was agreed to.

Senator Stone moved to take up the House joint resolution in relation to the terminus of the Union Pacific Railroad, which motion prevailed.

Read first and second time.

On motion of Senator Stone the eleventh rule was suspended and the bill read a third time.

On the question, "Shall the joint resolution pass?" the yeas and nays were as follows:

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Allen, McIntyre, McNutt, Richards, and Russell—5.

So the joint resolution passed and the title was agreed to.

Senator Campbell moved to take up the House joint resolution and the report of the committee in relation to the increase of pension for Charlotte D. Crocker.

The motion was agreed to.

On motion of Senator Campbell the eleventh rule was suspended and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?" the yeas and nays were as follows:

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Taylor, Vale, Willett, Wonn, and Young—41.

The nays were—

Senators Atkins, Fitch, Maxwell, Stuart, and West—5.

Absent or not voting—

Senators McIntyre, McNutt, Richards, and Russell—4.

So the joint resolution passed and the title was agreed to.

Senator Murray submitted the following report:

MR. PRESIDENT—Your committee on federal relations to whom was referred the petition of David Morgan and others that some action be taken by this General Assembly against the movement to remove certain tribes of Indians from their reservations, beg leave to report that they have had the same under consideration

and have instructed me to report the accompanying joint resolution with the recommendation that it be adopted.

B. F. MURRAY, *Chairman.*

Passed on file.

Senator Hurley, from the Judiciary committee submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred sundry petitions asking for legislation in regard to the manner of cancelling mortgages that have been paid off either before or after suit thereon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the accompanying bill, with the recommendation that the same do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Senator Dague, from the committee on Printing, submitted the following :

MR. PRESIDENT—Your Committee on Printing to whom was referred the concurrent resolution authorizing committees on printing to provide for the translation and printing of the biennial and inaugural messages in the several foreign languages, beg leave to report that they have had the same under consideration, and have instructed me to report the following resolution as a substitute for the same, with the recommendation that it do pass:

Resolved by the Senate, the House concurring, That the State Printer be authorized to have translated the biennial and inaugural messages into the several languages in which they have been ordered printed by the General Assembly; *Provided,* that the compensation for translating the same into such language shall not exceed for the biennial the sum of \$50, and for the inaugural the sum of \$35; and the compensation for composition and press work shall be the same as now established by law.

R. A. DAGUE, *Chairman.*

On motion of Senator West the report of the committee was adopted.

On motion of Senator Murray the Senate went into executive session.

At 3 o'clock and 30 minutes the doors of the Senate were opened.

Senator Murray moved that the Senate adjourn.

The motion did not prevail.

Senator McCormack moved to take up S. F. No. 20, A bill for an act to amend section 2524 of the Revision of 1860, with the report of the Judiciary Committee recommending that it do pass.

The motion was agreed to.

On motion of Senator McCormack the 11th rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Orary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Vale, Willett, Wonn, and Young—40.

The nays were—

Senators Chambers, Kephart, Taylor, and West—4.

Absent or not voting—

Senators Allen, Dashiell, McIntyre, McNutt, Richards, and Russell—6.

So the bill passed and the title was agreed to.

On motion of Senator Hurley the report of the special committee on the best means of considering the report of Codifying Commissioners, was taken up and adopted.

At 4 o'clock, on motion of Senator Reed, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA. }
January 31, 1872. }

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

Prayer by the Rev. T. O. Rice.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Senator Converse, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined S. F. No. 51, A bill for an act authorizing the appropriation of money to build bridges.

Also, substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimant upon the Des Moines River lands,

on account of failure of title, and providing for applying to Congress for relief.

Also, H. F. No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad, and to legalize the change of name from Dubuque, Bellevue & Mississippi Railway Company, and for other purposes, and find the same correctly enrolled.

A. CONVERSE, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly signed by the Speaker of the House :

Substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines River lands, on account of failure of title, and providing for applying to Congress for relief.

Also, H. F. No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad, and to legalize the acts of said company, and the change of name from the Dubuque, Bellevue & Mississippi Railway Company, and for other purposes.

Also, S. F. No. 51, A bill for an act authorizing the appropriation of moneys to build bridges.

JNO. J. SAFELY, *Chief Clerk.*

By leave, Senator Stone introduced a joint resolution in relation to the terminus of the Union Pacific Railroad.

Read a first and second time.

On motion of Senator Stone the 11th rule was suspended, and the joint resolution read a third time.

On the question, " Shall the joint resolution pass ? "

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Maxwell, McIntyre, McNutt, Richards, and Russell—6.

So the joint resolution passed, and the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Bemis presented a petition from T. J. Marinus and others asking for a change in the law in relation to the satisfaction of mortgages.

Referred to the Committee on Judiciary.

Senator Boomer presented a petition from S. R. Young and 44 others praying for the abolishment of the office of County Superintendent of Schools.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator McKean: S. F. No. 83, "A bill for act to define and punish misdemeanors in the buying, selling and delivery of corn, grain and other articles, and to punish the change of scales and standards fixed by law for weights and measures."

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

By Committee on Agriculture: S. F. No. 84, "A bill for an act to amend an act entitled an act to protect game, passed April 7th, 1868."

Read first and second time and passed on file.

By Senator McCulloch: S. F. No. 85, "A bill for an act concerning roads and highways."

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

RESOLUTIONS.

Senator Larrabee offered a joint resolution, relative to water communication between the Mississippi River and Lake Michigan, by way of the Fox and Wisconsin Rivers.

Read first and second time.

On motion of Senator Larrabee the 11th rule was suspended and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, McCord, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Leavitt, Maxwell, McIntyre, McNutt, Richards and Russell—7.

So the joint resolution passed and the title was agreed to.

Senator Campbell offered the following :

Resolved, That the Ways and Means committee be instructed to examine into and report upon the expediency of the repeal or modification of chapters 79 and 95 of the acts of the 12th General Assembly, relating to the appointment of commissioners to settle certain claims against the general government, with a view to speedy settlement of the same.

The resolution was adopted.

Senator Ketcham called up his resolution introduced yesterday in relation to printed lists of bills and their disposition.

The Senate refused to adopt the resolution.

Senator Beardsley offered a joint resolution proposing to amend the Constitution of the State of Iowa, and to provide for its reference and publication.

Read first and second time and referred to committee on Constitutional Amendments.

Senator Howland offered a "preamble and joint resolution to Congress in relation to the enlargement of the canal at the foot of Lake Superior and removal of obstructions in the St. Mary's river issuing therefrom."

Read first and second time, and referred to committee on Federal Relations.

HOUSE MESSAGES.

H. F. No. 40, A bill for an act to authorize incorporated towns to aid in the construction and repair of roads leading thereto.

Read first and second times.

Senator Shane moved that the 11th rule be suspended and the bill read a third time now.

Senator Willett moved to amend the bill by striking out that part of section 2 relating to submitting the question to a vote of the people.

Senator Beardsley moved to refer to the committee on Incorporations, which motion prevailed.

The President announced Senators Stone and Allen as the committee provided for in the joint resolution in relation to the terminus of the Union Pacific Railroad.

The House joint resolution in relation to homesteads for soldiers and sailors of the late war, was taken up, read first and second time, and referred to committee on Military.

REPORT OF COMMITTEE.

Senator Burke, from the committee on Incorporations, submitted the following report :

MR. PRESIDENT—Your Committee on Incorporations to whom was referred H. F. No. 29, A bill for an act to legalize the acts of

the council of the city of Clinton, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BURKE, *Chairman.*

The bill with the report of the committee was taken up and considered.

Senator Burke moved to suspend the 11th rule and read the bill a third time now, which motion prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Lagabee, Leavitt, Lowry, McCoid, McCoormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Kinne, Maxwell, McIntyre, McNut, Richards, Russell, and Stone—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill without amendment :

S. F. No. 60, A bill for an act to regulate taxes and the collection thereof voted to aid in the construction of railroads.

BENJ. VAN STEINBURG, *Ass't Clerk.*

REPORT OF COMMITTEES.

Senator Dague from the Committee on Printing submitted the following report :

MR. PRESIDENT—Your Committee on Printing to whom was referred S. F. No. 30, A bill for an act to amend an act entitled an act to provide for the publication of the general and certain local laws, and of the proceedings of the board of supervisors in the several counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

R. A. DAGUE, *Chairman.*

Ordered passed on file.

Senator Converse from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have examined joint resolution relating to the terminus of the Union Pacific railroad, and the violation of the terms of its charter, and find the same correctly enrolled.

A. CONVERSE, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

H. F. No. 29, A bill for an act to legalize certain acts of the city of Clinton, Iowa.

Also, joint resolution relating to the terminus of the Union Pacific railroad, and the violation of its charter by action of the Union Pacific Railroad Company.

Also, that the House of Representatives has concurred in Senate joint resolution relative to the appointment of a committee to ascertain what legislation is necessary to protect Iowa commerce, and the interests of Iowa, and that Messrs. Beresheim, Gear, and Duncombe are appointed as committee on part of the House.

Also, that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked :

H. F. No. 102, A bill for an act to appropriate certain moneys for the payment of the temporary officers of the Fourteenth General Assembly, and for postage.

BENJ. VAN STEINBURG, *Ass't Clerk.*

On motion of Senator Campbell, S. F. No. 49, A bill for an act giving the consent of the Legislature of the State of Iowa to the purchase by the United States of certain real estate, with the report of the committee recommending that it do pass, was taken up and considered.

On motion of Senator Campbell, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardale, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland,

Kephart, Ketcham, Larrabee, Leavitt, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Stone, Taylor, Vale, West, Willett, Wonn, and Young—42.

The yeas were none.

Absent or not voting—

Senators Kinne, Maxwell, McIntyre, McNutt, Richards, Russell, Smith, and Stuart—8.

So the bill passed and the title was agreed to.

S. F. No. 24, A bill for an act to vacate a portion of the town or village plat of Ontario, in the county of Wright, and State of Iowa, with the report of the committee recommending that the bill do not pass, was taken up.

On motion of Senator Beardsley the bill was indefinitely postponed.

Substitute for S. F. No. 17, A bill for an act to amend chapter 48 of the acts of the 12th General Assembly, and chapter 102 of the acts of the 13th General Assembly, and to provide for the collection of taxes now levied or may hereafter be levied thereunder, was taken up.

On motion of Senator Beardsley the bill was indefinitely postponed.

S. F. No. 25, A bill for an act to amend chapter 187 of the revision of 1860 with report of committee recommending that the bill do not pass, was taken up, and on motion of Senator Larrabee the bill was indefinitely postponed.

S. F. No. 28, A bill for an act to prevent frequent changes in school books, with the report of the committee recommending amendments was taken up and considered.

Senator Lowry moved to postpone the further consideration of the bill until February 14, at 11 o'clock A. M., which motion prevailed.

Senator Larrabee moved to take up H. F. No. 102, A bill for an act to appropriate certain moneys for the payment of the temporary officers of the 14th General Assembly and for postage.

The motion was agreed to.

The bill was read first and second time.

On motion of Senator Larrabee the following amendment was adopted :

This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Daily Iowa State Register and Daily State Leader, newspapers published at Des Moines, Iowa.

On motion of Senator Larrabee the 11th rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fairall,

Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Stone, Taylor, Vale, West, Willett, Wonn, Young—41.

The nays were—none.

Absent or not voting—

Senators Converse, Kinne, Maxwell, McIntyre, McNutt, Richards, Smith and Stewart—9.

So 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 of Representatives has concurred in Senate joint resolution, relative to the water communication between the Mississippi River and Lake Michigan by way of Wisconsin and Fox Rivers.

BENJ. VAN STEINBURG, *Ass't Clerk*.

On motion of Senator Larrabee the Sergeant-at-Arms of the Senate was excused until the 13th of February next.

REPORT OF COMMITTEES.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 51, An act authorizing the appropriation of money to build bridges.

Also, substitute for H. F. No. 1, An act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines River lands on account of failure of title and providing for applying to Congress for relief.

Also, H. F. No. 64, An act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad and to legalize the acts of said company, and change of the name of the Dubuque, Belleview & Mississippi Railroad Company, and for other purposes.

Also, joint resolution relative to the terminus of the Union Pacific Railroad.

Also, H. F. No. 29, An act to legalize the acts of the council of the city of Clinton.

A CONVERSE, *Chairman*.

On motion of Senator Beardsley the Doorkeeper of the Senate was excused until February 13th.

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

SENATE CHAMBER, DES MOINES, IOWA, }
February 1, 1872. }

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

Prayer by the Rev. Mr. Turnbull.

On motion of Senator Burke the reading of the journal was dispensed with.

Senator Burke moved that an additional member of the committee on enrolled bills be temporarily appointed.

The motion prevailed.

The President appointed Senator Burke as such additional member.

REPORT OF COMMITTEE.

Senator Burke, from committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have examined H. F. No. 102, and joint resolution in relation to water communication between the Mississippi River and Lake Michigan, and find the same correctly enrolled.

Also, the Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, H. F. No. 105, and joint resolution relative to water communication between the Mississippi River and Lake Michigan, via the Fox and Wisconsin Rivers.

BURKE, *for Committee.*

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I herewith present for your signature the following bill and joint resolution :

H. F. No. 102, A bill for an act to appropriate certain moneys for the payment of the temporary officers of the Fourteenth General Assembly, and for postage.

Also, joint resolution relative to water communication between the Mississippi River and Lake Michigan, via the Wisconsin and Fox Rivers.

JOHN J. SAFELY, *Chief Clerk.*

Senator Taylor moved a call of the Senate.

The call was sustained, and the Secretary proceeded to call the roll.

On motion of Senator Burke further proceedings under the call were dispensed with.

Senator Taylor moved that the Senate adjourn.

On the question the yeas and nays were demanded, and

The yeas were—

Senators Burke, Orary, Kephart, Taylor, and Willett—5.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Beardale, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNatt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Vale, West, Wonn, and Young—45.

So the motion prevailed, and the President declared the Senate adjourned until Tuesday, February 13, 1872, at 10 o'clock A. M.

SENATE CHAMBER, DES MOINES, IOWA, }
February 13th, 1872. }

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

The journal of February 1st, 1872, was read and approved.

Senators Hurley, Ireland, and Havens were granted leave of absence.

PETITIONS AND MEMORIALS.

Senator Lowry presented a petition from James Hall, late State Geologist, in relation to a claim against the State of Iowa.

Referred to committee on claims.

Senator Clausen presented a remonstrance from members of the bar in the seventh judicial district, against the removal of the argument term of the Supreme Court from Davenport to Iowa City.

Referred to committee on judiciary.

Senator Fairall presented a petition from George Andress asking that a professor's chair of hydropathy be established in the State University.

Referred to committee on medical institutions.

Senator Maxwell presented a petition from Ole K. Hill and fifty-eight other citizens of Story county, asking that the freights and fare on railroads be regulated by law.

Referred to committee on railroads.

Senator McNutt presented a petition from the teachers and officers of the prison Sunday school at Ft. Madison, asking for an appropriation to enable discharged convicts to reach their home and friends.

Referred to committee on ways and means.

Senator McCormack presented a petition from Charles Smith and other citizens of Marion county, asking for the repeal of the present prohibitory liquor law, and the passage of a bill embracing the features of the license law recently enacted by the legislatures of the States of Ohio and Illinois.

Referred to committee on suppression of intemperance.

Senator Merrill presented a petition from L. J. Wilson and other citizens of Wapello county, asking for the enactment of a law to protect the producers of this State against oppressive charges by railroad companies for the transportation of freight and passengers.

Referred to committee on railroads.

INTRODUCTION OF BILLS.

By Senator Wonn: S. F. No. 86, A bill for an act for the transfer of certain proceedings from courts having no jurisdiction thereof.

Read first and second time, and referred to committee on judiciary.

By Senator Converse: S. F. No. 87, A bill for an act for the better suppression of intemperance and to prevent the formation of drinking clubs.

Read first and second time, and referred to committee on suppression of intemperance.

By Senator Willett: S. F. No. 88, A bill for an act to amend chapter 53 of the Revision of 1860, so as to permit corporations of this State of an academical character—the members of which shall consist of the lay members and pastors of churches, delegates to any synod, conference, or council, hold its annual meetings alternately in this and one or more adjoining States—to hold meetings of the corporation for the election of officers and transaction of business in any adjoining State to this.

Read first and second time, ordered printed, and referred to committee on incorporations.

Senator Maxwell moved a call of the Senate.

The call was sustained and the Secretary proceeded to call the roll, and the following Senators were found absent:

Senators Allen, Atkins, Bemis, Boomer, Campbell, Crary, Dague, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, McCoid, McIntyre, McKean, Miles, Murray, Richards, Russell, and Smith—24.

On motion of Senator Fairall all the absent members were excused.

On motion of Senator McNatt further proceedings under the call were dispensed with.

At 10 o'clock and 30 minutes, on motion of Senator Dysart, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
February 14, 1872. }

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

Prayer by the Rev. Mr. Walters.

Journal of yesterday read, corrected, and approved.

MESSAGE FROM THE HOUSE.

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 resolutions :

Concurrent resolution of the Senate in relation to the appointment of the code commissioners to superintend the printing of their written reports.

Also, that the House has passed the concurrent resolution of the Senate in relation to the translation of the Governor's message and inaugural address, with amendments.

The resolution, as amended, is herewith transmitted.

Also, that the House has concurred in the Senate resolution in relation to the method of considering the revision of the laws.

Also, that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked :

H. F. No. 72, A bill for an act to amend section 6, of chapter 92, laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, &c.

JOHN J. SAFELY, *Chief Clerk.*

Senator McIntyre was granted leave of absence.

PETITIONS AND MEMORIALS.

Senator McCormack presented a petition from Peter Praelen and other citizens of Marion county, asking for a change in the bound

ary lines of school district No. 18, Knoxville township, Marion county, Iowa.

Referred to committee on schools.

Senator Maxwell presented a petition from Wm. G. Allen and 30 others, asking for the enactment of an effective prohibitory liquor law.

Referred to committee on suppression of intemperance.

Senator Smith presented the petition of Allen Higgins and other citizens of Ringgold county, asking for the enactment of a prohibitory liquor law similar to that in force in Ohio.

Referred to committee on Suppression of Intemperance.

Senator Beardsley presented a petition from J. T. Montgomery and other citizens of Des Moines county, asking that the members of the Reformed Presbyterian or Covenanter Church, when elected to the office of school director, be permitted to omit the following sentence from the oath of office, viz: "That you will support the constitution of the United States and of the State of Iowa."

Senator Beardsley, moved to refer the petition to the committee on judiciary.

Senator Fairall moved to strike out the word "judiciary" and insert the words "charitable institutions."

The amendment did not prevail.

Senator Fairall moved to amend by striking out the word "judiciary" and inserting the words "constitutional amendments."

The amendment was accepted and the petition was referred to the committee on constitutional amendments.

Senator Leavitt presented a petition from L. Green and others, asking for the repeal of chapter 102 of the acts of the 18th General Assembly.

Referred to committee on railroads.

INTRODUCTION OF BILLS.

By Senator Shane : S. F. No. 89, A bill for an act to abolish the circuit court, and to repeal chapter 86 of the laws of the 12th General Assembly, and to authorize the election of an additional district judge in each judicial district of this State, and to define and prescribe their duties and fix their salaries.

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

By Senator Willett: S. F. No. 90, A bill for an act requiring that there shall be attached to locomotive engines on all the railroads of this State, a bell or steam whistle, and the same shall be rung or whistled when approaching any station and place where a railroad crosses any public street or highway.

Read first and second time, and referred to committee on railroads.

By Senator Kephart: S. F. No. 91, A bill for an act to amend section 1, chapter 23, laws of the 9th General Assembly, regular session.

Read first and second time and referred to committee on elections.

By Senator Leavitt: S. F. No. 92, A bill for an act to pay the expenses of the inauguration of the Governor.

Read a first and second time and referred to committee on ways and means.

By Senator Dashiell: S. F. No. 93, A bill for an act to amend chapter 59 of the acts of the Twelfth General Assembly.

Read first and second time and referred to committee on charitable institutions.

By Senator Willett: S. F. No. 94, A bill for an act for the relief of corporations for pecuniary profit who may have failed to file their articles of incorporation with the Secretary of State, as provided by section 11, of chapter 172 of the laws of the 13th General Assembly, and to legalize their acts.

Read first and second time and referred to committee on incorporations.

By Senator Maxwell: S. F. No. 95, A bill for an act to provide against accidents from the use of impure kerosene, and other dangerous burning fluids in the State of Iowa.

Read first and second time, ordered printed and referred to committee on judiciary.

Senator Maxwell also presented a communication from Prof. Foote, of the Iowa State Agricultural College, which was referred with S. F. No. 95, to the committee on judiciary.

RESOLUTIONS.

Senator Chambers introduced a joint resolution in relation to the treatment and government of the Indian tribes in the United States and Territories.

Read first and second time and referred to committee on federal relations.

HOUSE MESSAGES.

The Senate resolution in relation to the printing of Governor Merrill's bi-ennial message, and Governor Carpenter's inaugural address in foreign languages, with the amendments adopted by the House, was taken up and considered.

Senator Claussen moved that the Senate concur in the amendments, which motion prevailed.

H. F. No. 72, A bill for an act to amend section 6, of chapter 92 of the laws of the 12th General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees and hedges, was taken up.

Read first and second time and referred to committee on horticulture and forestry.

BILLS ON SECOND READING.

H. F. No. 58, A bill for an act repealing chapter 56, of the acts of the 11th General Assembly, and fixing the time for holding courts in Winneshiek county, with the report of the committee on judiciary recommending the passage of the bill, were taken up and considered.

Senator Willett moved that the rule be suspended, and the bill be read a third time now, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Kephart, Ketcham, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Shane, Smith, Stone, Stuart, Vale, West, Willett, Wonn, and Young—38.

The nays were none.

Absent or not voting—

Senators Atkins, Boomer, Gault, Havens, Ireland, Kinne, Larabee, McIntyre, Marray, Richards, Russell, and Taylor—12.

So the bill passed and the title was agreed to.

Senator Boomer was granted leave of absence on account of sickness.

S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 28 of the laws of the Thirteenth General Assembly, entitled An act to restrain stock from running at large, with the report of the committee on agriculture recommending its passage, was taken up.

Senator Dysart moved to make the bill the special order for Tuesday next at 11 o'clock A. M., and that the bill be printed, which motion prevailed.

SPECIAL ORDER.

The President announced that the hour had arrived for the consideration of the special order, it being S. F. No. 28, A bill for an act to prevent frequent changes in school books, with the report of the committee on schools recommending an amendment, was taken up.

Senator Fairall moved to amend the first section by adding after the word "years," in the fourth line, the following: "Unless the electors of the township or independent district at their annual election shall order such change."

Senator Willett offered a substitute for the bill and amendments.

Senator Lowry moved to make the bill and substitute the special order at 10 $\frac{1}{2}$ o'clock to-morrow.

Senator Fitch moved to recommit to the committee on schools, which did not prevail.

Senator Lowry's motion was then agreed to.

At 12 o'clock and 20 minutes, on motion of Senator Howland, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 15, 1872. }

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

Prayer by the Rev. Cregler.

Journal of yesterday read, corrected, and approved.

MESSAGE FROM THE HOUSE.

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 bill, with amendments, in which the concurrence of the Senate is asked :

Substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, passed March 29, 1868, being chapter 48, acts of the Twelfth General Assembly; and also to repeal an act entitled an act to enable townships, incorporated towns and cities to aid in the construction of railroads, approved April 12, 1870, being chapter 102, acts of the Thirteenth General Assembly.

Also, that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked :

Substitute for H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860.

JOHN J. SAFELY, *Chief Clerk.*

The President announced Senators Hurley, McKean, Converse, Kinne, and Young, joint committee on the part of the Senate on revision through whom the other committees should report to the respective houses their action so far as the revision is concerned.

PETITIONS AND MEMORIALS.

Senator Claussen presented a remonstrance from Wm. Smith and others, citizens of Benton county, remonstrating against the enactment of any laws which will make the present prohibitory liquor law more stringent, and asking for the passage of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Dague presented a petition from Reuben Kelly, and 82 others, citizens of Union county, asking for the enactment of a law to protect the producers of this state against the oppressive charges of railroads.

Referred to committee on railroads.

Also, a petition from H. H. Manlove, and 26 others, citizens of Adams county, on the same subject.

Same reference.

Senator Maxwell presented a petition from A. C. White, and other citizens of Story county, on the same subject.

Same reference.

Also, a communication from Robert Marshall in relation to life insurance companies.

Referred to committee on incorporations.

Senator Beardsley presented a petition from E. H. Dickinson and others, asking for an amendment to the constitution providing that no part of the public funds shall be used for the establishment, maintenance or support of any sectarian seminary, school, college, or other institution of learning of any character or description whatsoever.

Referred to committee on constitutional amendments.

INTRODUCTION OF BILLS.

By Senator Dysart : S. F. No. 96, A bill for an act to confer authority on township trustees to establish and vacate roads.

Read a first and second time, ordered printed, and referred to committee on roads.

By Senator Willett : S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the willful wrongs of their agents and employees.

Read a first and second time, and referred to committee on judiciary.

By Senator Wonn : S. F. No. 98, A bill for an act to amend section 3305 of the Revision of 1860, exempting sewing machines from execution.

Read a first and second time, and referred to committee on judiciary.

By Senator Converse : S. F. No. 99, A bill for an act to legalize the organization of the independent school district of New Hartford, county of Butler, Iowa.

Read a first and second time, and referred to committee on schools.

The President announced that the hour for the special order had arrived, it being the consideration of S. F. No. 28, A bill for an act to prevent frequent changes in school books.

On motion of Senator Campbell the consideration of the special order was postponed fifteen minutes.

The introduction of bills was resumed.

By Senator Campbell: S. F. No. 100, A bill for an act to amend chapter 106 of the laws of the Thirteenth General Assembly, in relation to the taxation of railroads.

Read first and second time and referred to committee on railroads.

By Senator Willett: S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military township, Winneshiek county, Iowa, in making an over issue of bonds for school house purposes.

Read a first and second time, and referred to committee on judiciary.

By Senator McCoid: S. F. No. 102, A bill for an act relative to the law of the admission of the dying declarations of deceased persons in evidence.

Read a first and second time and referred to committee on judiciary.

RESOLUTIONS.

Senator Clanssen offered the following resolution:

Resolved, That the Senator from Johnson county be added to the committee on the suppression of intemperance.

Senator Campbell moved to amend the resolution by adding the words "and also the Senator from Des Moines."

By consent, Senator Beardsley withdrew his name, and moved to amend the resolution by adding "and also the Senator from Van Buren."

The amendment was adopted, and the resolution, as amended, was agreed to.

Senator Fitch from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have examined S. F. No. 60, A bill for an act to regulate taxes and the collection thereof, voted to aid in the construction of railroads.

Also, A joint resolution providing for the appointment of a committee to ascertain what legislation is necessary to protect Iowa commerce and the interests of Iowa citizens against the violation by the Union Pacific Railroad Company of the terms of their

charter and their agreement with Iowa citizens, and find the same correctly enrolled.

WM. H. FITCH, *for the Committee.*

Senator Kinne offered a joint resolution to amend section 10, of article 5, of the constitution of the State of Iowa, relating to the judicial department.

Read first and second time and referred to committee on constitutional amendments.

The President announced that the hour for the special order had arrived, it being the consideration of S. F. No. 28, the amendment offered by Senator Fairall, and the substitute proposed by Senator Willett.

MESSAGE FROM THE HOUSE.

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 joint resolution, in which the concurrence of the Senate is asked:

That the Governor be and he is hereby authorized and empowered to appoint an agent in behalf of this State to prosecute to final decision before Congress the claims of the State for the five per cent due the same from the United States.

BENJ. VAN STEINBERG, *Assistant Clerk.*

The President announced that the hour for the special order had arrived, it being the consideration of the following resolution, viz:

Resolved, That the judiciary committee be instructed to report a bill for an act to repeal chapter 86 of the acts of the 12th General Assembly, establishing circuit courts and supplementary acts relating to the same.

On motion of Senator Fairall the special order was postponed one week, February 22, 1872, at 11 o'clock A. M.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 60, A bill for an act to regulate taxes and the collection thereof voted to aid in the construction of railroads.

Also, joint resolution providing for the appointment of a committee to ascertain what legislation is necessary to protect Iowa commerce.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Senator Larrabee moved to re-commit the bill, amendments and substitute to the committee on schools.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Burke, Dague, Dashiell, Fitch, Havens, Howland, Ketcham, Larrabee, McCoid, McKean, McNutt, Miles, Murray, Read, Stone, Wonn, Young—18.

The nays were—

Senators Beardsley, Bemis, Campbell, Chambers, Claussen, Converse, Crary, Dysert, Fairall, Hurley, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, Merrill, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett—25.

Absent or not voting—

Senators Allen, Atkins, Gault, Ireland, Leavitt, McIntyre, Russell—7.

So the motion did not prevail.

Senator Howland moved that the Senate adjourn, which motion was not agreed to.

Senator McNutt moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Burke, Claussen, Dashiell, Howland, Larrabee, McCoid, McKean, McNutt, Murray, Reed, Shane, Stone, Wonn, and Young—15.

The nays were—

Senators Allen, Beardsley, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dysert, Fairall, Fitch, Havens, Hurley, Kephart, Ketcham, Kinne, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Richards, Smith, Stuart, Taylor, Vale, West, and Willett—29.

Absent or not voting—

Senators Atkins, Gault, Ireland, Leavitt, McIntyre, and Russell—6.

So the motion did not prevail.

The question being on the amendment to the amendment offered by Senator Fairall, it was lost.

The amendment proposed by the committee on schools to strike out the word "five" and insert "three," did not prevail.

Senator Fitch offered the following amendment: After the word "Iowa" in the first line strike out the words "that hereafter," and insert the following: "that the boards of directors of district townships and independent school districts in the State of Iowa shall, prior to January 1st, 1873, adopt and order for use in their townships or independent school districts, a uniform series of text books, and that after the adoption of a series of books as herein provided"—

Senator Fairall moved to amend the amendment by adding the

words "unless the electors of the township or independent school district at their annual election shall order such change."

Senator Maxwell raised the point of order that the amendment proposed by Senator Fairall had been voted upon once and lost, and consequently was not in order.

The President decided the point of order well taken.

Senator Beardsley moved to amend the amendment by striking out after the word "Iowa," the word "shall" and insert the word "may," which motion prevailed.

Senator Fairall offered an amendment to the amendment, as follows: "Unless a majority of the electors of the township or independent school district at their annual election shall order the change."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Campbell, Chambers, Converse, Fairall, Fitch, Havens, Howland, Kephart, Kinne, Leavitt, Lowry, McCormack, McKean, Murray, Richards, Shane, Stuart, Vale and West—20

The nays were—

Senators Beardsley, Boomer, Burke, Claussen, Crary, Dague, Dashiell, Dysart, Hurley, Ketcham, Larrabee, Maxwell, McCord, McCulloch, McNutt, Merrill, Miles, Read, Smith, Taylor, Willett, Wonn and Young—23.

Absent or not voting—

Senators Allen, Atkins, Gault, Ireland, McIntyre Russell and Stone—7.

So the amendment did not prevail.

Senator Howland moved that the Senate adjourn, which was not agreed to.

On the adoption of the amendment offered by Senator Fitch the yeas and nays were demanded, and

The yeas were—

Senators Allen, Beardsley, Chambers, Converse, Dysart, Fairall, Fitch, Howland, Kephart, Leavitt, Maxwell, McCormack, McCulloch, McKean, Miles, Richards, Smith, Stuart, Vale and West—20.

The nays were—

Senators Bemis, Boomer, Burke, Campbell, Claussen, Crary, Dague, Dashiell, Havens, Hurley, Ketcham, Kinne, Larrabee, McCoid, McNutt, Merrill, Murray, Read, Shane, Taylor, Willett, Wonn and Young—24.

Absent or not voting—

Senators Atkins, Gault, Ireland, McIntyre, Russell and Stone—6.

So the amendment did not prevail.

On motion of Senator Beardsley, section three of the bill was stricken out.

Senator McNutt offered the following proviso, by adding to section one *Provided*, That if the proprietors of books adopted for use under the provisions of this act, increase the price of such books

the board of directors of any district township or independent school district may order the adoption of other books.

The amendment was lost.

Senator Vale moved to strike out section 2 of the bill.

Senator Larrabee moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Burke, Claussen, Dashiell, Fitch, Howland, Larrabee, McCoid, McKean, McNutt, Murray, Read, Wonn and Young—14.

The nays were—

Senators Beardley, Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dysart, Fairall, Havens, Hurley, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCullough, Merrill, Miles, Richards, Shane, Smith, Stuart, Taylor, Vale, West and Willett—30.

Absent or not voting—

Senators Atkins, Gault, Ireland, McIntyre, Russell and Stone—6.

So the motion was not agreed to.

Senator Vale's amendment was adopted.

Senator Stuart moved to amend by inserting in the fourth line of section one, after the word "control," the following, viz: "By using any funds belonging to said district."

The amendment was lost.

Senator Howland moved that the Senate adjourn, which was disagreed to.

The question being on the adoption of the substitute offered by Senator Willett, Senator Dysart offered the following: "And it shall be the duty of the district township board to furnish the books and pay for the same out of the contingent fund."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Campbell, Dysart, Fairall, Leavitt, McCormack, McKean, McNutt, Murray and Shane—9.

The nays were—

Senators Allen, Beardley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Fitch, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCullough, Merrill, Miles, Read, Richards, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—35.

Absent or not voting—

Senators Atkins, Gault, Ireland, McIntyre, Russell and Stone—6.

So the amendment was lost.

Senator Burke offered the following amendment to the substitute: After the word "school" and before the word "except," insert the words "more than once in every period of two years."

On this question the yeas and nays were demanded, which were as follows:

The yeas were—

Senators Allen, Bemis, Burke, Dashiell, Fitch, Havens, Howland, Leavitt, McCormack, McKean, and Richards—11.

The nays were—

Senators Beardaley, Boomer, Campbell Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—33.

Absent or not voting—

Senators Atkins, Gault, Ireland, McIntyre, Russell, and Stone—6.

So the amendment was not adopted.

Senator Howland moved that the Senate adjourn, which did not prevail.

Senator Miles moved the previous question, which was seconded by the Senate.

The main question was ordered.

The question being on the adoption of the substitute offered by Senator Willett, it was lost.

On the question "shall the bill be engrossed for a third reading?" the yeas and nays were demanded, and

The yeas were—

Senators Allen, Beardaley, Boomer, Chambers, Crary, Dague, Dysart, Havens, Hurley, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Smith, Stuart, Taylor, Vale, and West—22.

The nays were—

Senators Bemis, Burke, Campbell, Claussen, Converse, Dashiell, Fairall, Fitch, Howland, Ketcham, Larrabee, Leavitt, McCoid, McKean, McNutt, Murray, Read, Richards, Shane, Willett, Wonn, and Young—22.

Absent or not voting—

Senators Atkins, Gault, Ireland, McIntyre, Russell, and Stone—6.

The vote being a tie, the President voted in the affirmative.

So the bill was ordered engrossed for a third reading.

At 1 o'clock, on motion of Senator Howland, the Senate adjourned.

SENATE CHAMBER, DMS MOINES, IOWA, }
February 16, 1872. }

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

Prayer by the Rev. Mr. Dimmitt.

Journal of yesterday read, corrected, and approved.

The postmaster was granted leave of absence until Monday.

Senator Young, from the committee on engrossed bills, submitted the following report :

MR. PRESIDENT :—The committee on engrossed bills respectfully report that they have examined S. F. No. 28, A bill for an act to prevent frequent change in school books, and find the same correctly engrossed.

JAMES A. YOUNG, *Chairman.*

Senator Converse, from the committee on enrolled bills, submitted the following report :

The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval, the following bills, viz :

S. F. No. 60, An act to regulate taxes and the collection thereof, voted to aid in the construction of railroads.

The joint resolution providing for the appointment of a committee to ascertain what legislation is necessary to protect Iowa commerce, and the interest of Iowa citizens against the violation by the Union Pacific Railroad Company of the terms of their charter and their agreement with Iowa citizens.

A. CONVERSE, *Chairman.*

PETITIONS AND MEMORIALS.

Senator Lowry presented a petition from Hugo Schmidt, and 238 other citizens of Davenport, asking for the enactment of a judicious license law, and remonstrating against making the present law more stringent.

Referred to committee on suppression of intemperance.

Also, a petition from N. Eckhart, and 59 other citizens of Guthrie county, asking for the same law.

Same reference.

Senator Claussen presented a petition from S. Rice, and other citizens of Poweshiek county, on the same subject.

Same reference.

Also, a petition from S. Moore, and other citizens of Scott county, on same subject.

Referred to same committee.

Senator Shane presented a petition from S. Heck, and other citizens of Benton county, Iowa, asking for the enactment of a law to protect the producers of this State from the oppressive charges of railroads.

Referred to committee on railroads.

Also, a petition from J. A. Nelson, and other citizens of Benton county, asking that the office of county superintendent of schools be abolished.

Referred to committee on schools.

Senator Maxwell presented a communication from Dr. Wm. Baker in relation to illuminating oils.

Ordered passed on file.

Senator Dysart presented a petition from Frank Weaver and other citizens of Tama county, asking for the enactment of a law to protect the producers of this State from the oppressive charges of railroads.

Referred to committee on railroads.

Senator Hurley presented a petition from Wm. Allen and other citizens of Louisa county, asking for the repeal of the law creating circuit courts, and the restoration of the law for the settlement of estates of deceased persons and estates of minors, that was in force prior to the organization of said court.

Referred to committee on judiciary.

Senator Wonn presented a petition of D. W. Barnes and other citizens of Davis county, asking that no change be made in the law for the satisfaction of mortgages.

Referred to committee on judiciary.

INTRODUCTION OF BILLS.

By Senator Burke: S. F. No. 103, A bill for an act fixing the time for holding terms of the district court in certain counties in the 12th judicial district.

Read first and second time and referred to a special committee consisting of the Senators from the 12th judicial district.

Senator Howland: S. F. No. 104, A bill for an act to protect the purchasers of patent rights, patented and proprietary articles.

Read a first and second time, and referred to committee on judiciary.

By Senator Maxwell: S. F. No. 105, A bill for an act legalizing the acts of the board of trustees of New Albany township, Story county, Iowa.

Read a first and second time, and referred to committee on county and township organizations.

HOUSE MESSAGES.

Joint resolution in relation to the appointment of an agent to prosecute to final decision the claim of this State for the five per cent due from the United States upon the land in this State disposed of under military warrants issued to non-commissioned officers, musicians, and privates in the late Mexican war, was taken up.

Read a first and second time.

On motion of Senator Larrabee the rule was suspended, and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?" the yeas and nays were as follows:

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Vale, Willett, Wonn, and Young—44.

The nays were—

Senators Gault, Richards, Taylor, Vale and West—4

Absent or not voting—

Senators Ireland and McIntyre—2.

So the joint resolution passed and the title was agreed to.

H. F. No. 74, A bill for an act to amend section 103, of the Revision of 1860, was taken up.

Read a first and second time, and referred to committee on incorporations.

REPORTS OF COMMITTEES.

Senator Larrabee, from committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred a resolution concerning the expediency of collecting a fee of five dollars from each notary public upon issuing to him a commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, and that they deem it inexpedient.

LARRABEE, *Chairman.*

Passed on file.

Senator Hurley, from committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 49, A bill for an act abolishing the argument terms of the supreme court at Davenport, and for the holding of

the supreme court at Iowa City, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate, without recommendation.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 64, A bill for an act to punish the makers of mortgages in certain cases, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred H. F. No. 16, A bill for an act prescribing the time when taxes voted in aid of railroads shall become due, payable, and collectable, and to repeal chapter forty-eight (48) of acts of the Twelfth General Assembly, and chapter one hundred and two (102) of the acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate, with the recommendation that inasmuch as the Senate has already taken action on the subject matter therein contained, the same be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 5, A bill for an act to provide for establishing supreme courts in cities of a certain grade, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 43, a bill for an act to provide for an argument term of the Supreme Court at Council Bluffs, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate without recommendation.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 79, a bill for an act to amend chapter 89 of the laws of the Thirteenth General Assembly in relation to equalization of assess-

ments by township trustees, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on ways and means.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 6, a bill for an act to legalize certain conditions regarding the voting of aid to railroads and providing that taxes levied to aid in the construction of railroads shall not become delinquent until the conditions are complied with, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that inasmuch as the Senate has passed a bill embracing the same subject matter, this bill be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 86, a bill for an act to amend sections 777 and 778 of chapter 45 of the Revision of 1860 in relation to tax sales, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on Judiciary, to whom was referred S. F. No. 73, a bill for an act to amend section 3293 of the Revision of 1860 relating to stay of execution, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 72, a bill for an act to change the time of holding the District Courts in the Ninth Judicial District of Iowa, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be referred to the Senators from the counties forming the Ninth Judicial District.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, your committee on judiciary, to whom was referred S. F. No. 76, a bill for an act to amend sections one and two of chapter 54 of the acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on ways and means.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Senator Fairall from the committee on judiciary submitted the following report:

MR. PRESIDENT—I am directed by the judiciary committee to report the following substitute for S. F. No. 27, A bill for an act to regulate the manufacture, keeping, and sale of certain oils, and recommend its passage.

S. H. FAIRALL, *for Committee.*

Passed on file.

The bill reported by committee was read first and second time, passed on file.

Senator Beardsley from the committee on schools, submitted the following report:

MR. PRESIDENT—Your committee on schools to whom was referred S. F. No. 48, A bill for an act to provide for establishing public libraries in the district townships and independent districts in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the first section all after the word "library" in the 7th line, and by striking out of the 2d section all after the word "committee" in the 6th line to the word "and" in the 9th line; and the word "proper" in the 2d line of the 3d section, striking out the word "proper" in the 1st line of the 5th section; also, "proper" in the 6th line of same section; also, the words "proper" and "other" in the 1st line of the 6th section; and also, all of said section after the word "school" in the 4th line; and by striking out section 8; and that when thus amended it do pass.

CHAS. BEARDSLEY, *Chairman.*

Passed on file.

Also, your committee on schools to whom was referred the petition of Peter Prealeaux and others of Indiana township, Union county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back with the opinion that no legislation is necessary inasmuch as the school officers concerned, if the facts are as represented by the

petitioners, have full power to make the change asked for, whenever they deem it necessary.

CHAS. BEARDSLEY, *Chairman.*

Passed on file.

Also, your committee on schools to whom was referred the memorial of R. G. Orwig, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

CHAS. BEARDSLEY, *Chairman.*

Passed on file.

Senator Campbell from the committee on military, submitted the following report:

MR. PRESIDENT—Your committee on military to whom was referred House joint resolution in relation to granting bounties to soldiers of the late war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

Passed on file.

Senator Miles from the committee on internal improvements, submitted the following report:

MR. PRESIDENT:—Your committee on internal improvements, to whom was referred concurrent resolution in relation to postal telegraph, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

J. D. MILES, *Chairman.*

Passed on file.

Senator Fitch, from committee on roads, submitted the following:

MR. PRESIDENT:—Your committee on roads, to whom was referred S. F. No. 85, A bill for an act concerning roads and highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

WM. H. FITCH, *Chairman.*

Ordered that the report pass on file.

Senator Vale, from committee on horticulture and forestry, submitted the following report:

MR. PRESIDENT:—Your committee on horticulture and forestry, to whom was referred H. F. No. 72, having had the same under

consideration, beg leave to report the same back to the Senate with the recommendation that it do pass.

JACOB G. VALE, *Chairman.*

Senator Vale moved to take up and consider H. F. No. 72, A bill for an act to amend section 6, of chapter 92, of the laws of Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees, and hedges, with the report of the committee recommending its passage, which was agreed to.

Senator Willett moved to strike out the words "one-half," after the word "exceed," and insert the words "one-third."

Senator Taylor moved to amend the amendment by striking out "one-third," and inserting "one-fourth," which was not agreed to.

Senator Willett's amendment was also lost.

Senator Campbell offered a substitute for the bill.

Senator Shane moved to amend the bill by striking out the word "so," in the twelfth line, and inserting the words "as an orchard," after the word "cultivated," in the thirteenth line.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked:

H. F. No. 99, A bill for an act legalizing the organization of the townships of Silver Lake and Lloyd, in Dickinson county, Iowa.

I also herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 23, A bill for an act to legalize the sale by the auditor of Washington county, and authorize the issue of a patent to the purchaser or his assigns for the N. E. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of sec. No. 16, Tp. No. 74, north of R. No. 7, west, Washington county, Iowa.

Also, H. F. No. 58, A bill for an act repealing chapter 56 of the acts of the Eleventh General Assembly, and fixing the time for holding courts in Winneshiek county.

JNO. J. SAFELY, *Chief Clerk.*

Senator Chambers moved to refer the bill back to the committee on horticulture and forestry, with instructions to report a bill repealing all of chapter 92, laws of the Twelfth General Assembly, except so far as relates to planting of hedges and shade trees along the highways.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Fairall, Havens, Kephart, Ketcham, Kinne, Lowry, McCoid, McCormack, McCulloch, Murray, Stone, Taylor, and Wonn—20.

The nays were—

Senators Allen, Atkins, Beardley, Boomer, Burke, Dagne, Dysart, Fitch, Gault, Howland, Hurley, Larrabee, Maxwell, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Smith, Stuart, Vale, West, Willett, and Young—27.

Absent or not voting—

Senators Ireland, Leavitt, and McIntyre—3.

So the motion to recommit did not prevail.

Senator Shane's amendment was then adopted.

Senator Howland moved to amend by adding after the words "real estate" the words "or personal property."

The amendment did not prevail.

Senator Shane moved to amend the bill by adding the following proviso, viz :

And provided further, That the owners or proprietors of nurseries for the growing of forest trees shall not be entitled to any exemption for any trees grown for sale alone.

The amendment was agreed to.

The question being on the adoption of the substitute offered by Senator Campbell it was lost.

Senator Vale moved to suspend the rule and read the bill a third time now, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were—

Senators Campbell, Dashiell and Kinne—3.

Absent or not voting—

Senators Allen, Ireland, Leavitt, McCormack, McIntyre and Stone—6.

So the bill passed and the title was agreed to.

At 12 o'clock and 20 minutes, on motion of Senator Howland, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA. }
February 17, 1872. }

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

Prayer by the Rev. Mr. Origler.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 bill in which the concurrence of the Senate is asked :

H. F. No. 171, A bill for an act authorizing the indexes of the real and chattel mortgage records in Johnson county to be copied into new books, and giving to such copies the full force and validity of the original.

JNO. J. SAFELY, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Dashiell presented a petition from A. H. Vicker and 187 other citizens of Mahaska county, asking for the establishment of a reformatory institution for fallen women.

Referred to committee on charitable institutions.

Senator Beardsley presented a memorial embodying the resolution of the Methodist Episcopal State Convention, asking that all real estate held by institutions of learning be exempt from taxation.

Referred to committee on ways and means.

Senator Wonn presented a petition from the board of directors of the Davis county Agricultural Society asking for the enactment of a law assessing dogs *per capita*, as other property.

Referred to committee on agriculture.

Senator Maxwell presented a petition from J. P. Robinson and 88 others asking that a law be enacted regulating the freights and passenger fare on the railroads of Iowa.

Referred to committee on railroads.

Senator McCormack presented a petition from E. Williams and other citizens of Marion county, in relation to certain money stolen from the treasury of said county.

Referred to committee on ways and means.

Senator Boomer presented a petition from R. A. Whitaker and

other citizens of Blackhawk county, asking for a change in the law in relation to the satisfaction of mortgages.

Referred to the committee on judiciary.

INTRODUCTION OF BILLS.

By Senator Willett : S. F. No. 106, A bill for an act to amend section 1329 of the revision of 1860, so as to require the construction of a cattle guard, and fence to connect therewith, on each side of causeways or crossings made for persons owning land on both sides of a railroad.

Read first and second time, ordered printed, and referred to committee on railroads.

By Senator McKean : S. F. No. 107, a bill for an act to repeal section 1043 of the Revision of 1860, and enact a substitute therefor.

Read first and second time, ordered printed, and referred to committee on incorporations.

By Senator Kephart : S. F. No. 108, a bill for an act to exempt new townships from taxation in aid of railroads in certain cases.

Read first and second time, ordered printed, and referred to committee on county and township organization.

RESOLUTIONS.

Senator McNutt offered a joint resolution in relation to the Warden of the penitentiary.

Read first and second time.

On motion of Senator McNutt the rule was suspended and the joint resolution read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—48

The nays were none.

Absent or not voting—

Senators Ireland and Stone—2.

So the joint resolution passed and the title was agreed to.

Senator Fairall offered the following resolution, which was adopted.

Resolved, That the janitor of the Senate be regarded as one of its officers.

Senator Shane offered a joint resolution asking for information in regard to the salaries paid the officers of the State Institutions.

Read first and second time.

On motion of Senator Shane the rule was suspended and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCullough, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—48.

The nays were none.

Absent or not voting—

Senators Ireland and Stone—2.

So the joint resolution passed and the title was agreed to.

Senator Willett presented a joint resolution for certain amendments to the constitution of the State of Iowa.

Read first and second time, ordered printed, and referred to committee on constitutional amendments.

Senator Ketcham offered the following, which was adopted:

Resolved, That the Secretary of State be instructed to furnish the committee on claims with one 8-quire record book in which all claims against the State referred to that committee, shall be recorded together with the report of the committee, and any other matter relating to the claims that the committee may think proper to record. The Secretary of State shall have charge of said book except when in use by said committee.

On motion of Senator Stuart, substitute for S. F. No. 27, A bill for an act to regulate the manufacture, keeping, and sale of certain oils, was taken up and ordered printed.

Senator Howland offered a joint resolution in relation to the organization of the so-called county of Crocker.

Read first and second time, and referred to committee on ways and means.

Senator Beardsley moved that the special order, being the consideration of the report of the codifying commissioners, fixed for Monday next at 2 o'clock P. M., be postponed until the following Thursday at 2 o'clock P. M.

The motion was agreed to.

HOUSE MESSAGES.

H. F. No. 99, A bill for an act to legalize the organization of the townships of Silver Lake and Floyd, in Dickinson county, Iowa, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 171, A bill for an act authorizing the index to the real and chattle mortgage records in Johnson county to be copied into new books, and giving to such copies the full force and validity of the originals, was taken up, read first and second time, and referred to committee on ways and means.

REPORTS OF COMMITTEES.

Senator Lowry from the committee on railroads submitted the following report:

MR. PRESIDENT—Your committee on railroads to whom was referred S. F. No. 99, A bill for an act requiring that there shall be attached to locomotive engines a bell or steam whistle, and that the same shall be rung or whistled when approaching a station, railroad crossing, public street or highway, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it be amended as follows: Strike out "fifty" and insert ten, and that it do pass.

ROBERT LOWRY, *Chairman.*

Also, Your committee on railroads to whom was referred S. F. No. 57, A bill for an act to tax railroad property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to committee on ways and means.

ROBERT LOWRY, *Chairman.*

Passed on file.

Senator Dague, from the committee on printing, submitted the following report:

MR. PRESIDENT—Your committee on printing to whom was referred H. F. No. 13, A bill for an act defining the meaning of the term "newspaper," as used in chapter 113 of the acts of the 11th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

R. A. DAGUE, *Chairman.*

Passed on file.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 58, An act repealing chapter 56 of the acts of the Eleventh General Assembly, and fixing the time for holding courts in Winneshiek county.

H. F. No. 23, An act to legalize the sale by the auditor of Washington county, and authorizing the issue of a patent to the purchaser or his assigns for the N. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of section 16, township 74, range 7, Washington county, Iowa.

A. CONVERSE, *Chairman.*

Senator Fairall, from the special committee to whom was referred S. F. No. 75, A bill for an act pertaining to the division of civil townships, submitted the following report:

The committee to whom was referred S. F. No. 75, A bill for an act pertaining to the division of civil townships, report that they have examined it, and recommend that it be amended as follows:

1. Strike out the word "five," in the second line of section 1, and insert the word "four" in place thereof.

2. After the word "inhabitants," in second line of section 1, add the words "as shown by the last census, State or federal."

3. From the third line of section one eliminate the words "two thirds," and in lieu thereof write the words "a majority."

4. Strike out the last word of the third line and the first word of the fourth line, to wit: the words "and residence," in section two.

5. Strike out of section three the figures "80," and bracket containing the same, and from the first line of said section the word "any" and insert the word "the."

6. Strike the letter "s" from the word "petitions" in the first line of section four.

7. Strike out the word "it" in fourth line of section four, and insert the words "said board."

8. After the word "elections," in third line of section six, erase the comma and place a period. In place of the small letter "s" in word "such" after said word "election," write a capital "S," and as so amended that the bill do pass.

SAM'L H. FAIRALL, *for Committee.*

The bill with the amendments reported by the committee were ordered printed.

By leave Senator Fairall introduced S. F. No. 109, A bill for an act relating to appeals from judgments of justices of the peace.

Read first and second time and referred to committee on judiciary.

BILLS ON THIRD READING.

S. F. No. 28, A bill for an act to prevent frequent changes in school books, was taken up.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Chambers, Converse, Crary, Dagne, Dysart, Gault, Hurley, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, McIntyre, Merrill, Miles, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Wonn, and Young—30.

The nays were—

Senators Burke, Campbell, Claussen, Dashiell, Fairall, Fitch, Havens, Howland, Ketcham, Larrabee, Leavitt, McCoid, McKean, McNutt, Murray, Read, Russell and Willett—18.

Absent or not voting—

Senators Ireland and Stone—2.

So the bill passed and the title was agreed to.

Substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, passed March 29th, 1868, being chapter 48, acts of the 12th General Assembly, and also to repeal an act entitled an act, to enable townships, incorporated towns and cities, to aid in the construction of railroads, approved, April 12th, 1870, being chapter 102, of the acts of the Thirteenth General Assembly, with the House amendments was taken up.

On the question, " Shall the Senate concur in the House amendments ? "

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dagne, Dysart, Fairall, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, Merrill, Miles, Richards, Russell, Shane, Smith, Stuart, Taylor, West, Willett, Wonn, Young—35.

The nays were—

Senators Atkins, Burke, Claussen, Fitch, Leavitt, McKean, McNutt, Murray, Read and Vale—10.

Absent or not voting—

Senators Allen, Dashiell, Ireland, Larrabee and Stone—5.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in Senate joint resolution relative to the compensation of the Superintendent and teachers of the various State institutions, with the following amendment added to the third proviso: " Or any other employees."

Also the House has adopted joint resolution in regard to the Warden of the State Penitentiary.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Senator Shane move to take up joint resolution in relation to the salaries of officers of State institutions, which motion prevailed.

On the question "Shall the Senate concur in the House amendments?"

The yeas were--

Senators Atkins, Beardale, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young--44.

The nays were none.

Absent or not voting--

Senators Allen, Bemis, Dashiell, Ireland, Ketcham, and Stone--6.

So the Senate concurred in the House amendments.

Senator Richards called up the House resolutions in relation to the death of Hon. Martin Kaier, late Representative from the county of Dubuque.

The resolutions were read by the Secretary, as follows:

WHEREAS, Intelligence has been received by this House of the death of Hon. Martin E. Kaier, Representative elect from the 49th district; therefore

Resolved by the House of Representatives, That with deep and unfeigned sorrow we sincerely deplore the sad dispensation of Providence that has taken from this General Assembly, in the person of our deceased brother, an honest and efficient citizen, an able, honest and upright Representative.

Resolved, That to the widow and family so deeply bereft, we extend our warmest sympathies, and hope they may find the balm of consolation by looking to Him who is, indeed, the God of the widow and fatherless.

Resolved, That these proceedings be ordered spread upon the journal, and that the clerk be instructed to forward an engrossed copy of these resolutions to the relict of the deceased.

Resolved, That these resolutions be transmitted to the Senate, and as further indicating our esteem that this House do now adjourn.

Senator Richards addressed the Senate as follows:

By parliamentary usage I might properly vote for these resolutions and let them pass in silence, and do all that my duty demands; but it is my pleasure and privilege to do more to pay a parting tribute of respect to the memory of one whom I mourn as a friend and honor as one of the chosen members of this General Assembly. I saw our brother for the last time on the fatal day on which he was frozen. He made a remark upon the severity of the cold, but promised to be with us at the opening of the session to do

what he could for such legislation as would contribute to the prosperity and honor of his adopted State. We little thought then that his seat in this Assembly would be, as to him forever vacant. And what is of far greater moment, and moves to a deeper sadness, that there would be in another circle a vacant seat to which a faithful wife would look in vain for the loving companion and the honored husband; and to which tender childhood would go in vain for that affection and aid that a kind father had so often bestowed. These vacant chairs are woeful things to us who remain, whether they have once been filled by prattling infancy or mature age. The deceased was in the broadest sense an American. We are all Americans. He had the free spirit, the liberal principles, the characteristic self-reliance and energy of the American of the better class. He loved our institutions and our people. All his future hopes for himself and his children were identified with the success of the American nation. And I cannot give him higher praise or bestow upon him a worthier tribute than to say that he was a fair representative, a fit type of that strong race, that great people—a race that gave to our own comprehensive language its poetic beauty and its Saxon strength; that furnished to the British people much of its sturdy vigor, its patient industry, and its active brain; that gave to Britain and to Russia its rulers; that in its own home dominates to-day as the foremost power in modern Europe. Better than all this, a race whose peaceful victories in the domain of literature, law, theology, science, and art, are second to none in the brilliancy of achievement or in beneficent results to mankind; a race that furnished to our revolutionry struggle a hero, a companion and friend of our own Washington, and that has ever since been sending us a volunteer army to assist in subduing a continent, founding a nobler empire and building a better civilization than the world has ever before known. That army of emigrants from the fatherland, by their patient industry, their universal thrift, their intelligence and probity have won a high place in the esteem of our nation, and have made lines upon that nation that can never be effaced. The German is somewhat less a German for his residence and associations in America, and America is somewhat more German on account of that residence and these associations, and it is pleasant to believe that both are improved by the contact. Certain it is that no people are more warmly welcomed to our shores than those who speak the language of Goethe and Schiller. One volunteer in that army has won so high a place among us for his learning and eloquence that it has even been proposed to remove the constitutional prohibition to enable him to occupy the highest seat of honor and power in the nation. I refer of course to no other than the distinguished Senator from Missouri—Carl Schurz. I cannot, therefore, pass a higher encomium upon our departed brother than to say that he was a worthy representative of the noble race from which he sprung. Peace to his ashes, and may

God, in his mercy, kindly care for his widow and his little ones, and may the lesson of his life and death not be lost upon us who survive.

The resolutions were unanimously adopted.

Senator Richards moved as a further mark of respect that the Senate adjourn.

The motion prevailed, and the Senate adjourned until Monday morning at 10 o'clock.

SENATE CHAMBER, DES MOINES, IOWA, }
February 19, 1872. }

The Senate convened pursuant to adjournment, President in the chair.

Prayer by the Rev. Mr. Miles.

Journal of Saturday read and approved.

Senator Kinne asked and obtained leave to record his vote in favor of S. F. No. 28, A bill for an act to prevent frequent changes in school books, passed on Saturday.

Senator Lowry moved to reconsider the vote by which the Senate concurred in the House amendments to substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, passed March 29th, 1868, being chapter 48, of the acts of the Twelfth General Assembly, and also to repeal an act entitled an act, to enable townships, incorporated towns and cities, to aid in the construction of railroads, approved, April 12th, 1870, being chapter 102, of the acts of the Thirteenth General Assembly."

Senator McCoid moved to postpone the further consideration of the motion until Wednesday next, which was not agreed to.

Senator Lowry's motion prevailed.

Senator Larrabee moved to refer the House amendments to the committee on ways and means.

Senator Converse moved to amend by striking out the words "ways and means" and inserting "railroads."

The amendment was adopted and the motion as amended prevailed.

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from Jephtha Long and other citizens of Benton county, remonstrating against the present

liquor law being made more stringent, and asking for the enactment of a more judicious license law.

Referred to committee on suppression of intemperance.

Also, a similar petition from John W. Johnston and other citizens of Linn county.

Referred to same committee.

Senator Beardsley presented a petition from J. J. McMaken and other citizens of Des Moines county asking for the abolition of all sub-districts, and the making of each civil township a district for all school purposes.

Referred to committee on schools.

Senator Fairall presented a petition from P. H. Barnes and other citizens of Monroe and Jefferson townships, Johnston county, Iowa, in relation to certain taxes in those townships.

By leave Senator Fairall introduced S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, in the State of Iowa.

Read first and second time and referred to committee on judiciary, together with the petitions on the same subject.

Senator Crary presented a petition from Daniel Green and others, asking that the provisions of the "herd law" be extended to townships.

Referred to committee on agriculture.

Senator Campbell presented a petition from R. Dixon and other citizens of Jasper county, asking that the revenue law be so amended as to allow the payment of taxes semi-annually.

Referred to committee on ways and means.

INTRODUCTION OF BILLS.

By Senator Willett: S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860, so as to limit the venue in actions upon negotiable paper, to a county wherein some one of the makers reside.

Read first and second time and referred to committee on judiciary.

By Senator Dysart: S. F. No. 112, A bill for an act to allow all appeals to the Supreme Court from Tama county to be taken to the argument terms held at Des Moines instead of Dubuque, and to transfer all causes pending therein.

Read first and second time.

On motion of Senator Dysart the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketch-

am, Kinne, Larrabee, Leavitt, Lowry, Maxwell, [McCoid, Mc Cormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, [Taylor, West, Willet, Wonn and Young—45.

The nays were—

Senators Richards and Vale—2.

Absent or not voting—

Senators Dashiell, Ireland and Stone—3.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bill and joint resolutions which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 72, An act to amend section 6 of chapter 92 of the laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees and hedges.

Also, a joint resolution relative to the appointment of commissioners for the collection of amounts due from the United States to the State of Iowa on account of lands conveyed to non-commissioned officers, musicians and privates of the late Mexican war.

Also, a joint resolution asking information in regard to the salaries paid the officers of all State institutions.

Also, a joint resolution in regard to the Warden of the penitentiary.

BENJ. VAN STEINBURG, *Assistant Clerk.*

By Senator Murray : S. F. No. 113, A bill for an act to amend section 8, chapter 11, of the acts of the Fourteenth General Assembly of the State of Iowa.

Read first and second time and referred to committee on railroads.

By Senator Merrill : S. F. No. 114, A bill for an act to provide for the publication of the transactions of the Iowa Medical College.

Read first and second time and referred to committee on medical institutions.

RESOLUTIONS.

Senator Lowry offered the following resolution :

Resolved, That the accompanying reports of the proceedings of the grand jury of Scott county, be referred to the judiciary committee, with instructions to report by bill, or otherwise, remedying the evils therein referred to.

Senator McCoid moved to amend by striking out the word "judiciary," and inserting the words "ways and means," which did not prevail.

The resolution was then adopted.

Senator Fairall offered the following :

Resolved, 1. That at 2½ o'clock P. M. of each day from and after this date, until further ordered, this house will go into a committee of the whole to consider the code.

2. That the committee of the whole will first consider those parts of the report of the commissioners which are marked "obsolete" and "omitted," and recommend their adoption, or refuse so to recommend.

3. That the committee of the whole will then consider, in the order of the recommendations of the commissioners each change of the law recommended, and report in favor of the adoption, or refuse to report in favor of the adoption of such change.

4. That one or more of the commissioners be called upon to be present, to superintend the putting in due form such parts of the code to be enacted as a law to be entitled "An act to provide a code of laws for Iowa," as fast as the committee of the whole in each house shall recommend for such act any part of the report of the commissioners.

5. That in the committee no amendments to the law shall be considered except what are recommended by the commissioners, unless at least two thirds of the committee consent thereto, or unless recommended by a standing committee.

6. That as fast as the report so made in both Houses is put in form, the same shall be engrossed and enrolled, and any acts which may have been passed the present session shall be embodied in such bill as it is so enrolled.

7. That the commissioners shall make such verbal changes as will harmonize the law without changing the substantive meaning thereof.

8. That all other legislation of this session be made by special enactment, and that after the passage of the "Act to provide a code of laws for Iowa," an act be passed which shall give the commissioners the power, and make it their duty, after the adjournment of the present session of the Legislature, to superintend the engraving of all the laws of this session into the code not before grafted therein, and the leaving out of all such parts as shall have been made obsolete, or shall have been repealed by laws passed the present session, and to superintend the printing, binding, indexing, etc., of such code.

On motion of Senator Willett the resolutions were ordered printed, and made the special order for to-morrow at 2 o'clock P. M.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 195, A bill for an act to provide for the payment of the per diem of Hon. Martin E. Kaier, deceased.

BENJ. VAN STEINBURG, *Ass't Clerk.*

HOUSE MESSAGES.

H. F. No. 195, A bill for an act to provide for the payment of the per diem of Hon. Martin E. Kair, deceased, was taken up and read first and second time.

Senator Richards moved to suspend the rule and read the bill a third time now, which motion prevailed.

On the question, " Shall the bill pass? "

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Olausson, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Dashiell, Havens, Ireland and Stone—4.

So the bill passed and the title was agreed to.

On motion of Senator Leavitt, S. F. No. 79, A bill for an act to amend chapter 89, of the laws of the 13th General Assembly, in relation to equalization of assessments by township trustees, was taken up and with the report of the committee on judiciary recommending that the bill be referred to the committee on ways and means.

The report of the committee was adopted.

Senator Fitch, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

H. F. No. 72, A bill for an act to amend section 6, of chapter 92, of the laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees and hedges.

Also, joint resolution relative to the appointment of an agent for the collection of amount due from the United States to the

State of Iowa, on account of land conveyed to non-commissioned officers, musicians and privates in the late Mexican war.

WM. H. FITCH, *for the Committee.*

Also, the following :

The committee on enrolled bills respectfully report that they have examined joint resolution asking information in regard to the salaries of all State institutions.

Also, joint resolution in regard to the Warden of the State penitentiary, and find the same correctly enrolled.

WM. H. FITCH, *for the Committee.*

Senator Burke, from the committee on incorporations, submitted the following report :

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Senator Burke moved to take up and consider the bill and the report.

The motion did not prevail, and the report was ordered passed on file.

Senator Converse moved that when the Senate adjourn it be until 2 o'clock and 30 minutes P. M., which was not agreed to.

By leave Senator Campbell introduced S. F. No. 115, A bill for an act to repeal section 752 of the Revision of 1860, and to enact a section in lieu thereof, pertaining to the assessment of property and appeals therefrom.

Read first and second time and referred to committee on judiciary.

BILLS, OTHER MATTERS AND UNFINISHED BUSINESS.

The resolution in relation to making the Soldiers' Orphans' Homes permanent institutions, and providing for the admission of the orphan children of civilians as well as soldiers, with the recommendation of the committee that no action be taken in the matter, was taken up and considered.

On motion of Senator McNutt the report of the committee was adopted.

The resolution in relation to amendments to chapter 45 of the Revision of 1860 was taken up.

On motion of Senator Fairall the resolution was made the special order for 10 o'clock and 30 minutes A. M., to-morrow.

The petition presented by the Iowa yearly meeting of the Society of Friends, in regard to the treatment and government of the Indian tribes of the United States and territories, with the report of committee on federal relations, reporting a joint resolution and recommending its passage was taken up and read first and second time.

On motion the 11th rule was suspended and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Murray, Shane, Smith, Taylor, Vale, West, Willett and Young—36.

The nays were—

Senators Atkins, Kinne, Read, Richards, Stuart, and Wonn—6.

Absent or not voting—

Senators Dashiell, Havens, Ireland, Larrabee, Leavitt, McKean, Russell and Stone—8.

So the joint resolution passed and the title was agreed to.

The resolution in relation to the cancellation of mortgages, with the report of the committee on judiciary introducing S. F. No. 116, A bill for an act in relation to the cancellation of mortgages, was taken up.

The bill was read first and second time, ordered printed, and passed on file.

At 12 o'clock and 10 minutes, on motion of Senator Taylor, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 20th, 1872. }

Senate convened pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Reed.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 109, A bill for an act to legalize the organization of the township of Highland in O'Brien county, Iowa.

H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator McKean was granted leave of absence from the morning session.

PETITIONS AND MEMORIALS.

Senator Dashiell presented a petition from Mrs. Wm. H. Pusey and 81 other citizens of Pottawattamie county, asking for the establishment of a reformatory institution for fallen women.

Referred to committee on charitable institutions.

Also, a similar petition from G. A. Foggey and 82 other citizens of Lee county.

Referred to same committee.

Also, a similar petition from Mrs. S. N. Fellows and 54 other citizens of Johnson county.

Same reference.

Senator Converse presented a petition from D. W. Bartlett and other citizens of Butler county, asking for the enactment of a law to protect the producers of this State from the oppressive charges of railroads.

Referred to committee on railroads.

Senator Vale presented a petition from Col. Kent and other citizens of Van Buren county, asking for the passage of H. F. No. 66.

Referred to committee on suppression of intemperance.

Senator Miles presented a petition from forty citizens of Washington county, asking for the enactment of a law to protect the people of Iowa against quackery and empiricism in the practice of medicine and surgery.

Referred to committee on medical institutions.

Senator Campbell presented a petition from Cary Smith and thirty-two other citizens of Colfax, Iowa, asking that poultry be exempted from execution.

Senator Campbell moved to refer to committee on ways and means.

Senator Larrabee moved to amend the motion by striking out the words "ways and means," and inserting the word "railroads."

The amendment did not prevail.

Senator Campbell's motion was then agreed to, and the petition was referred to committee on ways and means.

Senator Merrill presented a petition from W. W. Corry and forty-four other citizens of Wapello county, asking that the fees of justices of the peace be increased.

Referred to committee on compensation of public officers.

INTRODUCTION OF BILLS.

By Senator Kephart: S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

Read a first and second time, ordered printed, and referred to committee on medical institutions.

By Senator Dague: S. F. No. 118, A bill for an act entitled an act to repeal section 4152, of chapter 162, of the revision of 1860, relating to fees of justices of the peace.

Read a first and second time, and referred to committee on compensation of public officers.

Senator Dague also presented a communication from G. C. Worth, in relation to increase of fees of justices of the peace.

Referred to same committee.

By Senator Wonn: S. F. No. 119, A bill for an act making it larceny in certain cases to dispose of personal property that has been levied upon by county treasurers.

Read a first and second time, and referred to committee on county and township organizations.

By Senator Young: S. F. No. 120, A bill for an act in relation to stray animals.

Read a first and second time, ordered printed, and referred to committee on county and township organizations.

SPECIAL ORDER.

On motion of Senator Fairall the special order which was fixed for 10½ o'clock to-day, being the consideration of the resolution proposing amendments to chapter 45, of the revision of 1860, was postponed until Friday next at 11 o'clock A. M.

HOUSE MESSAGES.

H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county, Iowa, was taken up, read first and second time, and referred to committee on judiciary.

Senator Howland presented an affidavit from Lemuel Dwelle in relation to said village plat, which was referred with the bill in relation to that subject.

REPORTS OF COMMITTEES.

Senator Larrabee, from committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom

was referred a petition from citizens of Audubon county, in relation to the levy of taxes for railroad purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on railroads.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on way and means, to whom was referred a resolution of the State Convention of Methodist Episcopal Church to exempt certain real estate from taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that such exemption is not deemed expedient.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred S. F. No. 68, A bill for an act for the relief of Jasper county, Iowa, for money stolen from the county safe, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred S. F. No. 40, A bill for an act to amend section 18, chapter 173, laws of the 9th General Assembly, in relation to taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Passed on file.

Senator Havens from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT—Your committee on county and township organizations to whom was referred S. F. No. 54, A bill for an act to amend an act entitled an act to provide for the election of county auditors and to define their duties, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. W. HAVENS, *Chairman.*

Passed on file.

Also the following :

MR. PRESIDENT--Your committee on county and township organizations to whom was referred S. F. No. 39, A bill for an act to repeal an act in relation to the transfer books, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT--Your committee on county and township organizations to whom was referred H. F. No. 99, A bill for an act legalizing the organization of the townships of Silver Lake and Floyd, in Dickinson county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Passed on file.

Senator Lowry, from the committee on railroads, submitted the following report:

MR. PRESIDENT--Your committee on railroads to whom was referred House amendments to substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships, incorporated towns and cities to aid in the construction of railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the House amendments be stricken out and the following substitutes be adopted in lieu thereof:

Strike out the first amendment and insert in lieu thereof the following: Provided, further that all taxes which shall have been voted prior to the taking effect of this act, in accordance with the provisions of chapter 48, of the acts of the 12th General Assembly or chapter 102 of the acts of the 13th General Assembly, shall be levied, collected and applied in accordance with the provisions of said chapters as amended and changed by chapter 11, of the acts of the 14th General Assembly, entitled an act to regulate taxes and the collection thereof, voted to aid in the construction of railroads, and by the provisions of this act.

Strike out the House amendment and insert in lieu thereof the following: And, provided, further, that all taxes which, prior to the taking effect of this act, shall have been voted or levied under the provisions of either chapter forty-eight, of the acts of the Twelfth General Assembly, or chapter one hundred and two of the acts of the Thirteenth General Assembly, but which shall not have been collected, shall at the expiration of two years from the 1st day of November next, after the levy of said taxes, be canceled upon the tax

books by the county treasurer, and such vote and levy of taxes become void, unless the railroad company in whose favor said taxes may have been voted, shall at the expiration of the time above specified be entitled to receive the same under the provisions of the aforesaid chapters 48 and 102, as amended and changed by chapter 11, of the acts of the 14th General Assembly, and that the bill as amended be reported back with the recommendation that said amendments be adopted.

ROBERT LOWRY, *Chairman.*

Senator McNutt moved to adopt the report of the committee.

Senator Smith offered the following amendment to the report of the committee.

Provided further, That in cases where taxes have been levied and collected under the provisions of chapter 48 of the acts of the Twelfth General Assembly, in aid of any railroad company and said railroad company having failed to build any part of said road it shall be lawful for the board of supervisors, by the consent of the company in whose aid the tax was voted, to transfer said funds to any other company building said road in compliance with the provisions.

The amendment did not prevail.

Senator McNutt's motion to adopt the report of the committee was agreed to.

On the question, "Shall the Senate concur in the House amendments as amended by the committee?"

The yeas were—

Senators Beardsley, Bemis, Bomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, West, Willett, Wonn, and Young—40.

The nays were—

Senators Atkins, Leavitt, Richards, Russell and Vale—5.

Absent or not voting—

Senators Allen, Ireland, McCoid, McKean, and Stone—5.

So the Senate concurred in the House amendments as amended by the committee on railroads.

Senator McNutt, from the committee on elections submitted the following report:

MR. PRESIDENT:—Your committee on elections, to whom was referred S. F. No. 70, A bill for an act to amend chapter 170 of the acts of the Twelfth General Assembly entitled an act for the registry of electors and to prevent fraudulent voting, and chapter 174 of the acts of the Thirteenth General Assembly, entitled, an act to amend the registry law, beg leave to report that they have had the same unener consideration, and they have instructed me to

report the same back to the Senate with the recommendation that the blanks in the first and second sections be filled with the words "six thousand," and that the bill as thus amended, do pass.

SAMUEL McNUTT, *Chairman.*

Passed on file.

By leave, Senator Hurley offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That the Secretary of State have the two hundred copies of the report of the commissioners to revise the statutes now remaining in sheet form to be interleaved with a blank leaf between each printed one, and have the same bound in proper form, and distribute one to each member of the General Assembly, and one to each of the commissioners.

The resolution was adopted.

The hour for the special order having arrived, it being the consideration of S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26 of the laws of the Thirteenth General Assembly, entitled "An act to restrain stock from running at large," with the report of the committee on agriculture recommending its passage, was taken up.

On motion of Senator Dysart the bill was considered by sections.

On motion of Senator Dysart the first section was adopted.

The second and third sections were also adopted.

Senator Dysart moved a call of the Senate.

The call was sustained.

Senator Maxwell moved that further proceedings under the call be suspended, which did not prevail.

The Secretary proceeded to call the roll, and the following Senators were found to be absent without leave, viz :

Senators Burke, Fairall, Ketcham, Leavitt, McCoid, Murray, Stone, and Young.

Senators Fairall, McCoid, and Stone were excused.

The Sargeant-at-Arms presented the absentees before the bar of the Senate, when, on motion of Senator Shane, further proceedings under the call were dispensed with.

On motion of Senator Dysart the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Hurley, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCulloch, McIntyre, McNutt, Merrill, Richards, Shane, Smith, Taylor, Vale, West, Willett, Wonn, and Young—30.

The nays were—

Senators Atkins, Beardsley, Campbell, Fitch, Gault, Havens, Howland, Ketcham, Larrabee, McCormack, Miles, Murray, Read, Russell, and Stuart—15

Absent or not voting—

Senators Fairall, Ireland, McCoid, McKean, and Stone—5.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 80, A bill for an act amending an act entitled an act to provide for the publication of general and certain local laws, and the proceedings of the boards of supervisors in the several counties, with the report of the committee on printing recommending that it do not pass, was taken up.

On motion of Senator Boomer the consideration of the bill and report was postponed until Tuesday next at 10½ o'clock A. M., and made the special order for that hour.

On motion of Senator Campbell the joint resolution memorializing Congress to pass a law granting 160 acres of land to honorably discharged soldiers and sailors of the war of the rebellion, with report of committee recommending its passage, was taken up and considered.

Senator Campbell moved that the rule be suspended, and the joint resolution read a third time now, which motion prevailed.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Fairall, Ireland, McCoid, McKean, and Stone—5.

So the joint resolution passed and the title was agreed to.

S. F. No. 84, A bill for an act to amend an act entitled an act to protect game, passed April 7, 1868, was taken up and considered.

Senator McIntyre moved to amend section one by striking out the words "except on his own premises."

Senator Larrabee moved that the bill pass on file and be printed, which was agreed to.

Senator Larrabee moved to reconsider the vote by which the Senate yesterday made the resolution in relation to the consideration of the code the special order for 2 o'clock this afternoon.

The motion prevailed.

Senator Larrabee moved to amend the motion by striking out "9 o'clock P. M.," and inserting "10½ o'clock A. M. to-morrow," which was agreed to.

At 12 o'clock M., on motion of Senator Beardsley, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
February 21, 1872. }

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

Prayer by the Rev. Mr. Gill.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 joint resolution in which the concurrence of the Senate is asked :

Requesting our Senators and Representatives in Congress to take such action as will secure the eastern terminus of the Union Pacific Railroad in Iowa.

Also, the House has adopted the Senate joint resolution instructing our Senators and Representatives in Congress to sustain the President of the U. S. in his policy for the management of the various Indian tribes.

Also, the House has concurred in resolution requesting the Secretary of State to have published 200 copies of the report of commissioners to revise the code.

Also, the House has passed without amendment S. F. No. 112, A bill for an act to allow all appeals to the supreme court from Tama county to be taken to the argument term at Des Moines, instead of Dubuque, &c.

Also, that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked :

H. F. No. 78, A bill for an act relating to taxes for bridge purposes.

H. F. No. 93, A bill for an act to amend chapter 153, of the laws of the 13th General Assembly.

H. F. No. 108, A bill for an act to legalize the organization of the township of Centre in O'Brien county, Iowa.

A. F. No. 207, A bill for an act changing the time and manner of administering oaths to school directors.

I also herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 195, A bill for an act to provide for the payment of the per diem of Martin E. Kaier, deceased.

BENJ. VAN STEINBURG, *Ass't Clerk.*

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from H. Weston and numerous other citizens of Jackson county, remonstrating against the present prohibitory liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Chambers presented a petition from Robert Gower and other citizens asking for an amendment to the constitution of the State by the insertion of the fundamental principles of the Declaration of Independence.

Referred to committee on constitutional amendments.

Senator Boomer presented a petition from Henry Hilton and other citizens, asking for the enactment of a law regulating the charges of railroads for the transportation of passengers and freights.

Referred to committee on railroads.

INTRODUCTION OF BILLS.

By Senator Lowry: S. F. No. 121, A bill for an act to establish a board of railroad commissioners, and regulation of freight charges.

Read first and second time, ordered printed, and referred to committee on railroads.

By Senator McKean: S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary.

Read first and second time, ordered printed and referred to committee on public buildings.

By Senator Larrabee: S. F. No. 123, A bill for an act to repeal section 781, chapter 45 of the revision of 1860, and to provide for making deeds for lands sold for delinquent taxes.

Read first and second time and referred to committee on county and township organizations.

By Senator Willett: S. F. No. 124, A bill for an act providing for the manner in which appropriations may be made or debts contracted by counties, towns and cities not connected with the ordinary expenditures, and making provision for their payment.

Read first and second time and referred to committee on county and township organizations.

By Senator Leavitt: S. F. No. 125, A bill for an act to protect the credit of counties, municipal corporations, and school districts, and to prevent illegitimate speculation in their warrants.

Read a first and second time, ordered printed, and referred to committee on ways and means.

The hour for the special order having arrived, it being the consideration of the resolution in regard to the code, Senator Fairall moved to postpone 10 minutes, which motion prevailed.

RESOLUTIONS.

Senator Hurley offered the following concurrent resolution :

Resolved, by the Senate and the House of Representatives, that two hundred copies of the statutes as reported by the commissioners be interleaved with a blank leaf between each printed sheet, and bound in suitable form in parts. One copy of the same to be distributed to each member of the General Assembly, and one to each of the commissioners.

The resolution was adopted.

Senator Maxwell offered the following resolution :

Resolved, That the officers of the Senate be allowed \$2 per week in stationery, and the paper folders, mail carrier and lady clerks of committees be allowed 50 cents in postage stamps per week and two daily papers.

Senator Richards moved to include the newspaper reporters of the Senate.

Senator Taylor moved to indefinitely postpone the resolution and amendment.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fitch, Gault, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Taylor, Vale, West, Willett, Wonn and Young—38.

The nays were—

Senators Dashiell, Fairall, Havens, Howland, Maxwell, Murray, Richards and Stuart—8.

Absent or not voting—

Senators Allen, Ireland, McCormack and Stone—4.

So the motion prevailed.

Senator Larrabee offered the following:

Resolved, Each standing committee shall have authority to order the printing of any bill referred to it, when the printing shall appear necessary to its proper consideration; and to order the

printing of any such bill with proposed amendments, whenever the same is deemed advisable.

The resolution was adopted.

The hour for the special order having arrived, it being the consideration of the resolution in relation to the code, it was taken up and considered.

Senator Beardsley moved to refer the resolution to the special committee on revision, which motion did not prevail.

Senator Shane moved to strike out the 13th, 14th, and 15th lines of the resolution.

The motion was not agreed to.

The resolution was then adopted.

On motion of Senator Hurley the resolution was ordered printed.

Senator Converse from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 195, An act to provide for the payment of the per diem of Martin E. Kaier, deceased.

Also, H. F. No. 72, An act to amend section 6, of chapter 92, of the laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, &c.

Also, joint resolution asking information in regard to the salaries paid the officers of all State institutions.

Also, joint resolution in regard to the Warden of the penitentiary.

Also, joint resolution relative to the appointment of an agent for the collection of amount due from the United States to the State of Iowa on account of lands conveyed to officers and soldiers in the late Mexican war.

A. CONVERSE, *Chairman.*

REPORTS OF COMMITTEES.

Senator Lowry from the committee on railroads submitted the following report:

MR. PRESIDENT—Your committee on railroads to whom was referred S. F. No. 113, A bill for an act to amend section 2, chapter 11, laws of the Fourteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

Senator Murray moved that the bill and report of committee be taken up and considered now, which motion prevailed.

On motion of Senator Richards the bill was ordered to pass on file and be printed.

Senator Russell moved to take up S. F. No. 76, A bill for an act to amend sections one and two of chapter 54 of the acts of the Thirteenth General Assembly, with the report of the committee recommending that it be referred to the committee on ways and means, which motion was agreed to.

On motion of Senator Russell the bill was referred to committee on ways and means.

Senator Beardsley from the committee on schools submitted the following report :

MR. PRESIDENT:—Your committee on schools, to whom was referred S. F. No. 74, A bill for an act to enlarge the powers of school directors and increase the efficiency of the public schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

On motion of Senator Beardsley the bill and report of the committee were made the special order for March 1st, at 10½ o'clock A. M.

On motion of Senator West, House messages were taken up.

The joint resolution in relation to the eastern terminus of the Union Pacific Railroad was taken up.

Read first and second time.

On motion of Senator Murray, the rule was suspended and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McOoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—48.

The nays were none.

Absent or not voting—

Senators Ireland and Stone—2.

So the joint resolution passed and the title was agreed to.

Senator Converse moved that when the Senate adjourn it be until 2 o'clock this afternoon.

The motion was not agreed to.

H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes, was taken up, read first and second time, and referred to committee on roads.

H. F. No. 93, A bill for an act to amend chapter 153 of the laws the 13th General Assembly, in relation to circuits and juries therein, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 207, A bill for an act changing the time and manner of administering official oaths to school directors, was taken up and considered.

Senator West moved to refer the bill to the committee on schools, which was disagreed to.

On motion of Senator McCoid the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Havens, Howland, Hurley, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Wonn, and Young—37.

The nays were—

Senators Beardsley, Fitch, Gault, Kephart, Merrill, Read, Richards, and Willett—8.

Absent or not voting—

Senators Atkins, Chambers, Ireland, Larrabee, and Stone—5.

H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa, was taken up, read first and second time, and referred to committee on county and township organizations.

At 12 o'clock and 25 minutes, on motion of Senator Taylor, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 22, 1872. }

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

Prayer by the Rev. Mr. Gary.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of District and Circuit Courts practicing as attorneys or solicitors in said courts.

Also, H. F. No. 213, A bill for an act to enable cities, towns and counties to settle and adjust, and compound their indebtedness, etc.

BENJ. VAN STEINBURG, *Assistant Clerk.*

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from Jacob Conrad and other citizens of Iowa county, remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on the suppression of intemperance.

Also, a similar petition from A. D. White, and other citizens of Cedar county.

Same reference.

Senator Gault presented a communication from the town council of Drakeville, Davis county, Iowa, asking for the passage of S. F. No. 29.

Referred to committee on suppression of intemperance.

Senator Smith presented a petition from Geo. Eastman and others asking that the producers of this State be protected against oppressive charges by railroads.

Referred to committee on railroads.

Senator West presented a petition from Wm. J. Barker, and 56 other citizens of Henry county, asking for an amendment to the present tax law so as to require taxes to be paid semi-annually.

Referred to committee on ways and means.

Senator Converse presented a petition from G. W. Harris, and other citizens of Butler county, asking for the enactment of a law to protect the producers of this State against the oppressive charges of railroads.

Referred to committee on railroads.

INTRODUCTION OF BILLS.

By Senator Taylor: S. F. No. 126, A bill for an act to provide a reading room, library, and hospital for the penitentiary, and instruction for the convicts.

Read first and second time, ordered printed, and referred to committee on penitentiary.

By Senator Boomer: S. F. No. 127, a bill for an act authorizing the Superintendent of Public Instruction to procure a seal for his official use.

Read first and second time, and referred to committee on schools.

RESOLUTIONS.

Senator West offered the following:

WHEREAS, The purpose of civil government is protection of the weak against the strong, ignorant against the wise, the honest against the dishonest, and everybody against the selfish; and

WHEREAS, An absolute, equitable distribution of the products of labor is impossible, that an equitable sub-division of the soil is impossible, and that inequality of capacity and defective laws and customs are the chief causes of our social evils; and

WHEREAS, The tendencies of the present times are toward the excessive accumulation of property on the one hand and poverty and crime on the other; and

WHEREAS, The right to enact a law establishing a system of graduated taxation that shall rest heaviest where the most strength is clearly exhibited in the income tax, and homestead and tool exemption; therefore

Resolved, That the committee on ways and means be instructed to inquire into the propriety of changing the revenue laws of this State so as to adopt an advalorem system of graduated taxation on accumulated and accumulating wealth, compelling all classes of citizens to contribute according to their several abilities, for the support of the expenses of State, county, and school, thereby harmonizing the now conflicting interests of industry and capital.

Referred to committee on ways and means.

Senator Dysart offered the following resolution:

Resolved, That the Governor be respectfully requested to communicate to the Senate whether all the commissioners, architects, or superintendents having in charge the erection of public buildings belonging to the State, and whether all trustees, principals, directors, inspectors, and wardens of each of the public institutions of this State, have transmitted to the Governor as required by sections 214 and 215 of the Revision of 1860, a detailed report showing the expenditures of all public moneys heretofore placed in their hands, and whether such reports in each case are accompanied by separate or duplicate vouchers for all expenditures that have been made.

The resolution was adopted.

Senator Beardley presented the following:

Resolved by the Senate, the House concurring, That President Thatcher of the State University, and President Welch of the State Agricultural College, be invited to address the General Assembly some evening, or evenings, during the session; and further, that the Superintendent of Public Instruction be requested to communicate this invitation to the gentlemen named, and to make arrangements for such addresses.

Senator Shane moved to amend by inserting after the {word

“college” the words “the superintendents of all other charitable institutions.”

Senator Ketcham moved to lay the resolution and amendment on the table, which was agreed to.

Senator Beardsley offered the following :

Resolved, That the committee on medical institutions be instructed to inquire into the expediency of providing by law for a permanent record of births and deaths, and to report by bill or otherwise.

The resolution was adopted.

MESSAGE FROM THE HOUSE.

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 joint resolution in which the concurrence of the Senate is asked :

Joint resolution agreeing to, ratifying and confirming amendments to the State constitution.

BENJ. VAN STEINBURG, *Ass't Clerk*.

By leave, Senator Allen introduced S. F. No. 128, A bill for an act to provide for the election and organization of city councils.

Read first and second time and referred to committee on incorporations.

Also, S. F. No. 129, A bill for an act to legalize the plat of the town of Atlantic, in Cass county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now designated on said plat.

Read first and second time.

On motion of Senator Murray the rule was suspended and the bill read a third time.

On the question, “Shall the bill pass?”

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Orary, Dague, Dysart, Fairall, Fitch, Gault, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Chambers, Dashiell, Havens, Howland, Ireland and Stone—6.

So the bill passed and the title was agreed to.

By leave Senator Allen also introduced S. F. No. 130, A bill for

an act to regulate city indebtedness, and provide for the payment thereof.

Read first and second time, ordered printed, and referred to committee on ways and means.

HOUSE MESSAGES.

H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys and solicitors in said courts, and prohibiting their holding the office of justice of the peace.

Read first and second time and referred to committee on judiciary.

H. F. No. 218, A bill for an act to enable cities, towns and counties to settle, adjust and compound their indebtedness, and to provide for the payment of the same.

Read first and second time, ordered printed, and referred to committee on judiciary.

Joint resolution proposing to strike the word "male" from the constitution of the State of Iowa, was taken up and read first and second times.

Senator Fairall moved that the resolution be indefinitely postponed.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Claussen, Crary, Fairall, Fitch, Gault, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McIntyre, Merrill, Miles, Russell, Stuart, Taylor, Willett, and Wonn--20.

The nays were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Chambers, Converse, Dagne, Dashiell, Dysart, Hurley, Kephart, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Murray, Read, Richards, Shane, Smith, Vale, West and Young--26.

Absent or not voting--

Senators Havens, Howland, Ireland and Stone--4.

So the motion did not prevail.

Senator Murray moved to refer the joint resolution to the committee on constitutional amendments, which was agreed to.

The hour for the special order having arrived, it being the consideration of the resolution in reference to circuit courts, it was taken up and considered.

Senator Murray moved to refer the resolution to the committee on judiciary.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Claussen, Converse, Crary, Dagne, Fairall, Fitch, Hurley, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McIntyre,

McKean, Merrill, Murray, Richards, Russell, Smith, West and Willett—29.

The nays were—

Senators Campbell Chambers, Dashiell, Dysart, Gault, Larrabee, McCulloch, McNutt, Miles, Read, Shane, Stuart, Taylor, Vale, Wonn, and Young—16.

Absent or not voting—

Senators Boomer, Havens, Howland, Ireland, and Stone—5.
So the motion prevailed.

REPORTS OF COMMITTEES.

Senator Larrabee, from committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred S. F. No. 82, A bill for an act authorizing municipal corporations to levy a poll tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words "and owned by him on the first day of November of" be inserted in the sixth line of section No. 2, after the word "assessed," and when thus amended, that it do pass.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on way and means, to whom was referred S. F. No. 92, A bill for an act to pay the expenses of the inauguration of the Governor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the payment be provided for in the special appropriation bill.

LARRABEE, *Chairman.*

On motion of Senator Larrabee the report of the committee was adopted.

Senator Kephart, from committee on the suppression of intemperance, submitted the following report:

MR. PRESIDENT:—Your committee on suppression of intemperance, to whom was referred S. F. No. 83, A bill for an act amending the acts now in force for the suppression of intemperance, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Strike out section 1 and section 8, and substitute the following:

Section 1. Be it enacted by the General Assembly of the State of Iowa, That sections 1583 and 1584 of the revision of 1860, are hereby repealed, and in lieu thereof, the following be inserted:

"That alcohol and all kinds of spirituous and fermented liquors, including wine and beer, are by the provisions of this act, declared to be intoxicating liquors."

Also, insert the word "inhabitants," after the word "thousand," in the second line of section 8.

Also, that section nine be stricken out.

That in the first line of section 10, after the word "sell," insert "or give," and thus amended that it do pass.

E. B. KEPHART, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on suppression of intemperance, to whom was referred S. F. No. 29, A bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Iowa, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. B. KEPHART, *Chairman.*

On motion of Senator Boomer the report of the committee on the suppression of intemperance was made the special order for 10½ o'clock on Wednesday next.

Senator Burke moved that H. F. No. 74, A bill for an act to amend section 1193 of the Revision of 1860, be taken up and considered, which motion prevailed.

Senator Burke moved to suspend the rule and read the bill a third time now.

Senator West moved that the bill pass on file and be printed.

Senator Murray raised the point of order that the bill having been taken from the files could not, by a vote of the Senate be returned to the files.

The President decided the point of order well taken.

Senator Willett offered an amendment as follows:

Strike out the words "appointed by the mayor with the approval of the council or town trustees," and insert the words "elected by the town or city council, or trustees;" also strike out the word "appointed," and insert the word "elected;" also strike out the words "mayor and," all in the first section.

Senator Murray moved the previous question.

The motion was seconded by the Senate and the main question ordered.

Senator Willett's amendment was adopted.

On the question, "Shall the rule be suspended, and the bill read a third time now?" the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Burke, Campbell, Converse, Dague,

Dashiell, Dysart, Fairall, Fitch, Hurley, Kepbart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Russell, Shane, Smith, Stuart, Vale, and Willett—30.

The nays were—

Senators Beardsley, Bemis, Boomer, Chambers, Claussen, Orary, Gault, Ketcham, McCoid, McCulloch, Read, Richards, Taylor, West, Wonn, and Young—16.

Absent or not voting—

Senators Havens, Howland, Ireland and Stone—4.

So the motion to suspend the rule did not prevail.

The bill was then ordered engrossed for a third reading.

Senator Hurley, from committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads, liable for the willful wrongs of their agents and employees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 80, A bill for an act to amend sections 777 and 778 of chapter 45, of the Revision of 1860, in relation to tax sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary to whom was referred S. F. No. 28, A bill for an act to amend chapter 45, and to repeal section 781 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary to whom was referred S. F. No. 98, A bill for an act to amend section 8305 of the Revision of 1860, exempting sewing machines from execution, beg leave to report that they have had the same under con-

sideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, and State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 52, A bill for an act to amend chapter 175, of the laws of the 13th General Assembly, entitled an act providing additional fees for sheriffs, constables, and others in certain criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on compensation of public officers.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military township, Winneeshiek county, Iowa, in making an over issue of bonds for school house purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 47, A bill for act to protect persons in the possession of personal property, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute for the original bill, with the recommendation that the substitute do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 102, A bill for an act relative to the law of the admission of the dying declarations of deceased persons in evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 111, A bill for an act to amend section 2800, of the revision of 1860, so as to limit the venue in actions upon negotiable paper to a county wherein some one of the makers shall reside, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 109, A bill for an act relating to appeals from judgments of justices of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Senator Read moved that when the Senate adjourn it be until 10 o'clock to morrow morning.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardlev, Boomer, Burke, Chambers, Clauseen, Crary, Dague, Dashiell, Fairall, Hurley, Kephart, Ketcham, Kinne, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Murray, Read, Richards, Russell, Smith, Stuart, Taylor, Vale, West and Willett—33.

The nays were—

Senators Bemis, Campbell, Converse, Dysart, Fitch, Gault, Larabee, Lowry, Merrill, Miles, Shane, Wonn and Young—13.

Absent or not voting—

Senators Havens, Howland, Ireland and Stone—4.

So the motion was agreed to.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave

to report that they have examined the following bill and joint resolution and find the same correctly enrolled :

S. F. No. 112, A bill for an act to allow all appeals to the supreme court from Tama county to be taken to the argument term held at Des Moines, instead of Dubuque, and to transfer all cases pending therein.

Also, joint resolution relative to the Indians.

A. CONVERSE, *Chairman.*

Senator Shane from the committee on constitutional amendments submitted the following report :

MR. PRESIDENT:—Your committee on constitutional amendments, to whom was referred certain joint resolutions proposing to amend section 11, article 1, and section 13, article 5, of the constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the amendments proposed to section 11, article 1, do pass; and the committee have also unanimously instructed me to report the proposed amendments to section 13, article 5, back to the Senate with the recommendation that it do pass; and the committee have also instructed me to report the additional resolution providing for the publication of these amendments.

JOHN SHANE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on constitutional amendments, to whom was referred the joint resolution to amend section 10, article 5, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it, with the resolution attached thereto, providing for the publication thereof, do pass.

JOHN SHANE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on constitutional amendments, to whom was referred a joint resolution proposing to amend the Constitution of the State of Iowa, and to provide for its reference and publication, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following as a substitute, and with the recommendation that said substitute do pass.

JOHN SHANE, *Chairman.*

Passed on file.

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT:—Your committee on schools, to whom was referred S. F. No. 99, A bill for an act to legalize the organization of the independent school district of New Hartford, county of Butler, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Passed on file.

By leave Senator Fairall introduced S. F. No. 131, A bill for an act regulating appeals to the supreme court of Iowa.

Read first and second time and referred to committee on judiciary.

By leave Senator Dashiell presented a memorial from S. B. Lindsay, late 2d lieutenant of company A, 48th Iowa battallion, in relation to a claim for military services.

Referred to committee on claims.

Senator Leavitt from the committee on charitable institutions submitted the following report:

MR. PRESIDENT:—Your committee on charitable institutions, to whom was referred S. F. No. 69, A bill for an act to provide for the examination of State institutions, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to recommend that it be amended by striking out the words "the governor of the state" after the word "that" in the first line, and striking out the word "three" in the tenth line and inserting the word "two," and when thus amended to report the same back to the Senate without recommendation.

JOHN H. LEAVITT, *Chairman.*

Passed on file.

Senator Russell from the committee on judicial districts submitted the following report:

MR. PRESIDENT:—Your committee on judicial districts to whom was referred S. F. No. 46, A bill for an act creating the 13th judicial district, dividing the same into circuits and providing for the election of district and circuit judges and a district attorney therein, and changing the boundaries of the 3d, 4th and 5th judicial districts and fixing the boundaries of the circuits therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass with the following amendments: Strike out the word "Montgomery" in the first section and insert in place thereof the word "Audubon." Insert the word "Montgomery" after the word "Fremont" in the second section. Strike out the word "Audubon" in the fourth section. Strike out

the word "Montgomery" in the first line of the fifth section and insert in lieu thereof the word "Shelby." Strike out the word "Shelby" in the third line of the fifth section and insert in place thereof the word "Audubon." Insert the word "Montgomery" after the word "Fremont" in the fifth line of the fifth section. Strike out the word "Audubon" in the 15th line of the fifth section.

J. J. RUSSELL, *Chairman.*

Passed on file.

On motion of Senator West, H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes, was withdrawn from the committee on roads and referred to the committee on ways and means.

At 12:20, on motion of Senator McKean, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
February 23d, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Gary.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors.

H. F. No. 216, A bill for an act fixing the time of holding district court in Chickasaw county, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

PETITIONS AND MEMORIALS.

The President presented a memorial from the late State convention of county supervisors.

Senator Shane moved to refer paragraphs 1, 2, and 3, last clause of 5, and all of 6, to committee on constitutional amendments, which was agreed to.

Paragraphs 4, first part of 5, all of 12, referred to committee on judiciary.

Paragraphs 7, 8, 9, and 10, to committee on compensation of public officers.

Paragraphs 11, 15, 18, and 21, to committee on county and township organizations.

Paragraphs 13, and first part of 22, to committee on ways and means.

Paragraph 14 to committee on schools.

Paragraphs 16 and 17 to committee on elections.

Paragraph 19 to committee on roads.

Paragraph 20 to committee on printing.

The latter part of paragraph 22 to committee on railroads.

Senator Dashiell presented a petition from P. P. Henderson and 861 other citizens of Warren county, asking for the establishment of a reformatory institution for fallen women.

Referred to committee on charitable institutions.

Senator Russell presented a petition from M. B. McDuffie and 69 other citizens of Greene county, on the same subject.

Referred to same committee.

Senator Young presented a similar petition from J. C. Reeves and other citizens of Mahaska county.

Same reference.

Senator Claussen presented a petition from Charles Ball, Jr., and other citizens of Wapello county, remonstrating against the present liquor law being made more stringent and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Fitch presented a petition from citizens of Humboldt and Webster counties asking for the establishment of a reformatory institution for fallen women.

Referred to committee on charitable institutions.

Senator Murray presented a similar petition from citizens of Madison and Cass counties.

Referred to same committee.

Senator McIntyre presented a similar petition from citizens of Fremont county.

Same reference.

Senator Chambers presented a petition on same subject, referred to same committee.

Senator Dashiell presented an address from the the superintendent of the reform school, and moved that 500 copies be printed.

Senator Campbell moved to refer to the committee on printing, which motion prevailed and the address was so referred.

INTRODUCTION OF BILLS.

By Senator Wonn : S. F. No. 132, A bill for an act to provide

for appeals from the decision of the board of equalization of assessments of property.

Read a first and second time, ordered printed and referred to committee on judiciary.

By Senator Hurley: S. F. No. 133, A bill for an act to amend chapter 86, of the laws of the 12th General Assembly, and to define the power and jurisdiction of the circuit courts.

Read a first and second time, ordered printed and referred to committee on judiciary.

RESOLUTIONS.

Senator Lowry introduced a joint resolution asking legislation by Congress to prevent the destruction of buffalo and other wild game upon the plains and mountains of the West.

Read first and second time.

On motion of Senator Lowry, the rule was suspended and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dy-sart, Fairall, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Woun and Young—45.

The nays were—

Senator Richards—1.

Absent or not voting—

Senators Dague, Fitch, Ireland and Stone—4.

So the joint resolution passed, and the title was agreed to.

Senator Vale offered the following:

Resolved by the Senate, That the committee on public buildings be and is hereby instructed to inquire into the matter of the quality of the material being used and provided for constructing the foundation of the new capitol building, and if in the judgment of said committee any part of said foundation has been constructed of unsuitable material, or if any part of the material furnished is unsuitable, that said committee be authorized to report such proceedings as may be necessary for remedying the complaints made with reference to this matter.

On motion of Senator Fairall the further consideration of the resolution was postponed until Tuesday next.

Senator Willett offered the following:

Resolved, That the committee on schools be instructed to report upon the propriety of substituting in place of the county superintendent a superintendent of districts composed of two or more counties, whose duty it shall be to examine teachers and hold a normal school for the instruction of teachers a certain number of weeks in each year—thus doing away with the necessity of a State Normal School, and at the same time deriving all the benefits of such a school and remedying the defects in our present system of county superintendents without additional cost.

The resolution was not adopted.

REPORTS OF COMMITTEES.

Senator Smith from the committee appointed to visit and report upon the Reform School, submitted a report which was ordered printed.

Senator McCoid from the committee on judiciary submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 58, A bill for an act authorizing the board of supervisors of Appanoose county to transfer an excess of a fund levied for the payment of county bonds, to the ordinary county fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted therefor, and that it do pass.

M. A. McCOID, *member Judiciary Com.*

The substitute was read first and second times.

On motion of Senator Gault, the rule was suspended and the substitute read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—46.

The nays were none.

Absent or not voting—

Senators Atkins, Dague, Ireland, and Stone—4.

So the bill passed and the title was agreed to.

Senator Dague was granted leave of absence.

The hour for the special order having arrived, it being the consideration of the resolution proposing amendments to chapter 45 of the Revision 1860, was taken up and considered.

Senator Larrabee moved that the resolution be considered by sections, which was agreed to.

Senator Fairall moved to amend by striking out "781" and "782" of the first section.

The amendment was adopted.

Senator Russell moved that the resolution lie on the table and be considered with the code, which motion prevailed.

On motion of Senator Beardsley S. F. No. 99, A bill for an act to legalize the organization of the independant school district of New Hartford, county of Butler, Iowa, with the report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Converse the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett and Young—46.

The nays were none.

Absent or not voting—

Senators Dague, Ireland, Stone, and Wonn,—4.

So the bill passed and the title was agreed to.

Senator Murray moved to take up S. F. No. 118, A bill for an act to amend section 5, chapter 11, laws of the Fourteenth General Assembly of Iowa, with report of committee recommending that the bill do pass, which motion prevailed.

On motion of Senator Murray the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—46.

The nays were none.

Absent or not voting—

Senators Dague, Ireland, McCoid and Stone—4.

So the bill passed and the title was agreed to.

On motion of Senator Boomer S. F. No. 72, A bill for an act to change the time of holding the district courts in the ninth judicial

district of Iowa, with report of committee recommending that the bill do pass, was taken up and considered.

On motion of Senator Boomer the rule was suspended, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McIntyre, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Dague, Ireland, McCulloch, Murray, and Stone—5.

So the bill passed and the title was agreed.

Senator Leavitt was granted leave of absence until Tuesday next.

On motion of Senator Fitch H. F. No. 99, A bill for an act to legalize the organization of the townships of Silver Lake and Lloyd, in Dickinson county, Iowa, with report of committee recommending its passage, was taken up and considered.

Senator Fitch moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Dague, Ireland, Russell, and Stone—4.

So the bill passed and the title was agreed to.

On motion of Senator Willett, S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military township, Winneshiek county, Iowa, in making an over issue of bonds for school house purposes, with report of committee recommending its passage, was taken up and considered.

Senator Willett moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Dagne, Ireland, Leavitt, and Stone—4.

So the bill passed and the title was agreed to.

Senator Hurley, from the committee on judiciary, submitted the following report :

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 131, A bill for an act regulating appeals to the supreme court of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman*.

Senator Hurley moved that the report be considered now, which prevailed.

Senator Hurley moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dysart, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—43.

The nays were none.

Absent or not voting—

Senators Chambers, Dague, Ireland, Ketcham, Leavitt, Miles, and Stone—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 229, A bill for an act requiring specified acts and

duties of railroad companies, and providing certain remedies for the enforcement of the same.

BENJ. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Claussen, H. F. No. 229, A bill for an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same, was taken up and considered.

Senator Claussen moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Chambers, Dague, Ireland, Ketcham, Leavitt, Miles, and Stone—7.

So the bill passed and the title was agreed to.

By leave Senator Burke introduced S. F. No. 184, A bill for an act to increase the number of judges of the supreme court to five.

Read first and second time and referred to committee on judiciary.

By leave, Senator West introduced S. F. No. 185, A bill for an act to amend an act passed April 8, 1862, in relation to schools.

Read first and second time and referred to committee on schools.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Hurley the report was considered.

Senator Hurley moved to suspend the rule and read the bill a third time now.

Pending which, at 12:25, the Senate adjourned until 2 o'clock P. M.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment.

President in the chair.

The question was on the motion of Senator Hurley to suspend the rule and read the bill a third time.

The motion was agreed to.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Hurley, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Shane, Smith, Stuart, Taylor, Vale, West, Wonn and Young—31.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Dague, Fairall, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, McKean, Miles, Murray, Richards, Russell, Stone and Willett—19.

So the bill passed and the title was agreed to.

Senator Shane offered the following resolution, which was adopted:

WHEREAS, The door-keeper of the Senate is sick and it is highly improbable that he will be able to resume his duties at any given time; and therefore,

WHEREAS, An assistant door-keeper is much needed in the absence of the principal;

Be it resolved, That William Penn, of Story county, be and is hereby elected assistant door-keeper of the Senate for the balance of the present session.

Senator Ketcham offered the following:

Resolved, That on and after Monday, Feb. 26th, the Senate will hold one session each day, commencing at 9 o'clock A. M. and closing at 1 o'clock P. M. From 11 o'clock until 1 o'clock each day, we will, in committee of the whole, consider the revision of the code.

Senator McNutt moved to amend by striking out "one," and inserting "twelve and a half," which was disagreed to.

Senator Campbell offered the following substitute:

Resolved, That the Senate hold two sessions per day, commencing at 9 A. M. and 2:30 P. M., the afternoon session to be devoted to considering the code.

On the adoption of the substitute the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Campbell, Crary, Dashiell, Lowry, McNutt, Merrill, Miles, Smith, Vale, Wonn and Young—12.

The nays were—

Senators Beardsley, Boomer, Burke, Chambers, Claussen, Converse, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Maxwell, McCoid, McCormack, McCulloch, McIntyre Murray, Read, Richards, Russell, Shane, Stuart, Taylor, and West—29.

Absent or not voting—

Senators Allen, Atkins, Dague, Howland, Ireland, Leavitt, McKean, Stone and Willett—9.

So the substitute was lost.

The resolution was then adopted.

Senator Russell was granted leave of absence.

Senator McNutt asked and obtained leave of absence for himself for Saturday and Monday.

The hour having arrived for going into a committee of the whole for the purpose of considering the report of the commissioners to revise and re-write the laws, Senator Beardsley raised the point of order that the Senate having referred the parts to appropriate committees, could not now go into a committee of the whole on that subject.

Senator Fairall raised the point of order that the point raised by Senator Beardsley was now out of order on account of the length of time that had elapsed since the time of the Senate passing the resolution to go into a committee of the whole.

The President decided the last point well taken.

At 2 o'clock and 30 minutes, on motion of Senator Fairall, the Senate went into a committee of the whole on the report of the codifying commissioners, with Senator McNutt in the chair.

At 3 o'clock and 40 minutes the committee rose, and the President resumed the chair.

The chairman of the committee of the whole Senate submitted the following report:

MR. PRESIDENT:—The committee of the whole Senate have had under consideration that part of the report of the commissioners to revise and re-write the code marked "obsolete," "suspended," and "repealed," and have instructed me to report the same back to the Senate with the recommendation that those parts be omitted in the new code, and that the report of the commissioners be adopted, and ask leave to sit again.

The report was adopted, and the committee was granted leave to sit again at 3 o'clock P. M. to-morrow.

At 3 o'clock and 45 minutes, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 24, 1872. }

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

Prayer by the Rev. Mr. Miles.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE HOUSE.

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: S. F. No. 129, A bill for an act to legalize the plat of the town of Atlantic.

Also, that the House has concurred in the Senate resolution in relation to binding 200 copies of the statutes as reported by the commissioners, the same having passed the house without amendment.

Also, I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

H. F. No. 207, A bill for an act changing the time and manner of administering official oaths to school directors.

S. F. No. 112, A bill for an act to allow all appeals to the supreme court from Tama county to be taken to the argument terms held at Des Moines, instead of Dubuque, etc.

Also, joint resolution relative to the Indians.

Joint resolution instructing our Senators and requesting our Representatives in Congress to take such action as will secure the eastern terminus of the Union Pacific railroad in Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from citizens of Scott and Poweshiek counties remonstrating against the present liquor law being made more stringent and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Also, a petition from citizens of Poweshiek county, asking for a change in relation to the satisfaction of mortgages.

Referred to committee on judiciary.

Senator Bemis presented a petition from David Guthrie and other citizens of Buchanan county, asking for a change of time in making assessments.

Referred to committee on ways and means.

Senator Lowry presented a petition from citizens of Marion county, Iowa, remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on the suppression of intemperance.

RESOLUTIONS.

Senator Dysart offered the following resolution:

Resolved, That the Auditor of State be requested to furnish the Senate the amount of mileage paid to each of the Regents of the State University and the Trustees of the Agricultural College, Orphans' Homes, and Reform School, since the adjournment of the 13th General Assembly, as shown by vouchers filed in his office.

The resolution was agreed to.

HOUSE MESSAGES.

H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors, was taken up and referred to committee on county and township organizations.

H. F. No. 216, A bill for an act fixing the time of holding the courts in Chickasaw county, Iowa, was taken up, read first and second time, and on motion the 11th rule was suspended and bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clanssen, Converse, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, Miles, Murray, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willet, and Young—88.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Crary, Dagne, Hurley, Ireland, Leavitt, McNutt, Merrill, Russell, Stone, and Wonn—12.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Larrabee from the committee on ways and means submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom

was referred S. F. No. 77, A bill for an act to repeal section 3275 of the Revision of 1860, and chapter 43 of the acts of the 13th General Assembly, to enact in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that it do pass.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred S. F. No. 79, A bill for an act to amend chapter 89 of the laws of the 13th General Assembly, in relation to equalization of assessments by township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Passed on file.

Senator Lowry, from the committee on railroads, submitted the following report:

MR. PRESIDENT—Your committee on railroads, to whom was referred all bills on railroad freight tariffs, beg leave to report that they have had the same under consideration and have adopted the following substitute and have instructed me to report the same back to the Senate with the recommendation that it do pass. Also to report back S. F. No. 121 without recommendation.

ROBERT LOWRY, *Chairman.*

Passed on file.

Senator Murray, from the committee on railroads, submitted the following minority report:

The undersigned, members of the railroad committee, dissent from the majority in recommending the passage of the bill reported by the majority of committee on railroads, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable maximum rates of tariffs for the transportation of freights thereon, and the undersigned recommend the passage of S. F. No. 121 in place thereof.

ROBERT LOWRY,
B. F. MURRAY,
E. T. SMITH,
J. S. McINTYRE,
B. F. ALLEN.

Passed on file.

Senator McKean moved that when the Senate adjourn it be until 10 o'clock A. M. on Monday next, which motion prevailed.

Senator Merrill was granted leave of absence until Tuesday next.

BILLS ON SECOND READING.

H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860, with the report of the committee on incorporations recommending its passage, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Burke, Campbell, Converse, Dashiell, Fairall, Havens, Kephart, Larrabee, Lowry, McIntyre, McKean, Miles, Murray, Smith, Taylor, Vale, and Willett—18.

The nays were—

Senators Beardsley, Bemis, Boomer, Chambers, Claussen, Crary, Dysart, Fitch, Gault, Howland, Ketcham, Kinne, Maxwell, McCoid, McCulloch, Read, Richards, Shane, Stuart, West and Young—21.

Absent or not voting—

Senators Atkins, Dague, Hurley, Ireland, Leavitt, McCormack, McNutt, Merrill, Russell, Stone, and Wonn—11.

The bill having failed to receive a constitutional number of votes was declared lost.

Senator Kinne moved to reconsider the vote by which the bill was adopted.

Senator McKean moved to lay the motion to reconsider on the table, which motion did not prevail.

Senator Kinne's motion was then agreed to.

On motion of Senator Fairall the further consideration of the bill was postponed until Tuesday morning next.

The resolution directing the committee on ways and means to inquire into the expediency of charging a fee for notarial commissions, with the report of the committee recommending that it be indefinitely postponed, was taken up and considered.

On motion of Senator Beardsley the report was adopted.

S. F. No. 42, A bill for an act abolishing the argument terms of the supreme court at Davenport, and for the holding of the supreme court at Iowa City, with the report of the committee reporting it back to the Senate without recommendation, was taken up, considered, and passed on file.

H. F. No. 64, A bill for an act to punish the makers of mortgages in certain cases, with the report of the committee on judiciary recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

H. F. No. 16, A bill for an act prescribing the time when taxes voted, or to be voted, in aid of railroads, shall become due, payable and collectable, and to repeal chapter forty-eight of the acts of the Twelfth General Assembly, and chapter one hundred and two of acts of the Thirteenth General Assembly, with the report of the committee on judiciary recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

S. F. No. 5, A bill for an act to provide for establishing superior courts in cities of a certain class, with the report of the committee on judiciary recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills viz :

S. F. No. 112, An act to allow all appeals to the supreme court from Tama county to be taken to the argument term at Des Moines, instead of Dubuque.

Also, H. F. No. 207, An act changing the time and manner of administering official oaths to school directors.

Also, joint resolution relative to the Indians.

Also, joint resolution instructing our Senators and requesting our Representatives in Congress to take such action as will secure the eastern terminus of the Union Pacific Railroad in Iowa, &c.

A. CONVERSE, *Chairman.*

S. F. No. 43, A bill for an act to provide for an argument term of the supreme court at Council Bluffs, was taken up, considered, and passed on file.

S. F. No. 6, A bill for an act to legalize certain conditions regarding the voting of aid to railroads, and to provide that taxes levied to aid in the construction of railroads shall not become delinquent until the conditions are complied with, with report of committee on judiciary recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

S. F. No. 86, A bill for an act to amend section 777 and 778 of chapter 45 of the revision of 1860 in relation to tax sales, with report of committee on judiciary recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

S. F. No. 27, A bill for an act to prevent the sale of oils for illuminating purposes inflammable at a less temperature or fire test than 110 degrees Fahrenheit, with report of committee recommending a substitute, was taken up and considered.

Senator Maxwell moved to refer the bill and substitute to the committee on medical institutions.

Senator Stuart moved to amend by making the bill and substitute the special order for Monday next at 10½ o'clock.

The amendment was lost.

Senator Maxwell's motion was then agreed to.

S. F. No. 48, A bill for an act entitled an act to provide for establishing public libraries in the district townships and independent districts of Iowa, with the report of the committee on schools recommending amendments, was taken up and considered.

On motion of Senator Murray the bill was considered by sections.

The amendments reported by the committee to the different sections were adopted.

Senator Vale moved to strike out of the 4th line of section one the words "for the time being," which was agreed to.

Senator Shane moved to amend by striking out the word "member" in the first line of the 6th section, and inserting the word "person" in lieu thereof.

The amendment prevailed.

Senator Shane also moved to amend by inserting after the word "library," in section 6, the words, "with such compensation as may be agreed upon," which was agreed to.

Senator Fitch moved to amend by adding the following:

Section 8. The board of directors of any district township shall upon division of any district township make such division of the library as shall be deemed by them just and equitable.

The amendment did not prevail.

The bill was then ordered engrossed for a third reading.

By leave, Senator Richards introduced S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases before conveying or assessing the same.

Read a first and second time, ordered printed, and referred to committee on incorporations.

By leave, Senator Beardsley called up joint resolution proposing to amend the constitution of the State, prohibiting the appropriation of public funds for sectarian purposes, with the report of the committee on constitutional amendments recommending a substitute.

The substitute was adopted, ordered printed and passed on file.

MESSAGE FROM THE HOUSE.

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 substitute for S. F. No. 59, A bill for an act enabling the county of Appanoose to transfer the bond fund of said county to the swamp land fund, which has passed the House without amendment.

BENJ. VAN STEINBERG, *Assistant Clerk.*

By leave Senator Fairall called up S. F. No 75, A bill for an act pertaining to the division of civil townships, with the report of the special committee recommending amendments.

The amendments were adopted.

On motion of Senator Fairall the rule was suspended and the bill read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Bemis, Claussen, Converse, Crary, Dashiell, Dyart, Fairall, Gault, Havens, Howland, Kepbart, Kinne, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, Murray, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett, and Young—30.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Larabee, McCoid, and Miles—8.

Absent or not voting—

Senators Atkins, Dagne, Fitch, Hurley, Ireland, Ketcham, Leavitt, McNutt, Merrill, Russell, Stone and Wonn—12.

So the bill passed and the title was agreed to.

At 12:15, on motion of Senator Dashiell, the Senate adjourned until Monday at 9 o'clock A. M.

SENATE CHAMBER, DES MOINES, IOWA, }
February 26, 1872. }

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

Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

Senator Claussen presented petitions from citizens of Boone, Scott, and Tama counties, remonstrating against the present liquor law being made more stringent, and asking that a judicious license law be enacted.

Referred to committee on suppression of intemperance.

Senator Maxwell presented a petition from Daniel Finch and other citizens of Story county, asking for the formation of independent school districts.

Referred to committee on schools.

Senator Howland presented a petition from James A. Norton and numerous other citizens of Franklin county, remonstrating against the repeal of chapter 118, laws of the 11th General Assembly.

Referred to committee on printing.

Senator Shane presented a petition from 101 citizens of Benton county, asking that the office of county superintendent be abolished.

Referred to committee on schools.

Also, a petition from G. Gorge and other citizens of Benton

county, asking for an amendment to section 827 of the Revision of 1860, in reference to laying out roads.

Referred to committee on roads.

Senator Bemis presented a petition from J. B. Powers and other citizens of Dubuque county, against the passage of S. F. No. 89, providing for the repeal of chapter 86 of the laws of the 12th General Assembly.

Referred to committee on judiciary.

Also, a petition from James M. Weart and other citizens of Buchanan county, remonstrating against the passage of the bill taking from circuit judges the power to call the jurors for the 2d and 3d terms of said court.

Referred to committee on judiciary.

Also, a petition from James M. Weart and other citizens of Buchanan county, remonstrating against the abolishment of the system of circuit courts in the State of Iowa.

Referred to committee on judiciary.

INTRODUCTION OF BILLS.

By Senator Dysart: S. F. No. 137, A bill for an act to prevent unlawful driving away of any cattle or other stock from the premises of any citizens of this State or from their lawful range.

Read first and second time, and referred to committee on county and township organizations.

By Senator Wonn: S. F. No. 138, A bill for an act authorizing the punishment of railroad companies and other incorporated bodies for the violation of the criminal laws of this State.

Read first and second time, ordered printed, and passed on file.

REPORTS OF COMMITTEES.

Senator Young, from committee on engrossed bills, submitted the following report:

MR. PRESIDENT:—The committee on engrossed bills respectfully report that they have compared S. F. No. 48, A bill for an act in relation to public libraries and find it correctly engrossed.

JAMES A. YOUNG, *Chairman.*

Senator Boomer, from the committee on medical institutions submitted the following report:

MR. PRESIDENT:—Your committee on medical institutions, to whom was referred S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. BOOMER, *Chairman.*

Passed on file.

The memorial of R. G. Orwig, with report of committee on schools reporting it back without recommendation, was taken up and on motion of Senator West, the further consideration of the memorial was indefinitely postponed.

The concurrent resolution in relation to postal telegraph was taken up and considered.

Senator Fairall moved that the concurrent resolution be indefinitely postponed.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardley, Campbell, Dysart, Fairall, Havens, Kinne, McCormack, McCulloch, Richards, Shane, Willett, and Wonn—12.

The nays were—

Senators Allen, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Fitch, Howland, Larrabee, Lowry, Maxwell, McCoid, McIntyre, McKean, Miles, Read, Smith, Taylor, Vale, West and Young—25.

Absent or not voting—

Senators Atkins, Gault, Hurley, Ireland, Kephart, Ketcham, Leavitt, McNutt, Merrill, Murray, Russell, Stone, and Stuart—18.

So the motion did not prevail.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT :—I herewith present for your signature the following bill and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 229, A bill for an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same.

Also, joint resolution asking Congress to pass a law granting 160 acres of land to honorably discharged soldiers and sailors of the war of the rebellion.

Also, the House has passed without amendment S. F. No. 99, A bill for an act to legalize the organization of the independent school district of New Hartford, county of Butler, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Gault was excused for to-day.

The consideration of the postal telegraph resolution was resumed. Senator Campbell offered the following proviso:

Provided, That it be accomplished without an increase of official patronage or additional expense to the Government.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Dysart, Fairall, Havens, Kinne, Maxwell, McCormack, McCulloch, Richards, Shane, Vale, Willett, and Wonn—15.

The nays were—

Senators Allen, Bemis, Burke, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Fitch, Howland, Larrabee, Lowry, McCoid, McIntyre, McKean, Miles, Read, Smith, Taylor, West, and Young—22.

Absent or not voting—

Senators Atkins, Gault, Hurley, Ireland, Kephart, Ketcham, Leavitt, McNutt, Merrill, Murray, Russell, Stone, and Stuart,—18.

So the proviso was not adopted.

Senator Richards offered the following proviso :

Provided, That under no circumstances shall such a plan be adopted as will put the telegraph system of the country under the control of the federal government.

On the adoption of this proviso, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Dysart, Fairall, Havens, Kinne, McCormack, McCulloch, Richards, Shane, Vale, Willett and Wonn—14.

The nays were—

Senators Allen, Bemis, Burke, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Fitch, Howland, Larrabee, Lowry, Maxwell, McCoid, McIntyre, McKean, Miles, Read, Smith, Taylor, West and Young—23.

Absent or not voting—

Senators Atkins, Gault, Hurley, Ireland, Kephart, Ketcham, Leavitt, McNutt, Merrill, Murray, Russell, Stone and Stuart—18.

So the proviso was not adopted.

Senator Kephart was granted leave of absence for the day.

The question being on the adoption of the resolution, the yeas and nays were demanded, and

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Fitch, Howland, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McIntyre, McKean, Miles, Read, Smith, Taylor, West and Young—25.

The nays were—

Senators Beardsley, Campbell, Dysart, Fairall, Havens, Kinne, McCormack, McCulloch, Richards, Shane, Vale, Willett and Wonn—13.

Absent or not voting—

Senators Atkins, Gault, Hurley, Ireland, Kephart, Ketcham, McNutt, Merrill, Murray, Russell, Stone and Stuart.

So the concurrent resolution was adopted.

S. F. No. 85, A bill for an act concerning roads and highways, with the report of committee on roads, recommending its indefinite postponement, was taken up and considered, and report of committee adopted.

MESSAGE FROM THE HOUSE.

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:

Substitute for H. F. No. 6, A bill for an act to amend chapter 79 of the Revision of 1860.

Substitute for H. F. No. 17, A bill for an act to amend chapter 8, laws of the 13th General Assembly, relating to independent school districts.

Substitute for H. F. No. 128, A bill for an act prescribing the manner in which fee of jurymen and county expenses shall be paid in cases of change of venue.

H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts.

I am also directed to inform your honorable body that the House of Representatives has refused to concur in the Senate amendments to House amendments to substitute for S. F. No. 1, A bill for an act to repeal an act, etc., and has appointed Messrs. Kasson, Duncombe, and Reuther a committee of conference on the part of the House.

BENJ. VAN STEINBURG, *Assistant Clerk.*

The hour for going into committee of the whole on the code having arrived, on motion of Senator Fairall the Senate went into committee, with Senator Larrabee in the chair.

At 12:55 the committee rose and the President resumed the chair.

The chairman of the committee of the whole Senate, submitted the following report:

MR. PRESIDENT—The committee of the whole Senate have had under consideration the report of the commissioners to revise and re-write the laws, have made some progress therein, and have instructed me to report the same back to the Senate, and ask leave to sit again.

LARRABEE, *Chairman.*

The report was adopted.

REPORTS OF COMMITTEES.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills ask leave to

report that they have examined the following bills and find the same correctly enrolled :

S. F. No. 129, A bill for an act to legalize the plat of the town of Atlantic, in Cass county, Iowa, and to legalize all conveyances of lots and blocks heretofore made by the number of lots and blocks as now designated on said plat.

S. F. No. 59, A bill for an act enabling the county of Appanoose to transfer the bond fund in the county treasury of said county to the swamp land fund.

S. F. No. 99, A bill for an act to legalize the organization of the independent school district of New Hartford, Butler county, Iowa.

A CONVERSE, *Chairman.*

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

Joint resolution asking Congress to pass a law granting 160 acres of land to soldiers and sailors.

Also, H. F. No. 299, An act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same.

A. CONVERSE, *Chairman.*

At 1 o'clock P. M., on motion of Senator Shane, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 27th, 1872. }

Senate convened pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Gill.

Journal of yesterday read and approved.

Senator Leavitt asked and obtained leave to record his vote in favor of the postal telegraph resolution passed yesterday.

PETITIONS AND MEMORIALS.

Senator Claussen presented petitions from citizens of Keokuk, Van Buren and Wapello counties, remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Taylor presented a petition from J. C. Lewis and other citizens of Marshall county remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Senator Kephart presented a petition from George E. Hubbell and other citizens of Scott county asking for the enactment of a more stringent prohibitory liquor law.

Referred to committee on suppression of intemperance.

Senator Beardsley presented a petition from O. Baldwin asking for the adoption of the joint resolution proposing to amend the constitution of the State so as to prevent the appropriation of public funds for sectarian purposes.

Referred to committee on constitutional amendments.

Senator Ketcham presented a petition from Mr. Long and other citizens of Tama county in relation to fences.

Referred to committee on agriculture.

INTRODUCTION OF BILLS.

By Senator Burke: S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, in Chickasaw county, Iowa, the levy of taxes to pay the same, and the acts of said board of directors in contracting for and causing the erection of a school house in said independent school district.

Read first and second time and referred to committee on judiciary.

By Senator Campbell: S. F. No. 140, a bill for an act to legalize the incorporation of the town of Newton, and the acts of the officers acting thereunder.

Read first and second time and referred to committee on judiciary.

RESOLUTIONS.

Senator Dysart offered the following concurrent resolution :

WHEREAS, It is reported extensively throughout the State that the quality of the material used and provided for the foundation walls of the new capitol building, and the workmanship of said foundation, are inferior and unsuitable for a building of the character contemplated by the act authorizing the construction of a new capitol building ; and

WHEREAS, It is desirable that the people of the State and the General Assembly should be fully informed into the character and quality of the material used, or workmanship performed in and about the construction of, or materials furnished for said foundation walls of said building ; therefore,

Resolved by the Senate, the House of Representatives concurring, That a joint committee of five, two on the part of the Senate and three on the part of the House of Representatives, be appointed whose duty it shall be to inquire into the quality of the materials used and furnished for the foundation walls of the new capitol building, and to inquire into the character and quality of work done in, on and about said foundation walls, and to report to this General Assembly as soon as practicable the result of their investigations.

Resolved, That said committee when appointed and organized be, and are hereby authorized and empowered to send for persons and papers to assist and give them information in the investigations of the matters hereinbefore referred to.

On the question, "Shall the resolution be adopted?" the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardaley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Taylor, Vale, West, Willett, Wonn and Young—43.

The nays were Senator Kinne—1.

Absent or not voting—

Senators Allen, Dashiell, Fairall, Gault, Stone, and Stuart—6
So the concurrent resolution was adopted.

Senators Dashiell, Fairall, and Gault were granted leave of absence.

Senator Campbell offered the following resolution :

Resolved, That the President be requested to create a new standing committee of five, entitled committee on state capitol building, and to appoint said committee as soon as possible, with instructions to examine into all matters connected with the plans, contracts, buildings, &c., respecting said capitol building.

Senator McNutt moved to amend by adding, "And that no member shall be appointed on the committee who resides in a county where stone quarries exist."

The amendment did not prevail.

Senator Converse moved to amend by adding, "And that the committee have power to watch the special committee."

The amendment was lost.

Senator West moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardaley, Claussen, Converse, Hurley, Ireland, Ketcham, Kinne, Leavitt, McCoid, McCulloch, McKean,

McNutt, Miles, Murray, Read, Russell, Smith, West, Willet, and Young—22.

The nays were—

Senators Bemis, Boomer, Burke, Campbell, Chambers, Crary, Dagne, Dysart, Havens, Howland, Kephart, Larrabee, Lowry, Maxwell, McCormack, McIntyre, Merrill, Richards, Shane, Taylor, Vale, and Wonn—22.

The President voted nay.

Absent or not voting—

Senators Dashiell, Fairall, Fitch, Gault, Stone, and Stuart—6.

So the motion to lay on the table did not prevail.

On the question, "Shall the resolution be adopted?" the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Boomer, Burke, Campbell, Chambers, Crary, Dagne, Dysart, Havens, Howland, Hurley, Kephart, Larrabee, Lowry, Maxwell, McCormack, McIntyre, McKean, McNutt, Merrill, Richards, Shane, Taylor, Vale, Wonn, and Young—26.

The nays were—

Senators Allen, Atkins, Beardsley, Clanssen, Converse, Ireland, Ketcham, Kinne, Leavitt, McCoid, McCulloch, Miles, Murray, Read, Smith, West, and Willett—17.

Absent or not voting—

Senators Dashiell, Fairall, Fitch, Gault, Russell, Stone, and Stuart—7.

So the resolution was adopted.

MESSAGE FROM THE HOUSE.

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 bill and resolution in which the concurrence of the Senate is asked :

Concurrent resolution requiring the committees on claims of both Houses, to keep a book of record of each claim of money against the State.

Also, concurrent resolution instructing our Senators and Representatives in Congress to make no more donations of lands to the building of railroads.

Also, H. F. No. 116, A bill for an act defining the weight of a bushel of corn in ear.

I also herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 99, A bill for an act to legalize the organization of the townships of Silver Lake and Lloyd, in Dickinson county, Iowa.

H. F. No. 132, A bill for act to legalize the plat of the village of Northwood, Worth county, Iowa, etc.

S. F. No. 59, A bill for act enabling the county of Appanoose to transfer the bond fund in the county treasury of said county, to the swamp land fund.

S. F. No. 99, A bill for an act to legalize the organization of the independent school district of New Hartford, county of Butler, Iowa.

S. F. No. 129, A bill for an act to legalize the plat of the town of Atlantic, in Cass county, Iowa.

BENJ. VAN STEINBURG, *Assistant Clerk.*

The President submitted a communication from the Auditor of State in relation to the mileage of the officers of certain State institutions.

On motion of Senator Dysart the reading of the communication was dispensed with, and the document ordered printed.

HOUSE MESSAGES.

The House message notifying the Senate that the House had refused to concur in the Senate amendments to the House amendments to substitute for S. F. No. 1, and asking a committee of conference, was taken up.

Senator Lowry moved that the Senate adhere to its amendments, and appoint a committee of conference, which motion prevailed.

The President appointed Senators West, McKean and McCormack as committee on the part of the Senate.

H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts, was taken up.

Read first and second time and referred to committee on schools.

Substitute for H. F. No. 17, A bill for an act to amend chapter 8, laws of the 18th General Assembly, relating to independent school districts, was taken up.

Read first and second time, ordered printed and referred to committee on schools.

Substitute for H. F. No. 6, A bill for an act to amend chapter 79, of the revision of 1860, creating mechanics' liens, and to secure mechanics and laboring men upon internal improvements, their wages, was taken up.

Read first and second time, ordered printed, and referred to committee on judiciary.

Substitute for H. F. No. 128, A bill for an act providing the manner in which the fees of jurymen and county expenses shall be paid, in cases of changes of venue, was taken up.

Read first and second time and referred to committee on judiciary.

House concurrent resolution in relation to the record of claims against the State, was taken up and considered.

On motion of Senator Ketcham, the Senate concurred in the resolution.

House joint resolution instructing our Senators and requesting our Representatives in Congress to vote and use their influence against the donation of any more land to railroad companies, was taken up, read first and second time, and referred to committee on federal relations.

H. F. No. 116, A bill for an act defining the weight of a bushel of corn in the ear, was taken up, and referred to the committee on agriculture.

By leave, Senator Dagne offered the following resolution :

Resolved, That F. M. Higginson be appointed door-keeper *pro tem*.

Senator Shane moved to amend by striking out the words "*pro tem*."

On motion of Senator West, the resolution was laid on the table until to-morrow morning.

REPORTS OF COMMITTEES.

Senator Havens, from the committee on county and township organizations, submitted the following report :

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred S. F. No. 119, A bill for an act making it larceny in certain cases to dispose of certain property that has been levied on by county treasurers, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman*.

Passed on file.

Also, the following :

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred S. F. No. 108, A bill for an act to exempt new townships from taxation in aid of railroads in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman*.

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa, beg leave to report that they have had the

same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Senator Dague, from the committee on printing, submitted the following report:

MR. PRESIDENT:—Your committee on printing, to whom was referred the accompanying resolution relating to the repeal of the law authorizing the publication of the laws of a general character in news papers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that inasmuch as a former report of the committee on S. F. No. 30 covers the resolution, that no further action upon it is necessary.

R. A. DAGUE, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on printing, to whom was referred the accompanying communication of F. McCarty, superintendent of the Iowa State Reform School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that inasmuch as the said communication is devoted entirely to the discussion of questions concerning the reformatory institutions of the State, which questions are not within the province of this committee to consider, that the same be referred to the committee on charitable institutions.

R. H. DAGUE, *Chairman.*

Senator Beardsley moved that the report of the committee on printing in relation to the address on charitable institutions be adopted, which prevailed and the report was referred to the committee on charitable institutions.

On motion of Senator Burke H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860, with report of committee on incorporations recommending its passage, was taken up and considered.

The question being on the motion to reconsider the vote by which the bill was defeated, the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Burke, Converse, Dague, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, McCormack, McIntyre, Merrill, Miles, Murray, Russell, Smith, Stuart, Vale and Willett—24.

The nays were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Crary, Dysart, Fitch, Ketcham, Maxwell, McCoid, McCulloch, McKean, Read, Richards, Shane, Taylor, West, Wonn and Young—21.

Absent or not voting—

Senators Dashiell, Fairall, Gault, McNutt, and Stone—5.

So the motion to reconsider prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Boomer, Burke, Converse, Dague, Fitch, Havens, Howland, Hurley, Ireland Kephart, Kinne, Larrabee, Leavitt, Lowry, McCormack, McIntyre, Merrill, Miles, Murray, Russell, Smith, Stuart, Vale and Willett—26.

The nays were—

Senators Beardsley, Bemis, Campbell, Chambers, Claussen, Crary, Dysart, Ketcham, Maxwell, McCoid, McCulloch, McKean, McNutt, Read, Richards, Shane, Taylor, West, Wonn and Young—20.

Absent or not voting—

Senators Dashiell, Fairall, Gault, and Stone—4.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, it being the consideration of S. F. No. 30, A bill for an act entitled "An act to provide for the publication of general and certain special laws, and of the proceedings of the board of supervisors in the several counties," with the report of the committee on printing recommending that it do not pass, was taken up and considered.

On motion of Senator Kinne the further consideration of the bill and report was postponed until Thursday next at 10 o'clock, A. M.

Senator Shane moved to print the joint resolution proposing to amend section 11, article 1, and section 13, article 5, of the constitution of the State, which was agreed to.

Senator Shane moved to take up and consider the report of the committee on constitutional amendments recommending joint resolution proposing to amend section 10 of article 5, of the constitution of the State of Iowa, which motion prevailed.

Senator Claussen moved to amend by striking out the words "the State shall be divided into eleven judicial districts, and after the year 1860."

Senator McCoid moved to amend by adding the following to the substitute: "but such increase or diminution of the supreme court shall not be more than one judge for each General Assembly."

On motion of Senator Burke the substitute and amendments were referred back to the committee on constitutional amendments.

The hour having arrived for going into the committee of the whole on the code, on motion of Senator Ketcham the Senate went into committee of the whole, with Senator McKean in the chair.

At 12:55 the committee rose and the President resumed the chair.

The chairman of the committee of the whole Senate submitted the following report:

MR. PRESIDENT—The committee of the whole Senate have had under consideration the report of the commissioners to revise and re-write the statutes, have made some progress therein, and have instructed me to report the same back to the Senate and ask leave to sit again.

McKEAN, *Chairman.*

The report was adopted.

Senator Fitch from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 59, An act enabling the county of Appanoose to transfer the bond fund in the county treasury of said county to the swamp land fund.

Also, H. F. No. 132, An act to legalize the plat of the village of Northwood in Worth county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now specified in said plat.

Also, S. F. No. 129, An act to legalize the plat of the town of Atlantic, in Cass county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now designated on said plat.

Also, H. F. No. 99, An act to legalize the organization of the townships of Silver Lake and Lloyd in Dickinson county, Iowa.

Also, S. F. No. 99, An act to legalize the organization of the independent school district of New Hartford, county of Butler, Iowa.

WM. H. FITCH, *for the Committee.*

At 1 o'clock, P. M., on motion of Senator Vale, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 28, 1872. }

The Senate convened pursuant to adjournment, the President in the chair.

Prayer by the Rev. Mr. Ingalls.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from Hans Butler and other citizens of Greene county remonstrating against making the present liquor law more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Maxwell presented a similar petition from citizens of Boone county.

Referred to same committee.

Senator Ireland presented a petition from Jacob Boslen and 145 other citizens asking the passage of a law requiring railroad companies to fence their roads.

Referred to committee on railroads.

Senator Young presented a petition from Mrs. D. H. Hoffman and other citizens of Iowa asking for the establishment of a reformatory institution for fallen women.

Referred to committee on charitable institutions.

Also, a petition from James W. Watson and other citizens of Mahaska county, asking for an amendment to the present game law.

Referred to committee on agriculture.

Senator Boomer presented a petition from Jonah Piper and other citizens of Delaware county asking for the establishment of normal schools.

Referred to committee on normal schools.

Senator West presented a petition from Jas. H. White and other citizens of Henry county asking for the passage of S. F. No. 36.

Referred to committee on suppression of intemperance.

Senator McKean presented a petition from John G. Gritman and 50 other members of Brown township mutual insurance association asking that there be no legislation against township mutual insurance associations having no salaried officers, and asking that premium notes be made a lien on the property insured.

Senator McCoid presented a petition from Thomas Merrill and other citizens of Jefferson county asking for the passage of S. F. No. 36.

Ordered passed on file.

Senator Beardsley presented a petition from S. A. Russell and 60 other citizens of Polk county, asking for an amendment to the constitution of the State, prohibiting the appropriation of public lands or funds for sectarian purposes.

Ordered passed on file.

Wm. H. Penn, assistant Doorkeeper of the Senate was sworn into office by the President.

INTRODUCTION OF BILLS.

By Senator Ketcham: S. F. No. 141, A bill for an act to repeal chapter 89, of the laws of the 18th General Assembly, and to provide and constitute township trustees, councils of cities and incorporated towns, boards of equalization, for their respective townships, cities and towns, and prescribing their duties as such.

Read first and second time, ordered printed, and referred to committee on ways and means.

By Senator Merrill: S. F. No. 142, A bill for an act to amend section 811, article 2, chapter 45, of the revision of 1360.

Read first and second time, ordered printed, and referred to committee on ways and means.

By Senator McCoid: S. F. No. 143, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly in relation to the change of school sub-districts.

Read first and second time, ordered printed, and referred to committee on schools.

By Senator Larrabee: S. F. No. 144, A bill for an act to provide for issuing State bonds for losses to the permanent school fund.

Read a first and second time, ordered printed, and referred to committee on ways and means.

By Senator Fitch: H. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa.

Read first and second time, and referred to committee on schools.

RESOLUTIONS.

Senator McNutt offered the following resolution:

Resolved, by the Senate, the House concurring, That after February 29th, the manner of considering the code shall be as follows, namely: each chapter of the proposed code containing a separate subject shall be taken up and considered as a bill, and numbered code bill No. 1, No. 2, and so on, and disposed of in regular order. Provided, that when a chapter is lost in a case of disagreement between the two Houses, then the chapter as it stands in the re-written law or proposed code shall be introduced and passed without amendment.

Senator Fairall moved to postpone the further consideration of the resolution until the second day of March, which motion prevailed.

Senator Lowry offered the following :

Resolved, That in committee of the whole on the revision of the statutes, no member of the committee will be permitted to discuss any question longer than five minutes, nor more than twice.

Senator Converse raised the point of order that the Senate had no authority to prescribe rules for the government of its committees.

The President decided the point of order not well taken.

Senator Stuart moved to amend by striking out the words "five minutes."

The amendment did not prevail.

Senator Shane moved to amend as follows :

"That no member shall speak more than twice till all others have spoken who desire it."

The amendment was lost.

On the adoption of the resolution the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Campbell, Cray, Dague, Dysart, Fairall, Fitch, Hurley, Ireland, Kephart, Kinne, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, Merrill, Murray, Shane, Smith, Vale, West, Willett, and Wonn—30.

The nays were—

Senators Burke, Chambers, Claassen, Converse, Gault, Howland, Ketcham, Larrabee, Leavitt, McNutt, Miles, Read, Richards, Russell, Stuart, Taylor, and Young—17.

Absent or not voting—

Senators Dashiell, Havens, and Stone—3.

So the resolution was adopted.

Senator Havens was granted leave of absence.

Senator Lowry was granted leave of absence to attend the centennial convention at Philadelphia.

Senator Dague asked and obtained leave to call up the resolution in relation to the election of door-keeper, which was under consideration yesterday.

Senator Shane withdrew his motion to strike out the words "*pro tem*."

Senator Campbell moved to amend by striking out the words "*pro tem*," which was agreed to.

Senator West moved to strike out "F. M. Higginson," and insert "Wm. H. Penn."

The motion was lost.

The resolution was then adopted, and F. M. Higginson was sworn in as door-keeper of the Senate.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House :

H. F. No. 216, A bill for an act fixing the time of holding district courts in Chickasaw county, Iowa, and to repeal paragraph six, of section 15, chapter 98, acts of Tenth General Assembly.

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

Concurrent resolution requesting the Secretary of State to have published in pamphlet form 1000 copies of the catalogue of the State Library.

Also, the House has concurred in Senate amendment to H. F. No. 74, A bill for an act to amend section 1103 of the revision of 1860.

BENJ. VAN STEINBURG, *Ass't Clerk.*

On motion of Senator Boomer, S. F. No. 48, A bill for an act to provide for establishing public libraries in the district townships and independent districts in the State of Iowa, which was ordered engrossed, was taken up, and read a third time.

On the question "Shall the bill pass?"

The yeas were —

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were—

Senator McCoid.

Absent or not voting—

Senators Dashiell, Havens, Russell, and Stone—4

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

H. F. No. 74, A bill for an act to amend section 1103 of the revision of 1860.

BENJ. VAN STEINBURG, *Ass't Clerk.*

S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, State of Iowa, was taken up.

On motion of Senator Fairall the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Dashiell, Havens, McCulloch, Stone, and Vale—5.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Converse from the committee on enrolled bills submitted the following report.

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 74, An act to amend section 1103 of the Revision of 1860.

Also, H. F. 216, An act to fix the time for holding district courts in Chickasaw county, Iowa, etc.

A. CONVERSE, *Chairman.*

Senator Russell moved to take up and consider S. F. No. 46, A bill for an act creating the thirteenth judicial district, dividing the same into circuits, and providing for the election of district and circuit judges and a district attorney therein, and changing the boundaries of the 3d, 4th, and 5th judicial districts, and fixing the boundaries of the circuits therein, with the report of the committee on judicial districts recommending amendments, which motion was agreed to.

Pending which the hour for the special order arrived, it being the consideration of S. F. No. 36, A bill for an act amendatory of the acts now in force for the suppression of intemperance, with report of committee recommending amendments.

Senator Murray moved to postpone the consideration of S. F. No. 46, until 10 o'clock to-morrow morning.

Senator McIntyre moved to postpone the consideration of S. F. No. 36, until 10 o'clock to-morrow, which was disagreed to.

Senator Murray's motion was then adopted.

Senator Richards moved to suspend for the day the special order for going into the committee of the whole on the report of the codifying commissioners, which motion prevailed.

By leave Senator Miles submitted a report from the committee appointed to visit the State University.

The report was ordered passed on file.

The consideration of S. F. No. 36 was resumed.

Pending which, at 12:10 Senator Boomer moved that the Senate adjourn until 2 o'clock P. M.

Senator Murray moved to amend by striking out "2 o'clock," which was disagreed to.

Senator Boomer's motion was then agreed to, and the Senate adjourned until 2 o'clock P. M.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment.

President in the chair.

The consideration of S. F. No. 36, A bill for an act supplementary of the acts now in force for the suppression of intemperance, with the report of the committee recommending amendments, was resumed.

Senator ——— moved a call of the Senate, which was sustained.

Senator Fairall moved that further proceedings under the call be dispensed with, which did not prevail.

The Sergeant-at-Arms presented Senator Stuart at the bar of the Senate, when, on motion of Senator Leavitt, further proceedings under the call were dispensed with.

The question being on the adoption of committee amendments to S. F. No. 36, on the adoption of the first amendment the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Fitch, Gault, Howland, Kephart, Leavitt, Maxwell, McOoid, McNutt, Miles, Read, Smith, Vale, West, and Young—23.

The nays were—

Senators Beardsley, Claussen, Crary, Fairall, Ireland, Ketcham, Kinne, Larrabee, McCulloch, McIntyre, McKean, Merrill, Murray, Richards, Russell, Shane, Stuart, Taylor, Willett, and Wonn—20.

Absent or not voting—

Senators Allen, Dashiell, Havens, Hurley, Lowry, McCormack and Stone—7.

So the first amendment was adopted.

The second, third and fourth amendments reported by the committee on the suppression of intemperance were also adopted.

Senator Taylor offered the following amendment:

Strike out sections 2, 3, 4, 5, 6, 7, 8, and 9, and insert in lieu thereof as follows:

That it shall be unlawful for any person to make, buy, sell, or have in their possession any intoxicating liquors, as defined by this act, for any purpose whatever, and that any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished by fine not exceeding one hundred dollars, and shall be imprisoned in the county jail until the fine and costs of suit are paid.

On the adoption of this amendment the yeas and nays were demanded, and

The yeas were—

Senators Howland, Murray, Taylor, Wonn, and Young—5.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Smith, Stuart, Vale, West and Willett—38.

Absent or not voting---

Senators Allen, Dashiell, Havens, Ireland, Lowry, McCormack and Stone—7.

So the amendment did not prevail.

Senator Russell moved to strike out section three.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Claussen, Crary, Fairall, Kinne, Larrabee, Leavitt, McIntyre, McKean, Merrill, Richards, Russell, Stuart, Taylor and Young—15.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Maxwell, McCoid, McCulloch, McNutt, Miles, Murray, Read, Shane, Smith, Vale, West, Willett and Wonn—29.

Absent or not voting—

Senators Allen, Dashiell, Havens, Lowry, McCormack and Stone—6.

So the amendment did not prevail.

Senator Fairall offered the following amendment:

Insert after the word "casts" the following words: "or water

the same more than fifty per cent., or so that the mixture will congeal at 33 degrees Fahrenheit above zero.

The amendment was lost.

Senator Campbell moved the previous question which was seconded and the main question ordered.

On the question, "Shall the bill be engrossed for a third reading?" the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Fitch, Gault, Howland, Kephart, Maxwell, McCoid, McNutt, Miles, Read, Smith, Vale, West and Young—22.

The nays were—

Senators Beardsley, Claussen, Crary, Fairall, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCulloch, McIntyre, McKean, Merrill, Murray, Richards, Russell, Shane, Stuart, Taylor, Willett and Wonn—22

Absent or not voting—

Senators Allen, Dashiell, Havens, Lowry, McCormack and Stone—6.

The vote being a tie the President voted yea.

So the bill was ordered engrossed for a third reading.

At 4:45, on motion of Senator Kephart, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
February 29, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Kephart.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Claussen presented petitions from citizens of Van Buren, Humboldt, and Mahaska counties, remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Shane presented a similar petition from citizens of Benton county.

Referred to committee on suppression of intemperance.

Senator Taylor presented a petition from citizens of Marshall

county, asking for the enactment of a law to prohibit the manufacture, importation and sale of all intoxicating liquors to be used as a beverage in the State of Iowa.

Referred to committee on suppression of intemperance.

Senator Miles presented a memorial from the teachers and school officers of Washington county in relation to certain amendments to the school law.

Referred to committee on schools.

Senator Beardsley presented a petition from citizens of Des Moines county asking that no law be enacted for the purpose of building a levee along the Mississippi river.

Referred to committee on internal improvements.

INTRODUCTION OF BILLS.

By Senator Larrabee: S. F. No. 146, A bill for an act for the taxation of the property of railroad companies the same as that of individuals.

Read first and second time, ordered printed and referred to committee on ways and means.

By Senator Maxwell: S. F. No. 147, A bill for an act to empower the board of trustees of the agricultural college to grant diplomas to the students therein.

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

By Senator West: S. F. No. 148, A bill for an act to appoint a commission to prepare a series of text books for the use of common schools in the State of Iowa.

Read first and second time, and referred to committee on schools.

By Senator Stuart: S. F. No. 149, A bill for an act authorizing the Sabula, Ackley and Dakota railroad company to convey its stock, property and franchises, or to consolidate its stock, property and franchises with other companies.

Read first and second time, and referred to committee on railroads.

By Senator Richards: S. F. No. 150, A bill for an act to repeal section 9, chapter 61, of the laws of the 11th General Assembly, and a substitute therefor.

Read first and second time, ordered printed and referred to committee on county and township organizations.

By Senator Miles: S. F. No. 151, A bill for an act to amend chapter 172 of the acts of 9th General Assembly, passed April 8, 1862, in relation to schools.

Read first and second time, ordered printed, and referred to committee on schools.

By Senator Allen: S. F. No. 152, A bill for an act in relation to county and city debts, and to provide for the payment thereof by taxation in such cities and counties.

Read first and second time, and referred to committee on ways and means.

By Senator McKean: S. F. No. 153, A bill for an act requiring pleadings and papers to be served and to regulate the proceedings and practice in the courts of this State.

Read first and second time, ordered printed, and referred to committee on judiciary.

By Senator McKean: S. F. No. 154, A bill for an act providing for certain allowances as costs to be recovered by the successful party in courts of record against the losing party.

Read first and second time, ordered printed, and referred to committee on judiciary.

By Senator Wonn: S. F. No. 155, A bill for an act amendatory of chapter 103 of the Revision of 1860, section 2535.

Read first and second time, and referred to committee on judiciary.

By Senator Campbell: S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 122 of the acts of the 13th General Assembly.

Read first and second time, and referred to committee on judiciary.

Senator Shane moved to take from the table S. F. No. 89, A bill for an act to abolish the circuit court, and to repeal chapter 86, of the laws of the 12th General Assembly, and to authorize the election of an additional district judge in each judicial district of this State, and to define and prescribe their duties and fix their salaries, which motion was agreed to.

On motion of Senator Shane the bill was referred to committee on judiciary.

RESOLUTIONS.

Senator Hurley offered the following concurrent resolution, which was adopted:

Resolved by the Senate, the House concurring, That there be printed for the use of the members of the Senate and House and the commissioners of revision, two hundred copies of parts three and four of the Statutes as revised and re-written by the commissioners created by chapter 75 of the laws of the 13th General Assembly, and that when printed they be bound and interleaved in the same manner that parts one and two have been ordered to be done.

The President announced Senators Merrill, Shane, McIntyre, Atkins, and Stuart as the standing committee on the new capitol, as provided for in a former resolution of the Senate.

HOUSE MESSAGES.

House concurrent resolution in relation to printing the catalogue of books in the State Library, was taken up, read, and referred to the committee on State Library.

MESSAGE FROM THE HOUSE.

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 resolution, in which the concurrence of the Senate is asked:

Resolved by the House, the Senate concurring, That the state printer be required to furnish to the General Assembly 50 pages per day of the laws, as reported by the code commissioners, &c.

BENJ. VAN STEINBURG, *Ass't Clerk.*

The hour for the special order having arrived, it being the consideration of S. F. No. 30, A bill for an act amending an act entitled an act to provide for the publication of general and certain local laws, and of the proceedings of the board of supervisors in the several counties, with the report of the committee on printing recommending that it do not pass, and reporting a substitute, was taken up and considered.

On motion of Senator Murray, S. F. No. 46, A bill for an act creating the thirteenth judicial district, dividing the same into circuits, and providing for the election of district and circuit judges, and a district attorney therein, and changing the boundaries of the third, fourth, and fifth judicial districts, and fixing the boundaries of the circuits therein, with the report of the committee on judicial districts recommending amendments, was made the special order for to-morrow morning at 9½ o'clock.

The consideration of S. F. No. 30, and the report of the committee thereon, was resumed.

Senator Ketcham offered the following amendment :

Provided, That it shall be the duty of the Secretary of State to furnish copies of all the laws to be published to the county auditors within thirty days after the enactment thereof.

And provided further, That no claim for printing the laws shall be allowed unless the laws are published within ninety days after the adjournment of the General Assembly.

The amendment was lost.

Senator McNutt offered the following :

Insert between "or" and "have," in the last clause of the first section, the following words: "In the opinion of the Secretary of State."

The amendment was agreed to.

Senator Boomer moved to amend by striking out the words "have been materially changed."

Senator Fairall moved to refer the bill, substitute, and amendments back to the committee on printing with instructions.

Senator Boomer moved to amend by striking out the words, "committee on printing," and insert the words "special committee."

The amendment was not adopted.

Senator Fairall's motion was agreed to.

On motion of Senator Fairall, the Senate went into committee of the whole on the report of the commissioners appointed to revise and re-write the statutes, with Senator Beardsley in the chair.

At 12:40 the committee arose and the President resumed the chair. The chairman of the committee of the whole submitted the following report:

MR. PRESIDENT—The committee of the whole Senate have had under consideration the report of the commissioners to revise and re-write the statutes, and have instructed me to report as follows:

1. To adopt all their recommendations in regard to the parts marked "obsolete," "superceded" and "repealed," in the synopsis given by the said commissioners.

2. Adopt the first blank section reported by them on page 36 of their report. Strike out the second blank section on same page as recommended by said commissioners, and enact the following as a substitute therefor: "The acts of a public nature shall be numbered continuously from session to session as additional chapters of this code, and shall be printed in pages of the same style, type and appearance with the edition of this code, so that they may be bound with it if the legislature so direct. They shall be indexed by chapters, and sections, and the acts of each subsequent session shall contain an index, and each preceding session, the private, local and temporary acts shall be numbered as distinct series for each session."

3. On page 37 of said report, strike out of the first section there recommended, the words "to supply the omission" at the close of said section, and insert the words "make such reference by marginal notes," and thus amended recommend its adoption.

4. Adopt the second blank section on same page.

5. Amend the first blank section in said report on page 38, by inserting the words "hospital for the" before the word "insane." Strike out the word "asylum," after the word "insane," and insert the words "and county," before the word "officer," and after the word "state" insert the words "judge of the" before the word "supreme," and strike out the word "judge" after the word "circuit." Strike out the word "eighteen" before the word "thousand" and insert the word "seventeen." Strike out the words "supervisor or officer of the county," and thus amended that it be adopted.

6. Adopt section 10 on page 40 of said reports.
 7. Under the head of county auditor add the following : Sec. 7, chap. 3. The offices of county auditor and county treasurer shall not be united in the same person.
 8. Strike out the proviso recommended by said commissioners on page 43 of their report.
 9. Adopt the amendment found on page 44 of their report.
 10. Adopt the blank section recommended by said commissioners on page 45 of their report.
 11. Adopt the two amendments recommended by said commissioners on page 48 of their report.
 12. Strike out the amendment recommended on page 49 of said report.
 13. Amend the first section proposed by the commissioners on page 50 by inserting after the word "city" the following : which shall be additional to the salary and other fees now allowed him by law, and with this amendment recommend that all recommendations of the commissioners be adopted.
 14. Adopt the first amendment recommended by the said commissioners on page 52. Amend the second recommendation on same page by adding the following words : but in counties where such a plat book substantially conforming to this section shall only require the insertion of future changes, and thus amended recommend its adoption.
 15. Adopt the following resolution in conformity with the recommendations made by the commissioners on pages 56 and 57 : *Resolved*, That the bill now under consideration shall be amended so as to transfer the power of granting licenses for the sale of liquors from the circuit court to the board of supervisors.
 16. Adopt the amendment recommended by the commissioners on page 59.
- On motion of Senator Richards the report was received and placed on file for future consideration.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has adopted the report of the committee on conference to substitute for S. F. No. 1.

BENJ. VAN STEINBURG, *Ass't Clerk*.

On motion of Senator West, House messages were taken up.

Pending the report of the committee of conference on the disagreeing votes of the two Houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, on motion of Senator Murray the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
 March 1, 1872. }

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

Prayer by the Rev. Mr. Mabee.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from citizens of Fayette county remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Willett presented a petition from citizens of Howard county asking for the passage of a bill to abolish the system of circuit courts, and for the establishment of county courts.

The first part was referred to the committee on judiciary, and the latter part to the committee on county and township organizations.

INTRODUCTION OF BILLS.

By Senator Campbell: S. F. No. 157, A bill for an act to amend section 9 of chapter 49, of the acts of the Ninth General Assembly.

Read first and second time, and referred to committee on county and township organizations.

By Senator McIntyre: S. F. No. 158, A bill for an act to legalize the notarial acts of S. P. McCormack, a notary public of Fremont county, Iowa.

Read first and second time and referred to committee on judiciary.

By Senator Ireland: S. F. No. 159, A bill for an act for the abatement of taxes in certain cases, voted to aid in the construction of railroads.

Read first and second time, ordered printed, and referred to committee on judiciary.

Senator Fairall moved to take up and consider the report of the committee of conference on the disagreeing votes of the two houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, which motion prevailed.

Senator Fairall moved that the report be adopted.

Senator Russell was granted leave of absence until Tuesday.

Senator Fairrail moved that the report of the conference committee be printed, and made the special order for 9¼ o'clock on Tuesday next, which was agreed to.

The hour for the special order having arrived, it being the consideration of S. F. No. 46, A bill for an act creating the thirteenth judicial district, dividing the same into circuits, and providing for the election of district and circuit judges, and a district attorney therein, and changing the boundaries of the third, fourth, and fifth judicial districts, and fixing the boundaries of the circuits therein, with the report of the committee recommending amendments, was taken up and considered.

All the amendments reported by the committee were adopted.

Senator Smith moved to strike the word "Taylor" from the fifth line of section 5, and insert it after the word "Union," in the seventh line.

The amendment was adopted.

On motion of Senator Shane, the bill was ordered engrossed for a third reading.

HOUSE MESSAGES.

House concurrent resolution in relation to the printing of code was taken up, and referred to committee on judiciary.

REPORTS OF COMMITTEES.

Senator Ketcham, from the committee on engrossed bills, submitted the following report:

MR. PRESIDENT:—The committee on engrossed bills respectfully report that they have examined S. F. No. 36, A bill for an act amendatory of the acts now in force for the suppression of intemperance, and find the same correctly engrossed.

J. P. KETCHAM, *for the Committee.*

Senator Shane, from the committee on constitutional amendments submitted the following report:

MR. PRESIDENT:—Your committee on constitutional amendments to whom was recommitted the substitute for the joint resolution proposing to amend section 10, article 5, of the constitution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying amendment to said substitute so recommitted to them, and with the recommendation that said amendment be adopted and that the joint resolution so amended to pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Larrabee from the committee on ways and means submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred S. F. No. 76, A bill for an act to amend sections one and two of chapter 54 of the acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration and with the following proposed amendment have instructed me to report the same back to the Senate with the recommendation that it do pass. Amend in 3d line of section 1 by striking out “fifteen hundred” and insert “7000.”

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means, to whom was referred H. F. No. 78, A bill for an act relating to bridge purposes, beg leave to report that they have had the same under consideration, and with the following proposed amendments, have instructed me to report the same back to the Senate with the recommendation that it do pass. Amend by striking out the words “public expense” in the third line of section one and insert “the expense of such cities and towns;” and to insert after the word “levied” in third line of section two “and bills collected.”

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred S. F. No. 67, A bill for an act for the relief of Marion county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred H. F. No. 171, A bill for an act authorizing the indexes to the real and chattle mortgage records in Johnson county to be copied into new books and giving to such copies the full force and validity of the originals, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Passed on file.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 98, A bill for an act to amend chapter 153 of the laws of the Thirteenth General Assembly in relation to circuit courts and juries therein, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 140, A bill for an act to legalize the incorporation of the town of Newton and the acts of the officers acting thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended in the third section by striking out the words "Jasper Republican," and inserting in lieu thereof the words "Iowa State Register," and thus amended that the same do pass.

JAMES S. HURLEY, *Chairman.*

Senator Campbell moved to take up S. F. No. 140, a bill for an act to legalize the incorporation of town of Newton and the acts of the officers acting thereunder, with the report of the committee on judiciary recommending an amendment, which was agreed to.

The amendment reported by the committee was adopted.

Senator Campbell moved that the rule be suspended and the bill read a third time, which prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Atkins, Lowry, Russell, and Stuart—4.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Hurley from the committee on judiciary submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Burke, S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Burke moved that the rule be suspended and the bill read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, Mc Cormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stone, West, and Willett—40.

The nays were—

Senators Richards, Taylor, Wonn, and Young—4.

Absent or not voting—

Senators Atkins, Lowry, McCoid, Russell, Stuart, and Vale—6.

So the bill passed and the title was agreed to.

Senator Ireland from the committee appointed to visit and report upon the hospital for the insane at Independence, submitted a report which was received and ordered printed.

Senator Atkins was granted leave of absence.

Senator Hurley from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 218, A bill for an act to enable cities, towns, and counties to settle, adjust and compound their indebtedness, and to provide for the payment of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 132, A bill for an act to provide for appeals

from the decision of the board of equalization of assessments of property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it be referred to the committee on ways and means.

JAMES S. HURLEY, *Chairman.*

The report of the committee was adopted.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 134, A bill for an act to increase the number of judges of the supreme court to five, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred H. F. No. 107, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts and prohibiting their holding the office of justice of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 104, A bill for an act to protect the purchasers of patent rights and patented and proprietary articles, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Senator Willett from the committee on judiciary submitted the following minority report:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 104, A bill for an act to protect the purchasers of patent rights, patented and proprietary articles, beg leave to report that they have had the same under consideration and a minority of the committee have instructed me to report the following substitute for the original bill with the recommendation that the substitute do pass.

G. R. WILLETT, *for minority.*

The substitute reported by the minority was ordered printed.

Senator Murray from the committee on federal relations, submitted the following report :

MR. PRESIDENT :—Your committee on federal relations, to whom was referred a joint resolution in regard to the so-called civil service reform, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

B. F. MURRAY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on federal relations, to whom was referred a concurrent resolution instructing the senators and representatives in congress from this State to vote against the donation of public lands to railroad companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

B. F. MURRAY, *Chairman.*

Ordered passed on file.

Senator Beardsley from the committee on schools, submitted the following report :

MR. PRESIDENT :—Your committee on schools, to whom was referred substitute for H. F. No. No. 17, A bill for an act to amend chapter 8, laws of the 13th General Assembly, relating to independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on schools, to whom was referred H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your committee on schools, to whom was referred S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

On motion of Senator Fitch, S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Fitch moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—46.

The nays were none.

Absent or not voting—

Senators Atkins, Lowry, McCoid, and Russell—4.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has concurred in Senate resolutions asking a committee of investigation to enquire into the character of the stone used in the foundation of the new capitol.

Also, concurrent resolution in relation to the printing of the code.

BENJ. VAN STEINBURG, *Ass't Clerk.*

REPORTS OF COMMITTEES.

Senator Burke, from the committee on incorporations, submitted the following report:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases before conveying or assessing the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the title be amended by striking out the words "before conveying or assessing the same,"

that the word "otherwise" in the 5th line of section one in printed copy be stricken out.

In the 5th line of section three strike out the words, "parties to whom the same respectively belongs," and insert in lieu thereof the following words: "person who rendered the service of surveying, platting and recording, or who procured and paid for the same." Add at the end of the second section the following words: "and shall go into the general county fund to reimburse the county for the money paid out for surveying, platting and recording." Strike out of section 4 the word "Des Moines," and insert in lieu thereof the word "State," and that when thus amended the same do pass.

JOHN E. BURKE, *Chairman.*

Also, the following:

MR. PRESIDENT—Your committee on incorporations to whom was referred S. F. No. 94, A bill for an act for the relief of corporations for pecuniary profit who may have failed to file with the Secretary of State their articles of incorporation as provided by section 11, of chapter 172, of the laws of the 13th General Assembly, and to legalize their acts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on incorporations, to whom was referred S. F. No. 3, A bill for an act to repeal an act entitled an act to authorize the improvement of streets and alleys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the title be amended by inserting after the word "repeal" the following words and figures: "chapter 65 of the 13th General Assembly, being." That the words "that the act" in the first section be stricken out and in place thereof the following be inserted, "that chapter 65 of the acts," and that when thus amended the bill do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred S. F. No. 53, A bill for an act to authorize the improvement of streets and alleys, beg leave to report that they have had the same under consideration, and have instructed me report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred S. F. No. 88, A bill for an act to amend chapter 53 of the revision of 1860 so as to permit corporations in this State of an academical character, the membership of which shall consist of the lay members and pastors of churches, delegates to any synod, conference, or council holding its annual meetings alternately in this or one or more adjoining States, to hold meetings of the corporation for the election of officers and the transaction of business in any adjoining State, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 40, A bill for an act to authorize incorporated towns to aid in the construction and repair of roads leading thereto, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Senator Murray, from the committee on railroads, submitted the following report:

MR. PRESIDENT:—Your committee on railroads, to whom was referred S. F. No. 45, A bill for an act in relation to fences along railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

B. F. MURRAY, *for Committee.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on railroads, to whom was referred S. F. No. 149, A bill for an act authorizing the Sabula, Ackley & Dakota Railroad to convey its property and franchises, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

B. F. MURRAY, *for Committee.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on railroads to whom was referred S. F. No. 17, A bill for an act to amend chapter 102, laws

of the 13th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to Senate with the recommendation that it be laid on the table, for the reason that the legislation asked for by this bill has been had at this session of the legislature.

B. F. MURRAY, *for Committee.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on railroads to whom was referred S. F. No. 106, A bill for an act to amend section 1329 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

B. F. MURRAY, *for Committee.*

Ordered passed on file.

Senator Ketcham from the committee on claims submitted the following report:

MR. PRESIDENT—Your committee on claims to whom was referred the memorial of James Hall, of Albany, New York, formerly State Geologist of Iowa, claiming \$2,905.77 and interest at the rate of 6 per cent from Jan. 2d, 1861, amounting in all to \$4,823.51, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be not allowed, for the following reasons: They find that the services on which this claim is based was performed after the time for which Prof. Hall had been appointed had expired, and therefore that he had no authority to act, and the claim is not valid. They also find that said claim was thoroughly examined by the committee on claims at the session of 1862, as per report on page 721 of House journal of that session, and that it has also been presented to the General Assembly and refused several times since then.

J. P. KETCHAM, *Chairman.*

The report was adopted, and the memorial indefinitely postponed.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa.

Also, the House has passed without amendment S. F. No. 113, A bill for an act to amend section 5, chapter 11, laws of the 14th General Assembly.

BENJ. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Richards, S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases by conveying or assessing the same, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator Richards, the bill was ordered engrossed for a third reading.

On motion of Senator Beardsley, S. F. No. 74, A bill for an act to enlarge the powers of school directors, and increase the efficiency of the public schools, with the report of the committee on schools recommending its passage, was taken up and considered by sections.

On motion of Senator Beardsley, the further consideration of the bill was postponed until Wednesday next, and made the special order for that day at 10 o'clock A. M.

By leave, Senator Allen introduced S. F. No. 160, A bill for an act to provide for locating, establishing, and constructing ditches, drains, and water-courses.

Read first and second time, ordered printed, and referred to committee on judiciary.

BILLS ON THIRD READING.

S. F. No. 36, A bill for an act amendatory of the acts now in force for the suppression of intemperance, was taken up.

Senator Boomer moved a call of the Senate.

The call was seconded, and the Secretary proceeded to call the roll with the following result:

All Senators present, or absent with leave.

On motion, further proceedings under call were dispensed with.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Chambers, Converse, Dagne, Dashiell, Dysart, Fitch, Gault, Howland, Kephart, Maxwell, McCoid, McNutt, Miles, Read, Shane, Smith, Vale, West, and Young—23.

The nays were—

Senators Beardsley, Campbell, Claussen, Crary, Fairall, Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McCulloch, McIntyre, McKean, Merrill, Murray, Richards, Stone, Stuart, Taylor, Willet, and Wonn—24.

Absent or not voting—

Senators Atkins, Lowry, and Russell—3.

So the bill having failed to receive a constitutional number of votes, was declared lost.

Senator Campbell moved to reconsider the vote by which the bill was defeated.

Senator Fairall moved to lay the motion to reconsider on the table.

Senator Campbell moved to postpone the consideration of the motion to lay on the table until Thursday next at 10 o'clock A. M.

Senator Fairall moved to amend by striking out the words "Thursday next at 10 o'clock A. M.," and inserting "Fourth of July next."

The amendment was disagreed to.

Senator Campbell's motion was then adopted.

At 11:10, on motion of Senator Larrabee the Senate went into the committee of the whole on the report of the commissioners appointed to revise and re-write the code, with Senator West in the chair.

At 1 o'clock P. M. the committee arose and the President of the Senate resumed the chair. The chairman of the committee of the whole submitted the following report:

MR. PRESIDENT—The committee of the whole Senate have had under consideration part second of the report of the commissioners to revise and re-write the statutes, have made some progress therein, and have instructed me to report the same back to the Senate, and ask leave to sit again.

The report was adopted.

Senator Beardsley moved that when the Senate adjourn it be until 9 o'clock A. M. on Monday next.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Burke, Dashiell, Havens, McCoid, Murray, Shane, Stuart, Taylor and West—10.

The nays were—

Senators Boomer, Campbell, Clanssen, Converse, Crary, Dague, Dysart, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Read, Richards, Smith, Stone, Vale, Willett, Wonn and Young—33.

Absent or not voting—

Senators Allen, Atkins, Bemis, Chambers, Fairall, Lowry and Russell,—7.

So the motion was not agreed to.

The Door-keeper was granted leave of absence until Monday next.

A communication from the Governor, by the hands of his private secretary, Capt. W. H. Fleming, was received, ordered printed, and laid on the table.

Senator Dashiell offered the following resolution :

WHEREAS, an all wise Providence has moved from our midst Hon. Wm. Marshman, Doorkeeper of the Senate, therefore

Resolved, 1st, that by his decease the Senate has lost a faithful and efficient officer, and the State one of its oldest and most useful citizens, whose society we had fondly hoped to enjoy the present session.

2. That we tender our sincere sympathy to the friends and relatives of the deceased, and commend them to the Supreme Providence who "doeth all things well."

3. That a copy of these resolutions be engrossed and forwarded to the family of the deceased; and that they be entered upon the journal of the Senate.

Resolved, That as a mark of esteem for the deceased the Senate do now adjourn until Monday morning next, March 4th, at 9 o'clock A. M.

The resolutions were unanimously adopted, and the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 4th, 1872. }

Senate convened pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Nash.

Journal of Friday read and approved.

Senators Kephart, McCormack, Russell, McCoid, Leavitt, Young, Bemis, Merrill, Shane, Dysart, McCulloch, Ireland, Converse, Miles, West and Beardsley were granted leave of absence.

The President announced Senators Dysart and Gault as the committee on the part of the Senate to investigate the quality of the material used and provided for the foundation of the new capitol building.

PETITIONS AND MEMORIALS.

Senator Claussen presented a petition from citizens of Scott and Tama counties remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Campbell presented a petition from James M. Brown and 55 other citizens of Jasper county asking for a law to prohibit school teachers from using tobacco while holding certificates to teach.

Referred to committee on suppression of intemperance.

Senator Smith presented a petition from citizens of Taylor county asking for the passage of a liquor law similar to that recently enacted by the legislature of the State of Ohio.

Referred to committee on suppression of intemperance.

Senator Howland presented a petition from citizens of Emmet county remonstrating against the repeal of chapter 118 of the laws of the Eleventh General Assembly.

Referred to committee on printing.

Also, a petition from citizens of Wright county asking for the enactment of a law making it unlawful to kill fur bearing animals at certain times of the year.

Referred to committee on agriculture.

HOUSE MESSAGES.

H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa, was taken up and read first and second time.

On motion of Senator Chambers the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Chambers, Clausen, Crary, Dague, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, McIntyre, McKean, McNutt, Murray, Read, Richards, Smith, Stone, Taylor, Vale and Willett—28.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Bemis, Converse, Dashiell, Dysart, Ireland, Kephart, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Russell, Shane, Stuart, West, Wonn and Young—22.

So the bill passed and the title was agreed to.

Senator Larrabee, from the committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on way and means, to whom was referred S. F. No. 130, A bill for an act to regulate city indebtedness, and providing for the payment thereof, beg leave to report that they have had the same under consideration, and with the following proposed amendments, have instructed me to report the same back to the Senate with the recommendation that it do pass.

Amend section 2, second line, by striking out "one hundred" and inserting "twenty-five."

Amend in section 3, third line, by striking out "and one half."

Amend by inserting a publication section.

LARRABEE, *Chairman.*

Passed on 2d.

Senator Ketcham, from the committee on engrossed bills, submitted the following report :

MR. PRESIDENT :—The committee on engrossed bills respectfully report that they have examined S. F. No. 46, A bill for an act creating the thirteenth judicial district, and find the same correctly engrossed.

J. P. KETCHAM, *for Committee.*

Senator Hurley, from the committee on judiciary, submitted the following report :

MR. PRESIDENT :—Your committee on judiciary, to whom was referred H. F. No. 123, A bill for an act prescribing the manner in which fees of jurymen and county officers shall be paid, in cases of change of venue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Senator Hurley moved that the bill and report of committee be taken up and considered now, which was agreed to, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Chambers, Clausen, Crary, Dagne, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, McIntyre, McKean, McNutt, Murray, Read, Richards, Smith, Stone, Taylor, Vale, and Willett—28.

The nays were none.

Assent or not voting—

Senators Allen, Beardsley, Bemis, Converse, Dashiell, Dysart, Ireland, Kephart, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Russell, Shane, Stuart, West, Wonn, and Young—22.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 90, A bill for an act requiring that there shall be attached to locomotive engines a bell or steam whistle, and that the same shall be rung or whistled when approaching any station or place where a railroad crosses any public street or highway, with report of committee recommending amendments, was taken up.

On motion of Senator Hurley the further consideration of the bill and report was postponed until to-morrow.

S. F. No. 57, A bill for an act to tax railroad property, with the report of the committee recommending that it be referred to committee on ways and means.

On motion of Senator Murray the report of the committee was adopted.

H. F. No. 13, A bill for an act defining the meaning of the term "newspaper," as used in chapter 118 of the acts of the 11th General Assembly, with the report of the committee recommending its passage, was taken up and considered.

Senator Fitch offered the following amendment:

Provided further, That this act shall not apply to such newspapers as have been published one year or more prior to the passage of this act, in any county in the State, and duly selected by the board of supervisors of such county for the publication of the laws and proceedings, as provided by the aforesaid act.

On motion of Senator Fairall the further consideration of the bill and amendment was postponed until 10½ o'clock A. M. tomorrow.

By leave Senator McNutt introduced S. F. No. 161, A bill for an act to furnish transportation to discharged convicts.

Read first and second time.

On motion of Senator McNutt the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Chambers, Claussen, Dague, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, McIntyre, McKean, McNutt, Murray, Read, Richards, Smith, Stone, Taylor, Vale, and Willett—27.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Bemis, Converse, Crary, Dashiell, Dysart, Ireland, Kephart, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Russell, Shane, Stuart, West, Wonn, and Young—23.

So the bill passed and the title was agreed to.

Senator Ketcham, from the committee on engrossed bills, submitted the following report:

MR. PRESIDENT—The committee on engrossed bills respectfully report that they have examined S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, and find the same correctly engrossed.

J. P. KETCHAM, *for Committee.*

On motion of Senator Richards, S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, was taken up and read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Fairall, Fitch, Gault, Havens, Howland,

Hurley, Ketcham, Kinne, Larrabee, McIntyre, McKean, McNutt, Murray, Read, Richards, Smith, Stone, Taylor, Vale, and Willett
—29.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Converse, Dashiell, Dysart, Ireland, Kephart, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Russell, Shane, Stuart, West, Wonn and Young—21.

So the bill passed and the title was agreed to.

S. F. No. 116, A bill for an act in relation to the cancellation of mortgages was taken up and considered.

Senator Ketcham offered a substitute for the bill.

On motion of Senator Ketcham the bill and substitute were referred to the committee on judiciary.

The report of the committee on ways and means on the petition of citizens of Audubon county remonstrating against the repeal of chapter 102 of the laws of the Thirteenth General Assembly, recommending the petition be referred to the committee on railroads was taken up and adopted.

The report of the committee on ways and means on the resolution of the State convention of the Methodist Episcopal church in relation to the exemption of certain property from taxation, was taken up and considered and the petition indefinitely postponed.

S. F. No. 18, A bill for an act for the relief of Jasper county, for money stolen from the county safe with the report of the committee on ways and means recommending its indefinite postponement was taken up and considered.

On motion of Senator Campbell the further consideration of the bill and report was postponed until to-morrow.

S. F. No. 40, A bill for an act to amend section 18, chapter 1073 of the laws of the Ninth General Assembly, with the report of the committee recommending its indefinite postponement, was taken up and considered and the report adopted.

S. F. No. 54, A bill for an act to provide for the election of county auditors and to define their duties, with the report of the committee recommending that it do not pass was taken up and the report of the committee adopted.

S. F. No. 39, A bill for an act to repeal an act in relation to the transfer books, with the report of the committee recommending that it do not pass, was taken up and considered.

Senator Larrabee moved to indefinitely postpone the bill.

Senator Fairall moved to amend the bill by striking out the second section.

The amendment was lost.

Senator Larrabee's motion to indefinitely postpone the bill was adopted.

Senator McKean moved to reconsider the vote by which S. F. No. 186 was passed.

The hour for going into the committee of the whole on the report of the commissioners appointed to revise and rewrite the statutes, having arrived Senator McKean moved that the further consideration of the motion to reconsider be postponed until to-morrow morning at 9½ o'clock.

The motion was agreed to.

On motion of Senator Larrabee the Senate went into the committee of the whole with Senator Campbell in the chair.

At 11:30 the committee rose and the President of the Senate resumed the chair. The chairman of the committee of the whole submitted the following report :

MR. PRESIDENT :—The committee of the whole Senate have had under consideration part two of the report of the commissioners to revise and rewrite the statutes, have made some progress therein, and have instructed me to report the same back to the Senate and ask leave to sit again.

The report was adopted.

The President submitted the following communication from the Secretary of State in relation to the salaries paid the officers of all State institutions :

STATE OF IOWA, OFFICE OF THE SECRETARY OF STATE, }
DES MOINES, March 4, 1872, }

HON. H. C. BULIS, *President of the Senate* :

SIR—Pursuant to the provisions of "a joint resolution asking information in regard to the salaries paid the officers of all State institutions," approved February 21, 1872, I have the honor to state that on the 22d ult., I transmitted certified copies of said joint resolution to the President of the State University, the President of the State Agricultural College, the Superintendent of the institution for the Insane, at Mt. Pleasant, the Superintendent of the Institution for the Deaf and Dumb, the Superintendent of the Institution for the Education of the Blind, the Warden of the Penitentiary, the Superintendent of the Reform School, and three copies to the President of the Soldiers' Orphans Home, requesting the officers of said institutions to forward to the office of Secretary of State a statement in duplicate, giving the information called for by said joint resolution. Statements have been received from all of said institutions, and I herewith transmit for the information of the honorable Senate one copy of each of said statements, the other copy having been transmitted to the House of Representatives.

I have the honor to be, your obedient servant,

ED WRIGHT, *Secretary of State.*

The accompanying reports were passed on file without reading. At 11:35, on motion of Senator Vale, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 5, 1873. }

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

Prayer by the Rev. Mr. Cregler.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

The President presented a petition from citizens of Iowa county asking for the enactment of a law prohibiting the manufacture and sale of spirituous, vinous and malt liquors within the State.

Referred to committee on suppression of intemperance.

Senator Taylor presented a petition from citizens of Marshall county asking for the enactment of a law prohibiting the manufacture and sale of spirituous, vinous and malt liquors in the State of Iowa.

Referred to committee on suppression of intemperance.

Senator Russell presented a petition from citizens of Guthrie county, remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator West presented a petition from James D. Cook and other citizens, asking for the establishment of a reformatory institution for fallen women.

Referred to committee on charitable institutions.

Senator Beardsley presented a petition from physicians and surgeons of Des Moines county, remonstrating against an appropriation for the medical department of the State University.

Referred to committee on medical institutions.

Senator Dague presented a petition from H. C. Ayers and other citizens asking for the enactment of a liquor law similar to that recently enacted in Ohio and Illinois.

Referred to committee on suppression of intemperance.

INTRODUCTION OF BILLS.

By Senator Richards: S. F. No. 162, A bill for an act to protect the use of the telegraph.

Read first and second time, ordered printed and referred to committee on judiciary.

By Senator Boomer: S. F. No. 163, A bill for an act amending an act entitled an act authorizing the appropriation of money to build bridges.

Read first and second time and referred to committee on roads.

By Senator Chambers: S. F. No. 164, A bill for an act to regulate the compensation of the officers and employees of future General Assemblies.

Read first and second time, and referred to committee on compensation of public officers.

On motion of Senator McKean the motion to reconsider the vote by which S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, was taken up.

The motion to reconsider prevailed.

Senator McKean moved to reconsider the vote by which the bill was ordered engrossed for a third reading, which motion prevailed.

On motion of Senator McKean the bill was recommitted to the committee on incorporations.

Senator Smith introduced S. F. No. 165, A bill for an act to repeal an act legalizing the organization of an independent school district from portions of Page and Taylor counties.

Read first and second time and referred to committee on schools.

MESSAGE FROM THE HOUSE.

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.

Substitute for H. F. No. 49, A bill for an act to amend chapter 118 of the laws of the Eleventh General Assembly.

Also, H. F. No. 103, A bill for an act to amend article 2 of chapter 64, Revision of 1860.

Also, H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning and the acts of the officers and town council.

I am also directed to inform your honorable body that the House of Representatives has passed the following bills, with amendments in which the concurrence of the Senate is asked:

S. F. No. 181, A bill for an act regulating appeals to the Supreme Court of Iowa.

Also, S. F. No. 68, A bill for an act to legalize the acts of Wm. H. Price as auditor of Carroll county, Iowa.

Also, the House has passed without amendment S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian in Military township, Winneshiek county, Iowa.

BENJ. VAN STEINBERG, *Assistant Clerk.*

RESOLUTIONS.

Senator Fairall introduced the following concurrent resolution :

Resolved by the Senate, the House concurring, That on the 27th day of March at 11 o'clock, A. M., this General Assembly do adjourn to meet again on the first Tuesday of February, 1873, at 10 o'clock A. M. to consider and act upon the report of the commission to revise the statutes, and upon the statutes as rewritten and arranged by the commissioners.

That said adjourned session be held for a time not exceeding 30 days, and that no bills be received or considered except such as pertain to the business of said session as above indicated, and to the appropriations to defray the expenses of such session and the publication of the code.

That no member of the General Assembly shall, at such session, draw any mileage thereon.

Senator McNutt offered the following substitute:

Resolved, That on and after March 25th, no bills shall be introduced, and on and after April 8th no general or special legislation shall be had except the consideration of the code.

Pending the consideration of the substitute, the hour for the special order, being the report of the committee of conference on the disagreeing votes of the two Houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, and S. F. No. 74, A bill for an act to enlarge the powers of school directors and increase the efficiency of the public schools, on motion of Senator Fairall the first was postponed 30 minutes and the latter 45 minutes.

The Senate resumed the consideration of the substitute.

Pending which the hour for the special order arrived, being the consideration of the report of the conference committee.

On motion of Senator Murray, the special order was postponed until 10 o'clock A. M. to-morrow.

The consideration of the substitute was resumed.

The hour for the special order having arrived, it being the consideration S. F. No. 74, on motion of Senator Fairall, it was postponed until 10 o'clock to-morrow morning.

The consideration of the substitute was again resumed.

The hour for the special order having arrived, it being the order for going into the committee of the whole on the report of the commissioners appointed to revise and rewrite the statutes, Senator Boomer moved that the special order be postponed for 30 minutes.

Senator Richards moved to amend by striking out the words "30 minutes," and inserting "one hour, or until the substitute and resolution were disposed of."

The amendment prevailed, and the motion, as amended, was agreed to.

Senator Beardsley moved to lay the resolution and substitute on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Vale, West, Willett, Wonn, and Young—31.

The nays were—

Senators Bemis, Claussen, Crary, Fairall, Kinne, Larrabee, Leavitt, Richards, Stone, and Taylor—10.

Absent or not voting—

Senators Atkins, Havens, Ireland, Lowry, Maxwell, McCoid, McCormack, Shane, and Stuart—9.

So the motion prevailed.

By leave, Senator Stone offered the following resolution :

Resolved, by the Senate, the House concurring, That it is the sense of this General Assembly that the revision of the code made by the commissioners should be approved and adopted, and that said commissioners should be continued to incorporate into the same the acts of this session, under the same rules and instructions under which they acted in making said revision.

On motion of Senator Stone, the resolution was referred to the special committee on revision.

Senator Read offered the following :

Resolved by the Senate, That on after Wednesday, March 6, no bill, report of committee, resolution, memorial, or other business shall be taken up or considered out of the regular order in which the same is reached on the files of the Secretary, except by the unanimous consent of the Senate.

Senator Campbell offered the following substitute :

Resolved, That from and after March 7 the Senate meet at 9 o'clock A. M., and 2 o'clock P. M.; the morning session being devoted to the code, and afternoon sessions to other legislative business. That after March 11 no new bill be allowed to be introduced unless by general consent. That every Wednesday afternoon be devoted exclusively to local legislation until it is disposed of.

On motion of Senator Burke, the further consideration of the resolution and substitute was postponed until to-morrow.

On motion of Senator Dysart, the Senate went into the committee of the whole on the code, with Senator Fairall in the chair.

At 1 o'clock P. M. the committee arose, and the President resumed the chair.

The chairman of the committee of the whole submitted the following report :

MR. PRESIDENT:—The committee of the whole Senate have had under consideration the report of the commissioners to revise and rewrite the statutes, have made some progress therein, and have

instructed me to report the same back to the Senate, and ask leave to sit again.

The report was adopted.

REPORTS OF COMMITTEES.

Senator Hurley, from the committee on judiciary, submitted the following report :

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 81, A bill for an act to amend section 3362 of chapter 125, of the revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following.

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 116, A bill for an act in relation to cancellation of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out in the 8th line the words "or his legal representative," and inserting in place thereof the words "or assignee;" and strike out the word "recorder" in the 8th line, and insert "judgment creditor." Thus amended, recommend its passage.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred substitute for H. F. No. 6, A bill for an act to amend chapter 79 of the Revision of 1860, creating mechanic's lien, and to secure mechanics and laboring men upon internal improvements their wages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

On motion of Senator Fairall, S. F. No. 181, A bill for an act regulating appeals to the supreme court of Iowa, was taken up and considered.

Senator Fairall moved to concur in the House amendments.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Chambers, Claus-

sen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Richards, Russell, Smith, Stone, Taylor, Vale, Willett, Wonn, and Young—36.

The nays were Senator Read—1.

Absent or not voting—

Senators Allen, Atkins, Campbell, Dague, Havens, Lowry, Maxwell, McCoid, McCormack, Murray, Shane, Stuart, and West—13.

So the Senate concurred in the House amendments.

Senator Stuart was granted leave of absence.

At 1:05, on motion of Senator Leavitt, the Senate adjourned.

SENATE CHAMBER, DMS MOINES, IOWA, }
March 6, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Oregler.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Fitch presented a petition from citizens of the Fort Dodge land district in relation to certain so-called swamp lands.

Referred to committee on judiciary, with instructions to report by bill or otherwise.

Senator Boomer presented a remonstrance against the abolishment of the office of county superintendent of common schools.

Referred to committee on schools.

INTRODUCTION OF BILLS.

By Senator Ireland: S. F. No. 165, A bill for an act to provide for the further collection of taxes by township collectors in certain cases.

Read first and second time and referred to committee on county and township organizations.

By Senator McIntyre: S. F. No. 166, A bill for an act to amend chapter 125 of the revision of 1860.

Read first and second time and referred to committee on judiciary.

Senator McNutt submitted a report from the committee appointed to visit and report upon the State penitentiary.

The report was ordered printed and passed on file.

RESOLUTIONS.

Senator Chambers offered the following :

Resolved, That the compensation per day of the officers and employees of the Senate be as follows :

Secretary.....	\$3 00
First and second assistant secretaries.....	7 00
Engrossing and enrolling clerks.....	5 00
Sergeant-at-arms, door-keeper, assistant door-keeper and janitor.....	4 00
Paper folders.....	4 00
Messengers.....	2 00

Senator Larrabee moved to strike out "\$4 00" and insert "\$5 00" which was agreed to.

Senator Wonn moved to strike out "\$2 00" and insert "\$3 00" which motion prevailed.

Senator Howland moved to strike out "\$3 00" and insert "\$4 00" which was disagreed to.

Senator West moved to refer the resolution to the committee on compensation of public officers.

The motion to refer prevailed.

Senator Smith offered the following resolution :

Resolved, That the committee on county and township organizations be instructed to enquire into the expediency of repealing section 726 of chapter 45 of the revision of 1860 and substituting therefor county assessors, and report by bill or otherwise.

The resolution was adopted.

HOUSE MESSAGES.

H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning, and the acts of the officers acting thereunder, was taken up.

Read first and second time and referred to committee on incorporations.

H. F. No. 103, A bill for an act to amend article 2 of chapter 64, revision of 1860, was taken up, read first and second time and referred to committee on suppression of intemperance.

The hour for the special order having arrived, it being the consideration of S. F. No. 74, A bill for an act to enlarge the powers of school directors and to increase the efficiency of the public schools, on motion of Senator McIntyre it was postponed fifteen minutes.

H. F. No. 49, A bill for an act to amend chapter 118, of the laws of the Eleventh General Assembly, was taken up and read first and second time. ;

Senator Miles moved to refer to the committee on ways and means.

Senator Fairall moved to amend by striking out the words "ways and means," and inserting the word "printing."

The amendment prevailed and the motion as amended was adopted.

Senator McIntyre moved to take up and consider H. F. No. 270, A bill for an act to legalize the organization of the town of Corn-
ing, and the acts of the officers of the town council thereunder.

The motion was agreed to.

Senator McIntyre moved to suspend the rule and read the bill a third time, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting.—

Senators Allen, Havens, Hurley, Lowry, McCoid, McKean, Murray and Shane—8.

So the bill passed and the title was agreed to.

Senator Shane was granted leave of absence for the remainder of the present week.

The hour for the special order having arrived, it being the consideration of H. F. No. 13, A bill for an act defining the meaning of the term "newspaper," as used in chapter 118, of the acts of the 13th General Assembly, and the amendment offered by Senator Fitch.

The amendment was lost, and the bill was ordered engrossed for a third reading.

Senator Converse from the committee on enrolled bills submitted the following report.

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 131, A bill for an act to regulate appeals to the supreme court of the State of Iowa.

Also, S. F. No. 118, A bill for an act to amend section 5, chapter 11, laws of the Fourteenth General Assembly of the State of Iowa.

A. CONVERSE, *Chairman.*

INTRODUCTION OF BILLS.

By leave, Senator Ketcham introduced S. F. No. 167, A bill for an act making appropriations for the Iowa State Reform School.

Read first and second time and referred to committee on reform school.

Senator Fairall introduced S. F. No. 168, A bill for an act to amend chapter 45 of the revision of 1860, pertaining to revenue.

Read first and second time.

Senator Fairall moved to refer the bill to the committee on judiciary.

Senator Burke moved to amend by striking out the word "judiciary," and inserting the words "ways and means."

The amendment was lost, and Senator Fairall's motion agreed to.

The hour for the special order having arrived, it being the consideration of S. F. No. 74, A bill for an act to enlarge the powers of school directors, and to increase the efficiency of the public schools, it was taken up and considered.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 118, A bill for an act to provide that the board of the trustees of the incorporate town of Grinnell may have control of Hazlewood cemetery.

Also, H. F. No. 212, A bill for an act to legalize the formation of independent school district No. 1, in Bloomfield township, Polk county, &c.

Also, H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, Polk county, Iowa.

Also, H. F. No. 225, A bill for an act to legalize the acts of the board of trustees, mayor, and recorder of the town of Sharon, Mahaska county, Iowa.

Also, H. F. No. 242, A bill for an act to legalize the acts of J. L. Cable, while acting as justice of the peace in Kane township, in Benton county, Iowa.

Also, H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Iowa.

Also, H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

On motion of Senator Campbell the bill was considered by sections.

Senator Converse moved to amend the first section by striking out "fourteen" and inserting "eighteen."

The amendment was lost.

Senator Vale moved to amend the second section by striking out all after the word "shall."

The amendment was rejected.

Senator Read moved to strike out the word "shall" in the first line of the second section. Also strike out the word "may" in same line and section and insert the word "shall."

A division of the question was demanded, and on the question, "Shall the word 'shall' be stricken out?" it was lost.

The hour for the special order having arrived, it being the order for going into the committee of the whole, on motion of Senator Beardsley it was postponed until the bill under consideration was disposed of.

The question being on the motion to amend the second section by striking out the word "may" and insert the word "shall" the yeas and nays were demanded, and

The yeas were—

Senators Allen, Bemis, Burke, Claussen, Converse, Dysart, Ireland, Kephart, Maxwell, McIntyre, Merrill, Read, and Young—13.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McCulloch, McNutt, Miles, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Wonn—30.

Absent or not voting—

Senators Havens, Hurley, Lowry, McCoid, McKean, Murray, and Shane—7.

So the amendment did not prevail.

MESSAGE FROM THE HOUSE.

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 bill in which the concurrence of the Senate is asked:

Substitute for H. F. No. 79, A bill for an act to protect feeders of stock.

BENJ. VAN STEINBURG, *Ass't Clerk.*

The consideration of S. F. No. 74 was resumed.

Senator Larrabee moved to amend the second section by striking out all after the word "school," in the 8th line.

Senator Miles moved that when the Senate adjourn it shall be until 2 o'clock this afternoon, which motion prevailed.

The question being on the adoption of the amendment prepared by Senator Larrabee, the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Burke, Campbell, Converse, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, Merrill, Miles, Read, Richards, Russell, Stone, Stuart, Taylor, Vale, Willett, Wonn and Young—30.

The nays were—

Senators Beardsley, Boomer, Chambers, Claussen, Dague, Dysart, Kephart, Ketcham, McNutt, Smith and West—11.

Absent or not voting—

Senators Allen, Havens, Hurley, Ireland, Lowry, McCoid, McKean, Murray and Shane—9.

So the amendment was agreed to.

On motion of Senator Fairall the Senate adjourned.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment.

President in the chair.

The consideration of S. F. No. 74 was resumed.

Senator Fairall moved to add the following section:

SEC. 5. That in all cases where actions are brought under the provisions of this act and the prosecution fails, the costs thereof shall be paid by the school district or independent school district wherever the alleged violation of the law occurred.

Senator West moved the previous question.

The motion was seconded and the main question ordered.

On the adoption of Senator Fairall's amendment the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Campbell, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Leavitt, McCormack, McIntyre, Merrill, Richards, Stone, Taylor, Vale, Willett, Wonn and Young—20.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dague, Dysart, Ireland, Kephart, Ketcham, Maxwell, McCulloch, McNutt, Miles, Read, Smith and West—20.

Absent or not voting—

Senators Allen, Havens, Hurley, Lowry, McCoid, McKean, Murray, Russell, Shane and Stuart—10.

The vote being a tie the President voted "yea."

So the amendment was adopted.

On the question "Shall the bill be engrossed for a third reading?" the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Howland, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Maxwell, McIntyre, McNutt, Merrill, Miles, Read, Smith, Vale and West—26.

The nays were—

Senators Atkins, Campbell, Fairall, Fitch, Gault, Kinne, McCormack, McCulloch, Richards, Stone, Taylor, Willett, Wonn and Young—14.

Absent or not voting—

Senators Allen, Havens, Hurley, Lowry, McCoid, McKean, Murray, Russell, Shæie and Stuart,—10.

So the bill was ordered engrossed.

REPORTS OF COMMITTEES.

Senator Dysart from the committee on State Library, submitted the following report:

MR. PRESIDENT—Your committee on State Library to whom was referred a concurrent resolution instructing the Secretary of State to order printed in pamphlet form 1,000 copies of the catalogue of State Library, and providing for their distribution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

JOSEPH DYSART, *Chairman.*

Senator Leavitt moved to amend the resolution by inserting after the word "member" the words "and officer," which was agreed to.

On the adoption of the resolution, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Clausen, Converse, Dysart, Ketcham, Leavitt, McNutt, Stone, Taylor, and Willett—10.

The nays were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Kinne, Larrabee, Maxwell, McCormack, McCulloch, McIntyre, Merrill, Miles, Read, Richards, Smith, Taylor, Vale, West, Wonn, and Young—30.

Absent or not voting—

Senators Allen, Havens, Hurley, Lowry, McCoid, McKean, Murray, Russell, Shane, and Stuart—10.

So the resolution was lost.

Senator Converse from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 101, An act to legalize the acts of the independent school district of Ossian, in Military township, Winneshiek county, Iowa, in making an over issue of bonds for school-house purposes.

A. CONVERSE, *Chairman.*

HOUSE MESSAGES.

H. F. No. 225, A bill for an act to legalize the acts of the trustees, mayor and recorder of the town of Sharon, Iowa, was taken up, read first and second time, and referred to the committee on incorporations.

H. F. No. 242, A bill for an act to legalize the acts of J. L. Cable, while acting as justice of the peace in Kane township, in Benton county, Iowa, was taken up, read first and second time and referred to the committee on judiciary.

H. F. No. 212, A bill for an act legalizing the formation of independent school district number one, in Bloomfield township, Polk county, Iowa, was taken up, read first and second time and referred to committee on schools.

H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Cerro Gordo county, Iowa, was taken up, read first and second time and referred to committee on schools.

H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa, was taken up, read first and second time and referred to the committee on schools.

Substitute for H. F. No. 97, A bill for an act to protect feeders of stock, was taken up read first and second time, and referred to committee on agriculture.

H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, Iowa, was taken up, read first and second time and referred to committee on schools.

H. F. No. 118, A bill for an act to provide that the board of trustees of the incorporated town of Grinnell may have control of Hazlewood cemetery, was taken up and read first and second time.

On motion of Senator Dysart the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McConloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Smith, Stone, Taylor, Vale, West, Willett, Wonn and Young—89.

The nays were none.

Absent or not voting—

Senators Allen, Dashiell, Havens, Hurley, Lowry, McCoid, McKean, Murray, Russell, Shane, and Stuart—11.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT :—Your committee on schools, to whom was referred S. F. No. 127, A bill for an act authorizing the superintendent of public instruction to procure a seal for his official use, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHARLES BEARDSLEY, *Chairman.*

Ordered passed on file.

On motion of Senator Stone, the Senate went into committee of the whole on the report of the commissioners to revise and rewrite the statutes, with Senator Ireland in the chair.

At 3 o'clock P. M. the committee rose, and the President resumed the chair.

The chairman of the committee of the whole submitted the following report:

MR. PRESIDENT :—Your committee of the whole Senate have had under consideration the report of the commissioners to revise and rewrite the statutes, and have instructed me to report the same back to the Senate with the recommendation that part four of this report, as printed, be referred to committee on judiciary.

REPORTS OF COMMITTEES.

Senator Larrabee from the committee on ways and means submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred S. F. No. 141, A bill for an act to repeal chapter 89 of the

laws of the Thirteenth General Assembly, and to provide an act to constitute township trustees, councils of cities, and incorporated towns, boards of equalization, for their respective townships, cities, and towns, and prescribing their duties as such, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means, to whom was referred S. F. No. 132, A bill for an act to provide for appeals from the decisions of the board of equalization of assessments of property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred S. F. No. 144, A bill for an act to provide for issuing State bonds for losses to the permanent school fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred S. F. No. 142, A bill for an act to amend section 811, article 2, chapter 45, of the revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Chambers, from the committee on compensation of public officers, submitted the following report:

MR. PRESIDENT :—Your committee on compensation of public officers, to whom was referred S. F. No. 118, A bill for an act to repeal Section 4152, of chapter 162, of the revision of 1860, relating to fees of justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to

report the same back to the Senate with the recommendation that the following substitute for the bill be adopted.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of certain claims against the federal government.

Also, H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa.

Also, the House has passed without amendment to the following bills :

S. F. No. 140, A bill for an act to legalize the incorporation of the town of Newton, and the acts of the officers acting thereunder.

Also, S. F. No. 72, A bill for an act changing the time of holding courts in the ninth judicial district.

Also, S. F. No. 49, A bill for an act giving consent to the purchase by the United States of certain real-estate.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Larrabee moved to take up S. F. No. 144, A bill for an act to provide for issuing State bonds for losses to the permanent school fund, with the report of the committee recommending its passage.

The motion was agreed to.

On motion of Senator Larrabee, the rule was suspended, and the bill read a third time.

On the question " Shall the bill pass?"

The yeas were --

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young--40.

The nays were--

Senator Richards.

Absent or not voting--

Senators Allen, Dashiell, Havens, Hurley, Lowry, McCoid, McKean, Murray, and Shane--9.

So the bill passed and the title was agreed to.

Senator Fairall offered the following resolution :

Resolved, That after March 7th, at 11 o'clock A. M., of each day, except Thursday, the Senate make the report of the commissioners to revise the statutes, the statutes reported by them, the reports of the committee of the whole, and of standing committees on said subjects, a special order, and that there be devoted two hours each day thereto until otherwise ordered.

Senator Maxwell moved to amend by striking out "11 A. M." and inserting "2 P. M.," which was not agreed to.

Senator Young moved to postpone the further consideration of the resolution until Friday next.

The amendment was lost.

Senator Richards moved to amend by inserting the words "Wednesday and " before the word "Thursday."

The amendment was adopted.

On motion of Senator Beardsley the resolution was referred to committee on revision.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House :

H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa.

H. F. No. 123, A bill for an act providing the manner in which the fees of jrymen and county expenses shall be paid in cases of change of venue.

S. F. No. 113, A bill for an act to amend section 5, chapter 11, laws of the 14th General Assembly.

S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military townships, Winnesheik county, Iowa, etc.

S. F. No. 131, A bill for an act to regulate appeals to the supreme court of Iowa.

BENJ. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Larrabee, S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll taxes, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

On motion of Senator Larrabee, the rule was suspended and the substitute read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Richards, Russell, Smith, Stuart, Taylor, Vale, West, Willet, Wonn, and Young—40.

The nays were Senator Read—1.

Absent or not voting—

Senators Allen, Havens, Hurley, Lowry, McCoid, McKean, Murray, Shane, and Stone—9.

So the bill passed and the title was agreed to.

On motion of Senator Larrabee, S. F. No. 79, A bill for an act to amend chapter 89 of the laws of the 13th General Assembly, in relation to equalization of assessments by township trustees, with report of committee recommending its passage, was taken up and considered.

Senator Ketcham moved to substitute S. F. No. 141 for S. F. No. 79, which was disagreed to.

Senator Richards moved to amend by adding section 4, as follows:

SEC. 4. That notice in writing shall be given to every person resident in the township, town, or city, whose assessment is increased, and said board of equalization shall hold an adjourned meeting on the last Monday of May following, at which any person aggrieved by such increase of assessment may present his or her objections, and the right of appeal shall lie to the board of supervisors for any such person feeling aggrieved by the decision of said board of equalization.

Senator McIntyre moved the previous question, which was seconded by the Senate and the main question ordered.

Senator Richard's amendment was lost.

The bill was then ordered engrossed for a third reading.

At 4:35, on motion of Senator Fairall, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 7, 1872. }

The Senate convened pursuant to adjournment, the President in the chair.

Prayer by the Rev. Mr. Gill.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Kephart presented a petition from citizens of Linn

county asking for the passage of a law in relation to secret benevolent societies, prohibiting them from laying corner stones of public buildings, that the charters of all such societies and orders be revoked, and making it unlawful to issue such charters hereafter, and prohibiting the members of all secret societies from sitting as jurors in the trial of all causes, civil and criminal in the courts of this State.

Senator Boomer moved to refer the petition to the committee on the suppression of intemperance.

Senator Taylor moved to amend by striking out the words "the suppression of intemperance" and inserting the words "State penitentiary."

Senator Hurley moved to amend the amendment by striking out the words "State penitentiary" and inserting the words "Insane Asylum."

This was accepted by Senator Taylor.

Senator Campbell moved to lay the motion to refer on the table, which was disagreed to.

Senator Beardsley moved to amend the amendment by striking out the words "insane asylum" and inserting the word "incorporations."

The amendment to the amendment was adopted, the amendment prevailed, and the motion as amended was agreed to.

Senator West presented a petition from citizens of Henry county asking for the passage of S. F. No. 36.

Referred to committee on suppression of intemperance.

Senator McIntyre presented a petition from citizens of Adams county remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Russell presented a remonstrance from citizens of Greene county against the passage of S. F. No. 36.

Referred to committee on suppression of intemperance.

Senator Boomer presented a remonstrance from citizens of Delaware county against legalizing the sale of intoxicating liquors.

Referred to committee on suppression of intemperance.

Senator Ireland presented a petition from citizens of Clinton county remonstrating against the present liquor law being made more stringent, and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

Senator Smith presented a petition from citizens of Taylor county asking for the repeal of chapter 118 of the laws of the Eleventh General Assembly.

Referred to the committee on printing.

Senator Campbell presented a petition from citizens of Jasper county asking the enactment of a law to regulate railroad tariffs.

Referred to committee on railroads.

Senator Russell presented a remonstrance against the enactment of a law authorizing counties of less than 10,000 to bond their indebtedness.

Referred to committee on ways and means.

Senator McNutt presented two petitions from citizens of Muscatine county asking for the repeal of chapter 118 of the laws of the 11th General Assembly.

Referred to committee on printing.

Senator Richards presented a petition from citizens of Dubuque county asking that no appropriation be made for the medical department of the State University.

Referred to committee on medical institutions.

Senator Stuart asked and obtained leave to withdraw from the files S. F. No. 149.

Senator Wonn from the committee on engrossed bills, submitted the following report:

MR. PRESIDENT—The committee on engrossed bills respectfully report that they have examined S. F. No. 74, A bill for an act to enlarge the powers of school directors and increase the efficiency of the public schools, and find the same correctly engrossed.

H. A. WONN, *for Chairman.*

INTRODUCTION OF BILLS.

By Senator Howland: S. F. No. 189, A bill for an act to protect fur-bearing animals.

Read first and second time, and referred to committee on agriculture.

By Senator Beardsley: S. F. No. 170, A bill for an act to provide for a system of public instruction.

Read first and second time, and referred to committee on schools.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 41, A bill for an act to enable co-operative and mutual loan associations to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate.

H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, clerk of the district and circuit courts of Pottawattamie county.

BENJ. VAN STEINBURG, *Assistant Clerk.*

By leave Senator Leavitt introduced the following resolution :

WHEREAS, The present General Assembly has been largely petitioned from various sections of the State, to establish a reform school for girls; therefore

Be it resolved by the Senate, That it would be good policy for this General Assembly to permanently locate the present reform school for boys, and occupy the present temporary location as a reform school for girls.

Senator Claussen offered the following amendment :

That the resolution be referred to committee on reform school, and that the same be instructed to inquire into the expediency of transferring the orphans from Glenwood to Davenport and use the building at Glenwood for a reform school.

Pending the consideration of which, the hour for the special order arrived, it being S. F. No. 36, A bill for an act amendatory of the acts now in force for the suppression of intemperance.

Senator Dysart moved to postpone until 11 o'clock to-morrow morning.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Leavitt, Maxwell, McCoid, McCulloch, McNutt, Read, Richards, Smith, Vale, West and Young—27.

The nays were—

Senators Atkins, Beardsley, Claussen, Crary, Ireland, Kinne, Larrabee, McCormack, McIntyre, Merrill, Richards, Stone, Stuart, Taylor, Willett, and Wonn—16.

Absent or not voting—

Senators Fairall, Havens, Lowry, McKean, Miles, Murray, and Shane—7.

So the special order was postponed.

The consideration of the resolution and amendment was resumed.

Senator Claussen's amendment was lost.

On the adoption of the resolution the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Burke, Havens, Lowry, McCulloch, McKean, Murray, and Shane—7.

So the resolution was adopted.

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

S. F. No. 131, An act to regulate appeals to the supreme court of Iowa.

Also, S. F. No. 101, An act to legalize the acts of the independent school district of Ossian.

Also, S. F. No. 113, An act to amend chapter 11, laws of the Fourteenth General Assembly of the State of Iowa.

Also, H. F. No. 230, An act to legalize the incorporation of the independent school district of Stanwood.

Also, H. F. No. 123, An act providing the manner in which the fees of jurymen and county expenses shall be paid in cases of change of venue.

A CONVERSE, *Chairman.*

INTRODUCTION OF BILLS.

By leave, Senator Richards introduced S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river.

Read first and second time, ordered printed, and referred to committee on railroads.

By leave, Senator Fairall introduced S. F. No. 172, A bill for an act to repeal section 2981 of the revision of 1860.

Read first and second time, and referred to committee on judiciary.

By leave, Senator Fitch introduced S. F. No. 173, A bill for an act to amend chapter 100, acts of the Twelfth General Assembly, prescribing the duties of township trustees and road supervisors.

Read first and second time, ordered printed, and referred to committee on roads.

By leave, Senator Campbell introduced S. F. No. 174, A bill for an act pertaining to counties and townships.

Read first and second time, and referred to committee on county and township organizations.

MESSAGE FROM THE HOUSE.

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 joint resolution, in which the concurrence of the Senate is asked :

Joint resolution relative to a proposed change to the constitution of the State of Iowa, viz : Strike out section 10, of article 5, of the constitution, relating to the judicial department.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Beardsley offered the following resolution :

Resolved by the General Assembly of the State of Iowa, That it will consider and pass upon the new code, as reported by the code commissioners, without including therein the amendments thereto reported and recommended by said commissioners, and that the judiciary committee of the Senate and House of Representatives are hereby constituted a joint committee of the two houses, and are hereby instructed to prepare and report the necessary bill or bills, to enact said new code, and that the report of the committee of the whole be referred to that committee. And be it further

Resolved, That amendments reported and recommended to said code by said commissioners in their printed report, be made the subject of separate bills, and that the above named committee be instructed to prepare the same, with a view to have the same afterwards incorporated with the body of said code in their appropriate places.

Senator Chambers moved to amend by instructing the joint committee to incorporate the amendments reported by the commissioners in their proper places in the statutes as rewritten by the said commissioners.

The amendment was lost.

The resolution was then adopted.

On motion of Senator Larrabee S. F. No. 176, A bill for an act to amend sections one and two of chapter 54 of the acts of the Thirteenth General Assembly, with report of committee recommending amendments, was taken up and considered. The amendments were adopted.

Senator Larrabee moved that the rule be suspended and the bill read a third time now, which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—38.

The nays were—

Senators Fitch, Gault, Howland, and Russell—4.

Absent or not voting—

Senators Allen, Havens, Kephart, Lowry, McKean, Murray, Shane, and Stone—8.

So the bill passed and the title was agreed to.

On motion of Senator Gault, substitute for S. F. No. 6, A bill for an act to amend chapter 79 of the revision of 1860 creating mechanic's liens, and to secure to mechanics and laboring men upon

internal improvements their wages, with report of committee recommending its passage, was taken up and considered.

Senator Gault moved that the rule be suspended and the bill be read a third time now, which prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Havens, Lowry, McKean, Murray, Shane, and Stone—8.

So the bill passed.

On motion of Senator Richards the title was amended by inserting the word "to" after the word "secure."

On motion of Senator Fairall H. F. No. 171, A bill for an act authorizing the index to the real and chattel mortgage records in Johnson county, to be copied into new books, and giving to such copies the full force and validity of the originals, with report of committee recommending the adoption of a substitute, was taken up and considered.

Senator Vale moved to amend the substitute by inserting the words "government surveys," which was agreed to.

The substitute was lost.

The bill was then read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Gault, Havens, Lowry, McCoid, McKean, McNutt, Murray and Shane—8.

So the bill passed and the title was agreed to.

Senator Russell moved take up bills on third reading, which motion prevailed.

S. F. No. 46, A bill for an act creating the thirteenth judicial district, dividing the same into circuits, and providing for the election of district and circuit judges and a district attorney therein,

and changing the boundaries of the third, fourth and fifth judicial districts, and fixing the boundaries of the circuits therein.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—44.

The nays were none.

Absent or not voting—

Senators Gault, Havens, Lowry, McKean, Murray and Shane—6.

So the bill passed and the title was agreed to.

S. F. No. 68, A bill for an act to legalize the acts of Wm. H. Price, auditor of Carroll county, Iowa, in taking and certifying acknowledgments to certain school fund mortgages and other conveyances of real estate, was taken up with the House amendments and considered.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Havens, Lowry, McKean, Murray, and Shane—5.

So the Senate concurred in the House amendments.

S. F. No. 13, A bill for an act defining the term "newspaper," as used in chapter 118 of the acts of the 11th General Assembly, was taken up and read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were Senator Atkins.

Absent or not voting—

Senators Havens, Lowry, McKean, Murray, Russell, and Shane—6.

So the bill passed and the title was agreed.

S. F. No. 79, A bill for an act to amend chapter 89 of the laws of the Thirteenth General Assembly in relation to equalization of assessments by township trustees, was taken up and read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were—

Senators Converse and Richards—2.

Absent or not voting—

Senators Havens, Lowry, McKean, Murray, and Shane—5.

[So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 41, A bill for an act to enable cooperative and mutual loan associations to raise funds to be loaned among their members for building homesteads and other purposes, to become a body corporate, was taken up, read first and second time and referred to committee on incorporations.

H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved March 28, 1864, and legalizing contracts made within the limits of this act, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of the claims of the State against the federal government, was taken up and read first and second time.

Senator Campbell moved to suspend the rule and read the bill a third time now, which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack,

McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willet, Wonn and Young—45.

The nays were none.

Absent or not voting—

Senators Havens, Lowry, McKean, Murray, and Shane—5.

So the bill passed and the title was agreed to.

On motion of Senator Beardsley, S. F. No. 74, A bill for an act to enlarge the powers of school directors, and to increase the efficiency of the public schools, was taken up and considered.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Maxwell, McIntyre, McKean, McNutt, Merrill, Miles, Read, Smith, Vale, and West—29.

The nays were—

Senators Atkins, Campbell, Fairall, Fitch, Gault, Kinne, McCoid, McCormack, McCulloch, Richards, Russell, Stone, Stuart, Taylor, Willett, Wonn, and Young—17.

Absent or not voting—

Senators Havens, Lowry, Murray, and Shane—4.

So the bill passed and the title was agreed to.

By leave, Senator Fairall introduced S. F. No. 175, A bill for an act in relation to county records, and to repeal section 2258 of the revision of 1860, and to enact a substitute therefor.

Read first and second time, and, on motion of Senator Larrabee, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were—

Senator Richards.

Absent or not voting—

Senators Atkins, Havens, Lowry, McKean, Murray, and Shane—6.

So the bill passed and the title was agreed to.

On motion of Senator Stuart, S. F. No. 70, A bill for an act to amend chapter 170, of the acts of the Thirteenth General Assembly, entitled an act for the registry of electors, and to prevent fraudulent voting, and chapter 174 of the acts of the Thirteenth

General Assembly, entitled an act to amend the registry law, was taken up and considered.

Senator Converse moved to amend by striking out "6,000," and inserting "100."

Senator Fitch moved to have the bill printed, and referred to the committee on judiciary.

The motion prevailed.

At 1 o'clock P. M., on motion of Senator Howland, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 8, 1872. }

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

Prayer by the Rev. T. O. Rice.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning, and the acts of the officers and town council thereunder.

BENJ. VAN STEINBURG, *Assistant Clerk.*

PETITIONS AND MEMORIALS.

Senator Taylor presented a petition from Marshall county asking for the enactment of a law prohibiting the manufacture, importation and sale of all intoxicating liquors to be used as a beverage.

Referred to committee on suppression of intemperance.

Senator Olausen presented a petition from citizens of Benton county, protesting against the present liquor law being made more stringent and asking for the enactment of a judicious license law.

Referred to committee on suppression of intemperance.

INTRODUCTION OF BILLS.

By Senator Boomer: S. F. No. 177, A bill for an act to provide for the establishing of normal schools in the State of Iowa

Read first and second time, ordered printed and referred to committee on normal schools.

By Senator Kinne: S. F. No. 178, A bill for an act changing the manner of laying out, establishing, and vacating roads.

Read first and second time, ordered printed and referred to committee on roads.

By Senator Ireland: S. F. No. 179, A bill for an act concerning county superintendents of common schools.

Read first and second time, and referred to committee on schools.

By Senator Kephart: S. F. No. 180, A bill for an act entitled an act to provide for the suppression of intemperance.

Read first and second time, and referred to committee on suppression of intemperance.

By Senator Ireland: S. F. No. 181, A bill for an act to amend section 44, act passed December 17, 1861, and section 84, (73), as amended April 3, 1866.

Read first and second time, and referred to committee on schools.

By Senator McKean: S. F. No. 182, A bill for an act to enable incorporated towns to become independent road districts and to regulate the levy and expenditures of road taxes therein.

Read first and second time, ordered printed, and referred to committee on incorporations.

HOUSE MESSAGES.

House joint resolution proposing amendments to section 10, of article 5, of the constitution relating to the judicial department, was taken up, read first and second time and referred to committee on constitutional amendments.

Senator McKean asked and obtained leave to record his vote in favor of S. F. No. 74, passed yesterday.

REPORTS OF COMMITTEES.

Senator Campbell, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors, beg leave to report that they have had the same under consideration, and have instructed me report the same back to the Senate with the recommendation that it do not pass.

Also, S. F. No. 41, on same subject, with same recommendation.

F. T. CAMPBELL, *for Committee.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred S. F. No. 105, A bill for an act

legalizing the acts of the trustees of New Albany township, Story county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *for Committee.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred S. F. No. 137, A bill for an act to prevent the unlawful driving away of cattle or other stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on judiciary.

F. T. CAMPBELL, *for Committee.*

Report adopted.

Senator West from the committee on agriculture, submitted the following report:

MR. PRESIDENT:—Your committee on agriculture, to whom was referred substitute for H. F. No. 97, A bill for an act to protect feeders of stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN P. WEST, *Chairman.*

On motion of Senator West, substitute for H. F. No. 97, A bill for an act to protect feeders of stock, with report of committee recommending its passage, was taken up and considered.

Senator West moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Clausen, Crary, Dague, Dysart, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Maxwell, McCulloch, McIntyre, McKean, McNut, Miles, Murray, Richards, Shane, Smith, Vale, West, Willett, Wonn, and Young—33.

The nays were—

Senators Burke, Converse, Fairall, Kinne, McCormack, Merrill, Read, Russell, Stone, Stuart, and Taylor—11.

Absent or not voting—

Senators Allen, Chambers, Dashiell, Havens, Lowry, and McCoid—6.

So the bill passed and title was agreed to.

On motion of Senator Willett S. F. No. 88, A bill for an act to

amend chapter 53 of the revision of 1860, so as to permit corporations in this State, of an academical character, the membership of which shall consist of the lay members and pastors of churches, delegates to any synod, conference or council holding its annual meetings alternately in this and one or more adjoining States, to hold meetings of the corporation for the election of officers and the transaction of business in any adjoining State, with report of committee recommending its passage was taken up and considered.

Senator Willet moved that the rule be suspended and the bill be read a third time now, which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett and Wonn—42.

The nays were none.

Absent or not voting—

Senators Allen, Chambers, Dashiell, Havens, Leavitt, Lowry, West and Young.—8.

So the bill passed and the title was agreed to.

Senator Russell, from the committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands by Carroll county to E. F. Burger, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following substitute and recommend that the substitute do pass.

J. J. RUSSELL, *for committee.*

Passed on file.

On motion of Senator Beardsley, joint resolution proposing an amendment to the State constitution prohibiting the appropriation of public moneys for sectarian purposes, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Senator Beardsley moved that the rule be suspended and the joint resolution be read a third time now, which prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee,

Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett and Young—41.

The nays were—

Senators Leavitt, Richards, Stuart and Wonn—4.

Absent or not voting—

Senators Allen, Chambers, Dashiell, Havens and Lowry—5.

So the joint resolution passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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.

Substitute for H. F. No. 9, A bill for an act for the protection of the life and health of miners.

Also, H. F. No. 144, A bill for an act to release the interest of the State of Iowa in certain lots in Estherville, Emmet county, to Isaac Skinner, junior.

Also, the House adopted Senate resolution relative to the report of the code commissioners.

BENJ. VAN STEINBERG, *Assistant Clerk.*

The hour for the special order having arrived, it being the consideration of the report of the conference committee on the disagreeing votes of the two houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, Senator Russell moved to postpone the special order until to-morrow morning at 10½ o'clock.

The motion was lost.

On the question, "Shall the Senate adopt the report?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Crary, Dague, Dysart, Gault, Kephart, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Richards, Shane, Stuart, Taylor, West, and Wonn—21.

The yeas were—

Senators Allen, Atkins, Burke, Claussen, Converse, Fairall, Fitch, Howland, Hurley, Ireland, Larrabee, Leavitt, McCoid, McIntyre, McNutt, Murray, Reed, Russell, Smith, Stone, Vale, Willett, and Young—23.

Absent or not voting—

Senators Chambers, Dashiell, Havens, Ketcham, Kinne, and Lowry—6.

So the Senate refused to adopt the report of the conference committee.

REPORTS OF COMMITTEES.

Senator Larrabee from the committee on ways and means submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred S. F. No. 125, A bill for an act to protect the credit of counties, municipal corporations, and school districts, and to prevent illegitimate speculations in their warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Passed on file.

Senator McCulloch, from the committee appointed to visit and report upon the agricultural college and farm, submitted a report which was ordered printed, and laid on the table.

Senator Fitch, from the committee on roads, submitted the following report :

MR. PRESIDENT :—Your committee on roads, to whom was referred S. F. No. 96, A bill for an act to confer authority on township trustees to establish and vacate roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

WM. H. FITCH. *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on roads to whom was referred section 19, of memorial of convention of board of supervisors of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WM. H. FITCH, *Chairman.*

Ordered passed on file.

Senator Campbell moved to appoint a conference committee on the disagreeing votes of the two houses on the Senate amendments to the House amendments to substitute for S. F. No. 1.

The motion was agreed to.

The President appointed Senators Campbell, Burke and Richards as such committee on the part of the Senate.

On motion of Senator Shane S. F. No. 43, A bill for an act to provide for an argument term of the supreme court at Council Bluffs, with report of committee recommending its passage, was taken up and considered.

Senator Stone moved to strike out the word "Carroll," in the third line of section 3, which was agreed to.

Senator Stone moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Wonn and Young—45.

The nays were—

Senator Willett—1.

Absent or not voting—

Senators Chambers, Dashiell, Havens and Lowry—4.

So the bill passed and the title was agreed to.

Senators Chambers and McNutt were excused.

Senator Converse from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 68, An act to legalize the acts of W. H. Price, as auditor of Carroll county, Iowa, in taking and certifying acknowledgments to certain school fund mortgages and other conveyances of real estate.

S. F. No. 140, An act to legalize the incorporation of the town of Newton, and the acts of the officers acting thereunder.

S. F. No. 49, An act giving the consent of the legislature of the State of Iowa to the purchase by the United States of certain real estate.

S. F. No. 72, An act to change the time of holding the district courts in the 9th judicial district of Iowa.

A. CONVERSE, *Chairman.*

A message was received from the Governor, by the hands of Capt. W. H. Fleming.

The message was laid on the President's table.

On motion of Mr. Russell, S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands of Carroll county to E. F. Burgess, William Bowers, and Robert Mulloy, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Senator Russell moved that the rule be suspended and the bill

be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith Stone, Stuart, Vale, West, Willett, Wonn, and Young—42.

The nays were Senator Campbell—1.

Absent or not voting—

Senators Chambers, Dashiell, Fitch, Havens, Lowry, McIntyre, and Taylor—7.

So the bill passed and the title was agreed to.

The President submitted a communication from the Governor in relation to life insurance companies, which was read by the Secretary, ordered printed, and referred to the committee on incorporations.

The hour for the special order having arrived, it being the motion to reconsider the vote by which S. F. No. 36, A bill for an act supplementary to the acts now in force for the suppression of intemperance, it was taken up and considered.

Senator Chambers moved a call of the Senate.

The call was sustained, and the Secretary proceeded to call the roll with the following result, viz:

All present, or absent with leave, except Senators Dashiell, Havens, and Ireland.

On motion of Senator Smith, Senator Dashiell was excused.

Senator Havens was also excused.

On motion, further proceedings under the call were dispensed with.

On the question of reconsidering the vote by which S. F. No. 36 was lost,

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dagne, Dysart, Fitch, Gault, Howland, Hurley, Kephart, Maxwell, McCoid, McNutt, Miles, Read, Richards, Shane, Smith, Vale, West, and Young—25.

The nays were—

Senators Atkins, Beardsley, Claussen, Crary, Fairall, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McCulloch, McKean, Merrill, Murray, Russell, Stone, Stuart, Taylor, Willett, and Wonn—21.

Absent or not voting—

Senators Dashiell, Havens, Lowry, and McIntyre—4.

So the motion to reconsider the vote prevailed.

On the the question "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Fitch, Gault, Howland, Kephart, Maxwell, McCoid, McNutt, Miles, Read, Shane, Smith, Vale, West, and Young—23.

The nays were—

Senators Atkins, Beardsley, Claussen, Crary, Fairall, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McCulloch, McKean, Merrill, Murray, Richards, Russell, Stone, Stuart, Taylor, Willett, and Wonn—23.

Absent or not voting—

Senators Dashiell, Havens, Lowry, and McIntyre—4.

So the bill having failed to receive a constitutional number of votes was lost.

On motion of Senator Maxwell, S. F. No. 105, A bill for an act to legalize the acts of the board of trustees of New Albany township, Story county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Maxwell moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dague, Dysart, Fairall, Fitch, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Stuart, Taylor, Vale, West, Willett, Wonn and Young—39.

The nays were none.

Absent or not voting—

Senators Beardsley, Crary, Dashiell, Gault, Havens, Lowry, McIntyre, McNutt, Richards, Smith and Stone,—11

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

H. F. No. 118, A bill for an act to provide that the board of trustees of the incorporated town of Grinnell may have the control of Hazlewood cemetery.

S. F. No. 68, A bill for an act to legalize the acts of William Henry Price as Auditor of Carroll county, Iowa.

S. F. N. 140, A bill for an act to legalize the incorporation of the town of Newton and the acts of the officers acting thereunder.

S. F. No. 49, A bill for an act giving the consent of the Legislature of the State of Iowa, to the purchase of the United States, of certain real estate.

S. F. No. 72, A bill for an act to change the time of holding the district courts in the ninth judicial district of Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 242, A bill for an act to legalize the acts of J. L. Cable, while acting as justice of the peace in Kane township, in Benton county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52, of the revision of 1860, as amended by chapter 1072, of the acts of the 13th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 168, A bill for an act to amend chapter 45, of the revision of 1860, pertaining to revenue, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 95, A bill for an act to provide against accidents from the use of impure kerosene, and other dangerous burning fluids in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the

same back to the Senate with the recommendation that it be referred to committee on medical institution.

JAMES S. HURLEY, *Chairman.*

Report adopted, and bill referred to committee on medical institutions.

On motion of Senator Shane, H. F. No. 40, A bill for an act to authorize incorporated towns to aid in the construction and repair of roads leading thereto, with report of committee that it do pass, was taken up and considered.

Senator Shane moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, Willett, Wonn, and Young—40.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Dashiell, Fitch, Havens, Lowry, McCoid, McIntyre, Stuart, and West—10.

So the bill passed and the title was agreed to.

Senator Hurley was granted leave of absence until the last of next week.

Senator Boomer was excused until Tuesday next.

Senator Russell was excused until Monday next.

Senator Richards offered the following resolutions :

WHEREAS, An All-wise Providence has removed by death, since the meeting of the former General Assembly, the Senator from the thirty-fifth senatorial district, the Hon. M. B. Mulkern ; therefore,

Resolved, That with unfeigned sorrow we mourn the loss of our departed brother. We deplore the sad event that deprived us of his genial presence and his ready counsel ; and the State of an intelligent, upright, and honored citizen. We reverence the virtues that endeared him to us, and they will long keep in our hearts his memory fragrant and green.

Resolved, That with feeling hearts we share the grief of his bereaved widow, his fatherless children and the large circle of mourning relatives and friends, and we tender to them our deep and earnest sympathy. It is sweet to remember that among the virtues of the deceased no one shone with brighter radiance or did him

greater honor than his tender love and undeviating faithfulness as a husband, and his ardent affection as a father.

Resolved, That these resolutions be spread upon the journal of the Senate, and a copy of the same be transmitted to the House of Representatives, and to the widow of the deceased.

Resolved, That as a further mark of respect the Senate do now adjourn.

Senator Fairall spoke as follows:

MR. PRESIDENT :—I rise to second the resolution just offered. After the touching and eloquent remarks of the able Senator from Dubuque, I am conscious of my inability to add to the interest of this sad occasion, and yet I crave the melancholy pleasure of casting upon the cold clouds that cover the ashes of a friend, a sprig of acacia, to keep bright the recollections of one with whom I journeyed for a short time toward that bourne where all earthly fears are dispelled, and where only the fruition of our joys are fully realized. Long before I saw the lamented Mulkern I knew him well by reputation, and when for the first time we met here two years ago, as members of this body, I found a gentleman of fine natural and acquired ability, a good lawyer, an honest legislator, and one whose genial qualities irresistibly drew and firmly held a host of friends. Stricken with disease when he came here, he remained faithful at the post of duty, when prudence and comfort demanded rest, and even when unable to come to this hall, he watched with anxious care the progress and character of legislation before us.

Broad and liberal in his views, his mind comprehended the general interests of the State and at the same time jealously guarded the local rights of his people at home. In short, he was a worthy representative of the oldest, and one of the wealthiest and most intelligent constituencies in the State.

Of his early life, I know but little. He was one of the many gifted spirits for which we are indebted to the oppression that has robbed the Emerald Isle of thousands of noble sons, and which has given us wise statesmen to frame our laws, brave warriors to defend them and strong arms to develop the boundless resources of our young and growing empire.

In accordance with an ancient and honorable custom, we pause in the midst of our official labors, as a tribute of respect to the memory and worth of a worthy co-laborer, and while words cannot reach the departed, the occasion affords a fit opportunity to consider the evanescence of earthly existence and to realize that the sovereign and subject, the legislator and law-man, the learned and illiterate, the rich, the poor, the old, the young,—all must obey death's dread summons when we have played the part assigned us in Time's grand drama, and that when it comes we should be duly prepared, be found worthy and well qualified to be received by the

great Law Maker in that temple not made with hands, eternal in the heavens.

The resolutions were unanimously adopted and the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 9th, 1872. }

Senate convened pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Gill.

On motion of Senator Campbell the reading of the journal was dispensed with.

PETITIONS AND MEMORIALS.

Senator West presented a petition from J. O. Harbin, asking that his notorial acts since Dec. 10, 1871, be legalized.

Referred to committee on judiciary.

Senator Smith presented a petition from W. D. Bray, in relation to payment for subsistence furnished certain volunteer militia.

Referred to committee on claims.

INTRODUCTION OF BILLS.

By Senator Ireland: S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa.

Read first and second time, ordered printed, and referred to committee on normal schools.

By Senator Claussen: S. F. No. 184, A bill for an act concerning acknowledgments of deeds and other instruments in writing executed in foreign countries.

Read first and second time, and referred to committee on judiciary.

Senator Dashiell asked and obtained leave to have his vote recorded in favor of S. F. No. 86, lost yesterday.

Senators Dague and Taylor were granted leave of absence.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 24, A bill for an act to provide for the establishment and maintenance of free public libraries in cities and incorporated towns.

H. F. No. 75, A bill for an act providing for the construction of public bridges.

H. F. No. 280, A bill for an act to authorize circuit judges to approve the bonds of county officers in certain cases.

Also, the House has refused to concur in the Senate resolution requesting our representatives in Congress to use their influence in securing the passage of a law for a postal telegraph system.

BENJ. VAN STEINBURG, *Ass't Clerk.*

HOUSE MESSAGES.

H. F. No. 144, A bill for an act to release the interest of the State of Iowa in certain lots in Estherville, Emmet county, to Isaac Skinner, jr., was taken up, and read first and second time.

On motion of Senator Howland, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were —

Senators Allen, Beardley, Bemis, Campbell, Claussen, Converse, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Ireland, Kephart, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, Merrill, Miles, Read, Shane, Smith, Willett, and Young—26.

The nays were—

Senators Burke, Gault, Ketcham, Richards, Stuart, Vale, West, and Wonn—8.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Crary, Dague, Hurley, Lowry, McCoid, McCormack, McIntyre, McKean, McNutt, Murray, Russell, Stone, and Taylor—16.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 9, A bill for an act for the protection of the life and health of miners, was taken up, read first and second time, and referred to committee on incorporations.

REPORTS OF COMMITTEES.

Senator Shane, from the committee on constitutional amendments submitted the following report :

MR. PRESIDENT:—Your committee on constitutional amendments to whom was referred the House joint resolution to amend section 10, article 5, of the constitution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN SHANE, *Chairman.*

Senator Richards moved to lay the joint resolution on the table, and have it printed, which was agreed to.

Senator Campbell, from the committee on county and township organizations, submitted the following report :

MR. PRESIDENT :—Your committee on county and township organizations, to whom was referred S. F. No. 7, A bill for an act to legalize the organization of certain townships in Dickinson county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

F. T. CAMPBELL, *Chairman pro tem.*

On motion of Senator Campbell, the bill was indefinitely postponed.

Senator Bemis, from the committee on public buildings, submitted the following report :

MR. PRESIDENT :—Your committee on public buildings, to whom was referred S. F. No. 65, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane, at Independence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Section one, second line, insert a comma after the word "wing," also after the word "hospital" in the third line of same section, and insert the word "for" between the words "and" and "building," and omit the comma after the word "building" in the third line of same section. And add the following words to section 3 "and the center building by the first day of December following," and as thus amended that it do pass.

GEO. W. BEMIS, *Chairman.*

The bill and report were made the special order for Tuesday next at 10 o'clock A. M.

Senator Bemis, from the committee on public building also submitted the following report :

MR. PRESIDENT—Your committee on public buildings, to whom was referred S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows : Strike out the words "and convenient to a good water power on said river," in second and third lines of section three. Strike out "twenty-five" and insert "fifteen" in fourth line of section 3.

Strike out the words "one hundred" in second line of section 8, and insert the word "fifty," and as thus amended that it do pass.

GEO. W. BEMIS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on public buildings have instructed me to report the accompanying bill, A bill for an act to amend the act to provide a State capitol, approved April 13, 1870, and making an appropriation therefor, to the Senate, with the recommendation that it do pass.

GEO. W. BEMIS, *Chairman.*

The bill was taken up, No. 188, read first and second time and on motion of Senator Campbell the bill was referred to the committee on new capitol building.

Senator Burke from the committee on incorporations, submitted the following report :

MR. PRESIDENT:—Your committee on incorporations, to whom was recommitted S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows :

Strike from section 1 all that is included between the word "city," in the 8th line, on the first page, and the word "it," in the 9th line on the 2d page, and insert in lieu thereof the following : "or any tract of land containing forty acres or less, in such a manner that the subdivisions cannot be accurately described without noting the metes and bounds, with a view to sell said lots or lands in parcels."

Strike from section 2 all that precedes the word "it" in the last line on the 5th page, and insert in lieu thereof the following : "when any town lot, parcel of ground, or any tract of land containing forty acres or less, heretofore has been or may hereafter be subdivided as contemplated in the cases described in the preceding section," and when thus amended that it do pass.

JOHN E. BURKE, *Chairman.*

On motion of Senator Richards S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, with report of committee recommending amendments, was taken up and considered.

The report was adopted.

On motion of Senator Richards the bill was ordered engrossed for a third reading.

On motion of Senator McKean, S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of

an additional penitentiary, with report of committee recommending amendments, was taken up and made the special order for Thursday next at 9½ o'clock.

By leave, Senator Fairall introduced S. F. No. 186, A bill for an act fixing the compensation of members of the General Assembly and officers and employees thereof.

Read first and second time, ordered printed, and passed on file.

On motion of Senator Campbell the resolution and substitute in relation to order of business in the future in the Senate were taken up and considered.

Senator Campbell withdrew his substitute.

Senator Campbell moved to amend the resolution by striking out "March 8th," and insert: "after this date."

Senator Burke moved to amend the amendment by striking out "after this date" and inserting "March 14th."

The amendment to the amendment was adopted, and the motion as amended agreed to.

Senator Beardsley offered the following amendment:

Add to the resolution, "Except on Saturday of each week, when local bills shall be the special order at 10 o'clock A. M."

The amendment was adopted.

Senator Converse moved to reconsider the vote by which Senator Beardsley's amendment was adopted.

The motion did not prevail.

Senator Fairall moved to amend the resolution by striking out "except by the unanimous consent," and inserting "against the objections of five members of the Senate," which was agreed to.

The resolution was then adopted.

Senator Miles moved to take up and consider S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa, with the report of the committee recommending its passage, which was agreed to.

Senator Miles moved to fill the first blank with the word "ten," and the second blank with the word "fifty," which motion prevailed.

Senator ——— moved to strike out all of the fourth section after the word "conviction," in the third line, and insert the words "thereof be punished as provided in section 4356 of the revision of 1860," which was agreed to.

Senator Fairall moved to amend by striking out all of the fourth line of section two, after the word "dollars." Also, down to the word "for," in fifth line. Also, strike out the words "their department," at the end of the section, and insert the words "the school fund," which was agreed to.

Senator Shane moved to amend by adding to section one the following:

"*And provided further,* That no officer or person shall ask, demand or receive any compensation, fee, or reward in money, or

property, or any valuable thing as an inducement to deliver up any dead body to any person or corporation for purposes of medical surgery or study," which prevailed.

On motion of Senator Miles, the rule was suspended, and the bill read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Claussen, Converse, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, Merrill, Miles, Murray, Read, Richards, Shane, Stuart, Vale, West, Willett, and Young—31.

The nays were—

Senators Campbell, Crary, Fitch, McCoid, McCulloch, and Wonn—6.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Dysart, Hurley, Lowry, McIntyre, McKean, McNutt, Russell, Smith, Stone, and Taylor—13.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 84, A bill for an act to amend an act entitled an act to protect game, passed April 7, 1868, was taken up and considered.

Senator West moved to amend as follows:

And provided further, That it is hereby declared to be unlawful for any person to enter the enclosed grounds or farm of another without the consent of the owner or occupant to kill, ensnare, or trap any of the aforesaid game.

The amendment was adopted.

Senator Burke moved to amend by striking out "October" and inserting "September," which motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 40, A bill for an act to authorize incorporated towns to appropriate a portion of the road tax to aid in the making and repairing of roads.

Also, substitute for H. F. No. 97, A bill for an act to protect breeders of stock.

Also, H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of certain claims against the federal government.

Also, H. F. No. 13, A bill for an act defining the meaning of the term "newspaper."

Also, H. F. No. 171, A bill for an act authorizing the recorder to copy certain indexes in Johnson county, Iowa.

Also, substitute for H. F. No. 6, A bill for an act to amend chapter 79 of the revision of 1860, creating mechanics' liens, etc.

JOHN J. SAFELY, *Chief Clerk.*

Senator Read offered the following substitute for the bill :

Be it enacted by the General Assembly of the State of Iowa, That section one of chapter 113 of the acts of the Twelfth General Assembly be, and the same is hereby amended as follows: By striking out the figures 1872 at the end of said section and inserting, the figures 1876.

The substitute was lost.

Senator West moved a call of the Senate.

The call was sustained.

Senator West moved that further proceedings under the call be dispensed with, which was disagreed to.

Senators Atkins and Chambers were excused.

The Secretary proceeded to call the roll, with the following result: Absent without leave, Senators Fairall, Miles, Murray, Stone and Stuart.

Senator Kephart moved that Senator Miles be excused, which was disagreed to.

Senator Beardsley moved to suspend further proceedings under the call, which motion did not prevail.

The sergeant-at-arms presented Senators Murray, Fairall and Miles at the bar of the Senate, when, on motion, further proceedings under the call were dispensed with.

On motion of Senator West the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Clausen, Converse, Crary, Dysart, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Maxwell, McCulloch, McKean, Merrill, Miles, Murray, Richards, Shane, Smith, Vale, West, Willett, Wonn and Young—32.

The nays were—

Senators Dashiell, Fairall, Kinne, McCoid, McCormack, and Read—6.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Dague, Hurley, Lowry, McIntyre, McNutt, Russell, Stone, Stuart and Taylor—12.

So the bill passed and the title was agreed to.

RESOLUTIONS.

By leave Senator Shane offered the following resolution :

WHEREAS, The resolution authorizing the appointment of a standing committee on the state capitol building requires and instructs said committee to examine into all matters connected with the plans, contracts, buildings, &c., respecting said capitol building ; and

WHEREAS, Said instructions cannot be carried out without additional powers being first conferred on said committee; therefore,

Be it resolved, That in order to carry out the instructions aforesaid, the said committee be and are hereby authorized and empowered to send for persons as witnesses, and to examine the same under oath; to send for papers, and to employ a clerk to reduce said testimony to writing.

The resolution was adopted.

By leave, Senator Fairall presented a memorial from the Iowa State board of real-estate agents, which was ordered printed.

Senator Murray submitted a report from the committee appointed to visit and report upon the soldiers' orphans home at Glenwood.

The report was ordered printed, and passed on file.

H F. No. 280, A bill for an act to authorize circuit judges to approve the bonds of county officers in certain cases, was taken up, and read first and second time.

On motion of Senator Fairall, the rule was suspended, and the bill read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Beardsley, Burke, Claussen, Converse, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kephart, Kinne, Larabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Vale, West, Willett, Wonn, and Young—30.

The nays were—

Senators Bemis, Campbell, Dashiell, Ketcham, and Richards—5.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Dague, Dysart, Gault, Hurley, Lowry, McCoid, McIntyre, McNutt, Russell, Stone, Stuart, and Taylor—15.

So the bill passed and the title was agreed to.

By leave, Senator West introduced S. F. No. 187, A bill for an act in relation to state and county agricultural societies, and of domestic and other animals, of fences, of lost goods, and of stock acts of 1868 and 1870.

Read first and second time, and referred to committee on agriculture.

On motion of Senator Willett, the Senate adjourned.

SENATE CHAMBER, DMS MOINES, IOWA, }
 March 11, 1872. }

Senate met pursuant to adjournment.
 President in the chair.
 Prayer by the Rev. Mr. Kephart.
 Journal of Saturday read and approved.

REPORT OF COMMITTEE.

Senator Converse from the committee on enrolled bills, submitted the following:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

Senate File, No. 72, An act to change the time of holding the district court in the 9th judicial district of Iowa.

Also, H. F. No. 270, An act to legalize the incorporation of the town of Corning.

Also, S. F. No. 49, An act giving the consent of the legislature of the State of Iowa to purchase certain real estate.

Also, S. F. No. 140, An act to legalize the incorporation of the town of Newton.

Also, S. F. No. 63, An act to legalize the acts of William Henry Price as auditor of Carroll county, Iowa.

Also, H. F. No. 118, An act to provide that the board of trustees of the incorporate town of Grinnell may have the control of Hazelwood cemetery.

A. CONVERSE, *Chairman.*

PETITIONS AND MEMORIALS.

Senator Dashiell presented a petition from citizens of Marshall county asking for the establishment of a reformatory institution for girls.

Referred to committee on charitable institutions.

Also, a similar petition from citizens of Audubon county.

Same reference.

Senator Dysart presented a petition from John Stuart in relation to assessments of charges and damages in the matter of laying out public highways.

Referred to committee on roads.

INTRODUCTION OF BILLS.

By Senator Campbell: S. F. No. 188, "A bill for an act pertaining to the militia."

Read first and second time, and referred to committee on military.

By Senator Wonn: S. F. N. 189, A bill for an act to amend the school law.

Read first and second time, and referred to committee on schools.

By Sen. Maxwell: S. F. No. 190. A bill for an act making appropriations for the agricultural college and farm.

Read first and second time, and referred to committee on agricultural college and farm.

By Senator Murray: S. F. No. 191, A bill for an act relating to railroads and their management.

Read first and second time, and referred to committee on railroads.

By Senator Miles: S. F. No. 192, A bill for an act in relation to mill dams, races and drainage.

Read first and second time, and referred to committee on internal improvement.

By Senator Miles: S. F. No. 193, A bill for an act to provide for the taking of private property for works of internal improvement.

Read first and second time, and referred to committee on internal improvement.

By Senator Miles: S. F. No. 194, A bill for an act in relation to telegraph.

Read first and second time, and referred to committee on internal improvement.

By Senator Burke: S. F. No. 195, A bill for an act to legalize appropriations made and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.

Read first and second time.

On motion of Senator Burke the rule was suspended, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young—35.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Boomer, Chambers, Dague, Fairall, Hurley, Kephart, Lowry, McIntyre, McNutt, Read, Russell, Stone and Stuart—15.

So the bill passed and the title was agreed to.

Senator McKean introduced S. F. No. 196, A bill for an act to prohibit appropriations, gifts, or donations of public money or property for ecclesiastical or sectarian purposes.

Read first and second time, ordered printed, and referred to committee on ways and means.

Senator Converse moved to reconsider the vote by which H. F. No. 280, A bill for an act to authorize circuit judges to approve the bonds of county officers in certain cases, was passed on Saturday last.

On motion of Senator Converse, the further consideration of the motion was postponed until Wednesday next.

HOUSE MESSAGES.

H. F. No. 24, A bill for an act for the establishment and maintenance of free public libraries in cities and incorporated towns, was taken up.

Read first and second time, and referred to committee on schools, with instructions to report as soon as practicable.

H. F. No. 75, A bill for an act providing for the construction of public buildings at joint expense of two or more counties, was taken up, read first and second time, and referred to committee on county and township organization.

REPORTS OF COMMITTEES.

Senator West from the committee on agriculture, submitted the following report:

MR. PRESIDENT:—Your committee on agriculture, to whom was referred substitute for H. F. No. 116, A bill for an act defining the weight of a bushel of corn in the ear, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JOHN P. WEST, *Chairman.*

Ordered passed on file.

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT:—Your committee on schools, to whom was referred S. F. No. 181, A bill for an act to amend section 44 of the school laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on schools, to whom was referred S. F. No. 151, A bill for an act to amend chapter 172 of the

acts of the Ninth General Assembly, passed April 8, 1862, in relation to schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on schools, to whom was referred H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Cerro Gordo county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

On motion of Senator Beardsley the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young.—36.

The nays were none.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Fairall, Harley, Lowry, McIntyre, McNutt, Read, Russell, Stone, and Taylor—14.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Beardsley, from the committee on schools submitted the following report:

MR. PRESIDENT—Your committee on schools to whom was referred S. F. No. 148, "A bill for an act to appoint a commissioner to prepare a series of text books for the use of the common schools in the State of Iowa," beg leave to report that they have had same under consideration and have instructed me to report the same back to the senate with the recommendation that it do not pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on schools to whom was referred S. F. No. 143, "A bill for an act to amend chapter 143, of the acts of the 11th General Assembly, in relation to the change of school sub-district boundaries," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your committee on schools to whom was referred S. F. No. 179, "A bill for an act concerning county superintendents of common schools," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Dashiell, from the committee on reform schools, submitted the following report:

MR. PRESIDENT:—Your committee on Reform Schools have had S. F. No. 21, under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass.

DASHIELL, *Chairman.*

On motion of Senator Ketcham, the bill and report of committee was made the special order for Wednesday next at 10 o'clock A. M.

On motion of Senator Willett, S. F. No. 90, "A bill for an act requiring that there shall be attached to locomotive engines on all the railroads of the State, a bell or steam whistle, and that the same shall be rung or whistled when approaching any station and place where a railroad crosses any public street or highway," was taken up and considered.

Senator Murray moved to amend by striking out all in relation to "compensation to informers," on which the yeas and nays were demanded, and.

The yeas were—

Senators Allen, Burke, Clanssen, Fairall, Havens, Ireland, McCormack, Miles, Murray, Shane and Smith—11.

The nays were—

Senators Beardsley, Bemis, Campbell, Converse, Crary, Dashiell, Dyserf, Gault, Howland, Kephart, Ketcham, Larrabee, Maxwell, McCoid, McCulloch, McKean, Merrill, Richards, Stuart, West, Willett, Wonn and Young—23.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Dague, Fitch, Hurley,

Kinne, Leavitt, Lowry, McIntyre, McNutt, Read, Russell, Stone, Taylor and Vale—16.

So the amendment did not prevail.

The amendments reported by the committee were lost.

Senator Beardsley moved to amend by striking out "\$50," and inserting "\$15."

Senator Willett moved to amend the amendment by striking out the words "the sum of \$50, which sum shall be paid, when collected, to the prosecuting witness for his trouble and expense in prosecuting the suit," and inserting the words "a reasonable attorneys fee, to be estimated on the trial, and also a reasonable attorneys fee on appeal, to be also estimated by the court."

On the adoption of this amendment the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Howland, Kephart, Kinne, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Richards, Shane, Vale, West, and Willet—23.

The nays were —

Senators Allen, Beardsley, Burke, Fairall, Havens, Ketcham, Larrabee, Leavitt, Merrill, Murray, Smith, Stuart, Wonn, and Young—14.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Dague, Hurley, Ireland, Lowry, McIntyre, McNutt, Read, Russell, Stone, and Taylor—13.

So the amendment was lost.

Senator Willett moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Murray, Richards, Russell, Shane, Smith, Stuart, Vale, West, Willett, and Young—35.

The yeas were—

Senators Beardsley, Havens, Merrill, and Wonn—4.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Dague, Hurley, Lowry, McIntyre, McNutt, Read, Stone, and Taylor—11.

So the bill passed and the title was agreed to.

A communication from the Governor, by the hands of Capt. W. H. Fleming, was received, and laid on the President's table.

Senator Shane offered the following resolution :

Resolved, That the railroad committee be instructed to inquire into the expediency and propriety of the passage of a law requir-

ing all railroad companies operating railroads or running passenger trains on any of the railroads of this State, to attach to each passenger train carrying passengers, steam or air breaks, and to report to the Senate by bill or otherwise.

The resolution was adopted.

The President submitted the following communication from the Governor :

STATE OF IOWA, EXECUTIVE DEPARTMENT. }
Des Moines, March 11, 1872. }

Gentlemen of the Senate and House of Representatives:

In compliance with the request of the Legislature of New Jersey, communicated to me by His Excellency, Gov. Joel Parker, I lay before you, for your information, a copy of a law passed by the Legislature of that State, approved Feb'y 28, 1872, entitled "An act to make a contribution towards the completion of the Washington Monument." And I respectfully invite your attention thereto.

C. C. CARPENTER.

A copy of the law referred to was read and referred to committee on ways and means.

BILLS ON SECOND READING.

The joint resolution for certain amendments to the constitution of the State of Iowa, with the report of the committee recommending a substitute, was taken up and considered.

On motion of Senator Richards, the further consideration of the resolution was postponed until Friday next, and made the special order for 10 o'clock A. M. of that day.

S. F. No. 29, A bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Iowa, was read and passed on file.

At 12:10 on motion of Senator Howland, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 12, 1872. }

The Senate convened pursuant to adjournment, the President in the chair.

Prayer by the Rev. Mr. Turnbull.

Journal of yesterday corrected and approved.

PETITIONS AND MEMORIALS.

Senator Willett presented a petition from citizens of Howard county asking that the system of circuit courts and various changes in relation to courts and county affairs, etc.

Referred to committee on judiciary.

MESSAGE FROM THE HOUSE.

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.

H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa, the abandonment by said city of its charter, and of other acts of the authorities of said city.

Also, substitute for H. F. No. 125, A bill for an act to legalize the organization and issuing of bonds of the independent school district of New Cherokee, Cherokee county, Iowa.

I am also directed to inform your honorable body that the House of Representatives has passed the following resolution in which the concurrence of the Senate is asked :

Joint resolution authorizing the capitol investigating committee to employ a short hand reporter to aid them in their investigation.

JOHN J. SAFELY, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator West : S. F. No. 197, A bill for an act making further appropriations for the hospital for the insane at Mt. Pleasant.

Read first and second time and referred to committee on charitable institutions.

By Senator Richards : S. F. No. 198, A bill for an act to repeal sections 474 and 475 of the revision of 1860.

Read first and second time, and referred to committee on county and township organizations.

By Senator Russell : S. F. No. 199, A bill for an act in regard to the payment of witness fees in certain criminal cases.

Read first and second time, and referred to committee on judiciary.

RESOLUTIONS.

Senator Gault offered the following resolution :

WHEREAS, The powers given the special committee to examine and report with reference to the material and workmanship of the foundation of the new capitol building so far only as has been laid up; therefore,

Be it resolved, by the Senate, the House concurring, That

the said committee is hereby empowered to examine and report with reference to all materials provided and on the ground, or being provided for the same, with full power to examine the journal of the proceedings of the capitol commissioners, specifications, contracts, specimens tested and recommended as good, also, if any material has been used or provided for use without any test.

Resolved, That the committee have full power to send for persons and payers.

The resolution was adopted.

HOUSE MESSAGES.

The resolution in relation to the employment of a short-hand reporter for the special committee on capitol building was taken up and concurred in.

Sub. for H. F. 125, A bill for an act to legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Cherokee county, Iowa, was taken, read first and second time, and referred to committee on schools.

H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa; the abandonment by said city of its special charter, and of other acts of the authorities of said city, was taken up and read first and second time, and on motion of Senator McCormack, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Claussen, Converse, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Boomer, Chambers, Hurley, Lowry, McIntyre, McNutt, Read and Wonn—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT :—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 144, A bill for an act to release the interest of the State of Iowa in certain lots in Estherville, Emmett county, to Isaac Skinner, Jr.

H. F. No. 280, A bill for an act to authorize circuit judges to approve the bonds of county officers in certain cases.

JOHN J. SAFELEY, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Ketcham, from the committee on engrossed bills, submitted the following report :

MR. PRESIDENT—The committee on engrossed bills respectfully report that they have examined S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, and find the same correctly engrossed.

J. P. KETCHAM, *for Committee.*

Senator Leavitt, from the committee on charitable institutions, submitted the following report :

MR. PRESIDENT :—Your committee on charitable institutions, to whom was referred S. F. No. 50, A bill for an act to enlarge the Iowa institution for the education of the blind, and to change the name of the same, and for the improvement of the ground, the purchase of musical instruments and a printing press for the use of the blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN H. LEAVITT, *Chairman.*

On motion of Senator Shane, the bill and report of the committee was made the special order for Tuesday next, at 10 o'clock A. M.

Senator Maxwell, from the committee on agricultural college and farm, submitted the following report :

MR. PRESIDENT :—Your committee on agricultural college and farm, to whom was referred S. F. No. 190, A bill for an act making appropriations for the agricultural college and farm, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. M. MAXWELL, *Chairman.*

On motion of Senator Maxwell, the bill and report were made the special order for Tuesday next, at 11 o'clock A. M.

BILLS ON THIRD READING.

S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, was taken up, and read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Young—41.

The nays were—

Senator Wonn.

Absent or not voting—

Senators Boomer, Chambers, Hurley, Lowry, McIntyre, McNutt, Read, and Russell—8.

So the bill passed and the title was agreed to.

Senator Fairall, from the committee on judiciary, submitted the following report:

MR. PRESIDENT :—Your committee on judiciary to whom was referred S. F. No. 159, A bill for an act for the abatement of taxes in certain cases voted to aid in the construction of railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the senate with the recommendation that it do pass the accompanying substitute.

S. H. FAIRALL, *for Committee.*

The reported was considered.

Senator Murray moved, that the substitute be printed and made the special order for one week from Thursday next.

Senator Ireland moved to amend by striking out the words " one week from."

The amendment prevailed, and the motion as amended was agreed to.

The hour for the special order having arrived, in being the consideration of S. F. No. 65, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane at Independence with report of committee recommending amendments, it was taken up and considered.

The amendments reported by the committee were adopted.

Senator Larrabee moved to consider the bill by sections, which was agreed to.

On motion of Senator Campbell, the rule was suspended and the bill read a third time.

On the question " Shall the bill pass ? "

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCul-

loch, McKean, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Boomer, Chambers, Hurley, Lowry, McIntyre, McNutt, and Read—7.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the willful wrongs of their agents and employees, was taken up and considered.

On motion of Senator Willett, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Boomer, Chambers, Hurley, Lowry, McCoid, McIntyre, McNutt, and Read—10.

So the bill passed and the title was agreed to.

S. F. No. 80, A bill for an act to amend sections 777 and 778, of chapter 45, of the revision of 1860, in relation to tax sales, with the report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Campbell, the bill was indefinitely postponed.

S. F. No. 23, A bill for an act to amend chapter 45, and to repeal section 781 of chapter 45, of the revision of 1860, with the report of committee recommending that it do not pass, was taken up and considered.

Senator Converse moved to reconsider the vote by which S. F. No. 80 was indefinitely postponed, which motion prevailed.

Senator Fairall moved to make all bills proposing amendments to chapter 45 of the revision of 1860 a special order for March 20, at 9½ o'clock A. M.

The motion was agreed to.

S. F. No. 98, A bill for an act to amend section 3305 of the revision 1860, exempting sewing machines from execution, with

the report of committee recommending its passage, was taken up and considered.

On motion of Senator Wonn, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were none.

Absent or not voting—

Senators Boomer, Chambers, Hurley, Ireland, Lowry, McIntyre, McNutt, Murray and Read—9.

So the bill passed and the title was agreed to.

S. F. No. 52, A bill for an act to amend chapter 175, of the laws of the 13th General Assembly, entitled an act providing additional fees for sheriffs, constables and others in certain criminal cases, with the report of the committee on judiciary recommending that it be referred to committee on compensation of public officers, was taken up and the report of the committee adopted.

S. F. No. 47, A bill for an act to protect persons in the possession of personal property, with report of committee recommending substitute, was taken up and considered.

The substitute was adopted.

Senator Willett moved to suspend the rule and read the bill a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Claussen, Crary, Dague, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, Miles, Richards, Russell, Shane, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—33.

The nays were—

Senators Converse, Dashiell, Dysart, Kinne, McKean, Murray and Smith—7.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Hurley, Ketcham, Lowry, McIntyre, McNutt, Merrill and Read—10.

So the bill passed and the title was amended and agreed to.

On motion of Senator Larrabee substitute for S. F. No. 77, A bill for an act to repeal section 3275 of the revision of 1860, and chapter 43 of the acts of the 13th General Assembly, to enact in lieu thereof, with report of committee recommending a substitute, was taken up and considered.

On motion of Senator Fairall the bill and substitute were referred to the committee on judiciary, with instructions to report to-morrow morning.

Senator Converse from the committee on enrolled bills submitted the following report.

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 6, An act to amend chapter 79, of the revision of 1860.

H. F. No. 171, An act authorizing the index to the real and chattel mortgage records in Johnson county to be copied into new books, etc.

H. F. No. 13, An act defining the meaning of the term newspaper, etc.

H. F. No. 141, An act to repeal certain laws relating to the prosecution of the claims of the State against the Federal government.

H. F. No. 40, An act to authorize incorporated towns to aid in the construction of roads.

H. F. No. 97, An act to protect feeders of stock.

A. CONVERSE, *Chairman.*

On motion of Senator Campbell, S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the revision of 1860 as amended by chapter 172 of the acts of the Thirteenth General Assembly with report of committee recommending that it do pass, was taken up and considered.

Senator Campbell moved that the rule be suspended and the bill be read a third time now, which prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Burke, Campbell, Clausen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—38.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Boomer, Chambers, Dague, Hurley, Ketcham, Lowry, McCoid, McIntyre, McNutt and Read—12.

So the bill passed and title was agreed to.

Senator Burke, from the committee on incorporations, submitted the following report:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred S. F. No. 16, A bill for an act legalizing the acts of the city council and mayor of Knoxville, Marion county, Iowa, citizens of territory contiguous to said city of Knoxville, and the circuit court sitting in and for said Marion county annexing to said city of Knoxville certain territory, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title be stricken out and that the following be inserted in lieu thereof: A bill for an act to legalize the annexation of certain territory to the city of Knoxville, Marion county, Iowa, and when thus amended that it do pass.

BURKE, *Chairman.*

On motion of Senator Burke, the bill and report were taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator McCormack the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Murray, Richards, Russell, Shane, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were none.

Absent or not voting—

Senators Boomer, Chambers, Hurley, Lowry, McIntyre, McNutt, Merrill, Read, and Smith—9.

So the bill passed and the title was agreed to.

By leave Senator Leavitt introduced S. F. No. 200, A bill for an act changing the manner of electing presidents of independent districts and fixing the time for levying school taxes.

Read first and second time, ordered printed and referred to committee on schools.

On motion of Senator Wonn, S. F. No. 29, A bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Iowa, with the report of the committee on the suppression of intemperance recommending that it do not pass, was taken up and made the special order for Thursday, March 21, at 10 o'clock A. M.

Senator Howland moved that the Senate adjourn.

Motion lost.

Senator Murray moved a call of the Senate which prevailed.

Senator Fairall moved that further proceeding under the call be suspended which was not agreed to.

Senator Read was granted leave of absence.

Senator Maxwell moved that further proceedings under the call be suspended which motion did not prevail.

The Secretary proceeded to call the roll, with the following result, viz: All present or absent with leave except Senator McNutt, who was excused.

On motion of Senator Dashiell further proceedings under the call were dispensed with.

At 12:15, on motion of Senator Murray, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 13, 1879. }

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

Prayer by the Rev. Mr. Swope.

Journal of yesterday read and approved.

Senator Lowry asked and obtained leave to record his vote against the passage of S. F. No. 36.

PETITIONS AND MEMORIALS.

Senator Taylor presented a petition from citizens of Marshall county asking for the enactment of a law prohibiting the manufacture, importation and sale of intoxicating liquors.

Senator Campbell presented a petition from J. G. Walker, and other citizens of Jasper county, asking for the regulation of weights and scales by law.

Referred to committee on commerce.

Senator Chambers presented a petition from citizens of Cedar county asking for the passage of S. F. No. 36.

Referred to committee on suppression of intemperance.

INTRODUCTION OF BILLS.

By Senator Howland : S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa, and for other purposes.

Read first and second time, and referred to committee on ways and means, with instructions to report at its earliest convenience.

By Senator Gault : S. F. No. 202, A bill for an act for the better prevention of criminal abortion.

Read first and second time, ordered printed, and referred to committee on medical institutions.

By Senator Larrabee: S. F. No. 203, A bill for an act in relation to salaries of district attorneys.

Read first and second time, and referred to committee on judiciary.

By Senator McCulloch: S. F. No. 204, A bill for an act for the extension and improvement of the Iowa State penitentiary at Ft. Madison.

Read first and second time, ordered printed, and referred to committee on public buildings.

By Senator Dagne: S. F. No. 205, A bill for an act entitled an act to define the duties of State Printer and State Binder, and to fix the compensation for their services.

Read first and second time and referred to committee on printing.

RESOLUTIONS.

Senator Ketcham offered the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the Secretary of State is hereby instructed to furnish Dr. C. A. White, fifty (50) copies of White's Geological Report for distribution.

Senator McCoid moved to amend by striking the words "Dr. C. A. White fifty copies," and inserting "each member and officer of the General Assembly one copy."

The amendment prevailed, and the resolution, as amended, was adopted.

REPORTS OF COMMITTEES.

Senator McKean, from the committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary to whom was referred S. F. No. 184, A bill for an act concerning acknowledgments of deeds and other instruments of writing, and instruments in writing executed in foreign countries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN McKEAN, *Acting Chairman.*

On motion of Senator Claussen the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart,

Fitch, Gault, Howland, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Fairall, Havens, Hurley, Ketcham, McIntyre, McNutt and Russell—8.

So the bill passed and the title agreed to.

Senator Havens was granted leave of absence.

Senator McKean from the committee on judiciary submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 4, A bill for an act authoring the appointment of short-hand reporters in district and circuit courts, beg leave to report that they have had the same under consideration, and recommend that the bill be amended by striking out the word "presiding" in the 5th line of section 2d, and adding to it, "out of the county treasury;" also, by adding to the second line of section 4th, the words "by the judge of the court from whom he has received his appointment." Thus amended, the committee have instructed me to report the back to the Senate with the recommendation that it do pass.

JOHN McKEAN, *Acting Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, clerk of the district and circuit courts of Pottawattamie county, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN McKEAN, *Acting Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 166, A bill for an act to amend chapter 125, of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN McKEAN, *Acting Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 172, A bill for an act to repeal section 2981 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN McKEAN, *Acting Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved March 28, 1864, and legalizing contracts made within the limits of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on railroads.

JOHN McKEAN, *Acting Chairman.*

The report was adopted and the bill was so referred.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred substitute for S. F. No. 62, A bill for an act to provide for changes of venue in preliminary examinations before magistrates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass

JOHN McKEAN, *Acting Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 137, A bill for an act to prevent the unlawful driving away of any cattle or other stock from the premises of any citizen of the State, or from their lawful range, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

JOHN McKEAN, *Acting Chairman.*

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT :—Your committee on schools to whom was referred H. F. No. 212, A bill for an act to legalize the formation of

independent school district No. 1, in Bloomfield township, Polk county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Senator Beardsley moved to suspend the rule and read the bill a third time now which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn and Young—43.

The nays were Senator Stuart—1.

Absent or not voting—

Senators Havens, Hurley, McIntyre, McNutt, Merrill and Murray—6.

So the bill passed and the title was agreed to.

Senator Beardsley, from the committee on schools, submitted the following report :

MR. PRESIDENT—Your committee on schools, to whom was referred H. F. No. 24, A bill for an act to provide for the establishment and maintenance of free public libraries in cities and incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Senator Beardsley moved to suspend the rule and read the bill a third time.

The President announced that the hour for the special order had arrived, it being the consideration of S. F. No. 21, A bill for an act to permanently locate the State Reform School for juvenile offenders.

On motion of Senator Ketcham, the special order was postponed until the bill under consideration was disposed of.

The question being "Shall the rule be suspended and the bill read a third time?" the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Gault, Howland, Kephart, Ketcham, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Vale, West, Willett, and Young—33.

The nays were—

Senators Allen, Atkins, Crary, Fitch, Ireland, Kinne, Larrabee, McCoid, Richards, Taylor, and Wonn—11.

Absent or not voting—

Senators Bemis, Havens, Hurley, McIntyre, McNutt, and Stone—6.

So the motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Chambers, Claussen, Converse, Dague, Dysart, Fairall, Howland, Kepbart, Ketcham, Leavitt, Lowry, Maxwell, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Vale, West, Willett, and Young—29.

The nays were—

Senators Allen, Atkins, Bemis, Campbell, Crary, Dashiell, Fitch, Gault, Ireland, Kinne, Larrabee, McCoid, Richards, Taylor, and Wonn—15.

Absent or not voting—

Senators Havens, Hurley, McCormack, McIntyre, McNutt, and Stone—6.

So the bill passed and the title was agreed to.

Senator Beardsley, from the committee on schools, submitted the following report :

MR. PRESIDENT:—Your committee on schools to whom was referred H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, Polk county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator McKean, from the committee on commerce, submitted the following report :

MR. PRESIDENT:—Your committee on commerce to whom was referred S. F. No. 83, A bill for an act to define and punish misdemeanors in the buying, selling and delivery of corn, grain and other articles, and to punish the changing the scales and standard fixed by law for weights and measures, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN MCKEAN, *Chairman.*

Ordered passed on file.

Senator Burke, from the committee on incorporations, submitted the following report :

MR. PRESIDENT—Your committee on incorporations to whom was referred a petition from George Thompson and others asking the withdrawal of charters held by secret societies, that the members of such societies be disqualified to set as jurors, and that hereafter they be prohibited from performing their heathen ceremonies over the laying of the corner stone of any public building erected by the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Senator Leavitt, from the committee on charitable institutions, submitted the following report:

MR. PRESIDENT:—Your committee on charitable institutions to whom was referred S. F. No. 197, A bill for an act making further appropriations for the hospital for the insane at Mt. Pleasant, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "five" in the 11th line of section 1, and inserting the word "two" and when thus amended the bill do pass.

LEAVITT, *Chairman.*

Ordered passed on file.

On motion of Senator West the bill and report were made the special order for 11 o'clock of this day.

Senator Kephart from the committee on suppression of intemperance submitted the following report:

MR. PRESIDENT:—Your committee on suppression of intemperance, to whom was referred H. F. No. 103, A bill for an act to amend article two of chapter 64 of the revision of 1860, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Taylor from the committee on state penitentiary submitted the following report:

MR. PRESIDENT—Your committee on penitentiary to whom was referred S. F. No. 126, A bill for an act to provide a reading room, library and hospital for the penitentiary, and instruction for the convicts, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Add in second line of section one after the word dollars, "or so much thereof as may be necessary."

Also add in third line of section one after the word specified, "and shall be expended under the direction of the census board." Also add in first line of section six after the word dollars, "per annum," and that when so amended that the bill do pass.

R. HOWE TAYLOR, *Chairman*.

Ordered passed on file.

Senator West, from the committee on agriculture submitted the following report:

MR. PRESIDENT:—Your committee on agriculture, to whom was referred S. F. No. 169, A bill for an act to protect fur bearing animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to the first section, "except when committing depredations on domestic fowls," and when so amended that it do pass.

J. P. WEST, *Chairman*.

Ordered passed on file.

The hour for the special order having arrived, it being the consideration of S. F. No. 21, A bill for an act to permanently locate the State Reform School for juvenile offenders, it was taken up and considered.

On motion of Senator Ketcham the bill was considered by sections.

Senator Willett moved to amend the second line of the second section by striking the words "to select a location and."

The amendment was adopted.

Senator Dashiell moved to amend the second line of the third section by striking out the words "which said tract of land shall be obtained free of cost to the State."

Pending the consideration of which, the hour for the special order arrived, it being S. F. No. 197, A bill for an act making further appropriations for the hospital for the insane, at Mount Pleasant, it was postponed until S. F. No. 21 was disposed of.

The consideration of S. F. No. 21 was resumed.

Senator Ireland moved to amend the amendment by inserting "not to exceed \$20 per acre."

The amendment to the amendment and the amendment were disagreed to.

Senator Beardsley moved to amend the 1st line of section 3 by striking out "160" and inserting "320."

Senator Boomer moved to amend the amendment by striking out "8" and inserting "5," which was disagreed to.

The amendment was then adopted.

Senator Willett moved to amend the 1st line of the 3d section by inserting after the word "said" the words "school shall be located within five miles of the capitol."

Senator Beardsley moved to amend the amendment by striking out "five" and inserting "thirty-five."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Gault, Ireland, Kephart, Larrabee, Leavitt, Lowry, McCoid, McCulloch, Murray, Shane, Stuart, Vale, West, Wonn and Young—26.

The nays were—

Senators Allen, Dashiell, Fairall, Fitch, Howland, Ketcham, Kinne, Maxwell, McKean, Merrill, Miles, Read, Richards, Russell, Smith, Stone Taylor and Willett—18.

Absent or not voting—

Senators Atkins, Havens, Hurley, McCormack, McIntyre, McNutt—6.

So the amendment to the amendment was agreed to.

On the adoption of the amendment as amended the yeas and nays were demanded, and

The yeas were—

Senators Allen, Beardsley, Burke, Campbell, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Larrabee, Lowry, McCormack, McCulloch, Murray, Shane, Smith, Stone, Vale, Willett and Young—22.

The nays were—

Senators Atkins, Bemis, Boomer, Chambers, Converse, Fitch, Howland, Ireland, Kephart, Ketcham, Kinne, Maxwell, McCoid, McKean, Merrill, Miles, Read, Richards, Russell, Stuart, Taylor, West and Wonn—23.

Absent or not voting—

Senators Havens, Hurley, Leavitt, McIntyre and McNutt—5.

So the amendment was lost.

Senator Larrabee moved to amend by striking out the word "reform" in the 5th section and inserting "industrial," on which the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Chambers, Claussen, Crary, Fairall, Gault, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McKean, Murray, Richards, Russell, Shane, Smith, Stone, Vale, Willett and Young—27.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Converse, Dague, Dashiell, Dysart, McCoid, McCormack, Miles, Read, Stuart, Taylor, West and Wonn—16.

Absent or not voting—

Senators Fitch, Havens, Howland, Hurley, McIntyre, McNutt, and Merrill—7.

So the amendment was adopted.

On motion of Senator West, S. F. No. 197, A bill for an act

making further appropriations for the Iowa hospital for the insane at Mount Pleasant, was made the special order for Tuesday next at 10 o'clock A. M.

Senator Beardsley from the committee appointed to visit and report upon the asylum for the deaf and dumb at Council Bluffs, submitted a report which was laid on the table and ordered printed.

At 12:30 Senator Campbell moved that the Senate adjourn until 2 o'clock P. M.

Senator Murray moved to amend by striking out "until 2 o'clock P. M.," and that the Senate do now adjourn.

The amendment prevailed and the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
 . March 14, 1879. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Walters.

On motion of Senator Murray the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

Substitute for H. F. No, 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named.

Also, that the House of Representatives has concurred in the following resolutions :

Senate resolution in relation to the death of M. B. Mulkern, Senator from the 35th Senatorial District.

Also, concurrent resolution extending the powers and duties of the capitol investigating committee.

JNO. J. SAFELY, *Chief Clerk.*

Senator Dashiell moved to take up and consider S. F. No. 21, A bill for an act to permanently locate the State Reform School for juvenile offenders.

The motion was agreed to.

The question being on the reconsideration of the vote by which the word "reform" was stricken out and the word "industrial" inserted in section 5.

The motion to reconsider prevailed.

The motion to strike out and insert did not prevail.

Senator Ketcham moved to amend the second line of section 7, by striking out "75" and inserting "50."

Senator Vale moved to amend the amendment by striking out "50" and inserting "5."

The amendment to the amendment was lost.

Senator Ketcham's amendment was adopted.

Senator Dashiell moved to suspend the rule and read the bill a third time now.

Senator McCoid offered a substitute for the bill.

The substitute was lost.

Senator Maxwell moved to reconsider the vote by which section three was adopted.

The motion did not prevail.

The motion to suspend the rule prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, West, and Willett—37.

The nays were—

Senators Atkins, Boomer, Converse, Crary, Gault, McCoid, McCormack, Vale, Wonn, and Young—10.

Absent or not voting—

Senators McIntyre, Miles, and Stone—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the speaker of the House:

H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Cerro Gordo county, Iowa.

I am also directed to inform your honorable body that the House of Representatives has amended the concurrent resolution of the Senate, A bill for an act providing for a distribution of Whi'te's

Geological Survey, by adding thereto after the word "officer" in said resolution the word "employees," and as so amended has passed the House.

The concurrence of the Senate is asked on the adoption of the amendment.

JOHN J. SAFELY, *Chief Clerk.*

The hour for the special order having arrived it being S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary, it was taken up and considered.

Pending which the hour for the special order having arrived, it being S. F. No. 159, A bill for an act relating to the collection of taxes voted to aid in the construction of railroads, with the report of committee recommending substitute, and by consent it was taken up and considered.

Senator Murray offered the following amendment to the substitute: Insert after the word "town" in section 1, the words "within the county of Clinton"; in the fourth line of said section strike out the word "the" and insert the word "said"; and after the word "county," insert the words "of Clinton." Also, strike out the syllable "in" after the word "wherein," and also to insert the words "of Clinton county," in the last line of said section.

Senator Murray moved that the bill, substitute and amendments be referred to a special committee of five.

Senator Taylor moved to amend by striking out the words "special committee of five" and insert "committee on railroads." The amendment was lost and the original motion adopted.

The consideration of the special order, S. F. No. 122, was then resumed.

Senator Fitch moved to amend by striking out "Anamosa" in the second line of section 1, and inserting "Fort Dodge."

Senator Howland moved to amend the amendment by striking out "Fort Dodge" and inserting "Mason City."

The amendment to the amendment was lost.

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Conversé, Fitch, Gault, Howland, Ketcham, Leavitt, Maxwell, McIntyre, Smith and Young—11.

The nays were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Dague, Dashiell, Dysart, Fairall, Havens, Hurley, Kephart, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Stuart, Taylor Vale, West, Willett, and Wonn—32.

Absent or not voting--

Senators Atkins, Crary, Ireland, Murray, Read, Russell, and Stone, --7.

So the amendment did not prevail.

Senator McCulloch moved to strike out the first section of the bill.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Converse, Crary, Dague, Fitch, Gault, McCoid, McCormack, McCulloch, Smith, Vale, and Wonn
—13.

The nays were—

Senators Allen, Bemis, Boomer, Barke, Campbell, Chambers, Claussen, Dashiell, Dyeart, Fairall, Havens Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Stuart, Taylor, West, Willett, and Young—36.

Absent or not voting—

Senator Stone.

So the amendment did not prevail.

Senator McKean offered the following substitute for the second section of the bill :

Sec. 2. That three persons shall be chosen by the General Assembly, who shall constitute a board of commissioners to purchase a quarry, and without expense to the State procure not less than seventy acres of ground, and to superintend the erection of suitable buildings thereon for said penitentiary, and in case of a vacancy in said commission, the same shall be filled by appointment by the Governor.

The substitute was adopted.

On motion of Senator Fairall, the 3d section was amended by inserting after the words "Anamosa Eureka" the words "and Anamosa Journal."

Senator Fairall moved to amend the 3d line of section 3 by striking out the words "and between Anamosa and Springville."

The motion prevailed.

On motion of Senator Fairall, "40" was stricken out of the 4th section, and "70" inserted.

Senator Fairall moved to amend by striking out the words "nor grounds," in the 4th line of section 4, which was agreed to.

Senator Ketcham moved to amend the 4th section by striking out the words "or grounds," in the 2d line, "and grounds" in the 4th line.

The motion prevailed.

Senator McNutt moved to strike out "250" in the 5th line of section 5, and insert "500," which motion prevailed.

Senator Beardsley moved to amend section 8 by adding the following proviso :

“ *Provided*, That no money hereby appropriated shall be paid out until the census board shall certify to the Treasurer of State that the resources of the treasury, without increasing the rate of taxation, are sufficient to meet the proposed disbursement, after other appropriations are allowed.”

On the adoption of this proviso the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dague, Fitch, Gault, Havens, Howland, Ireland, Kephart, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Smith, Stuart, Taylor, Vale, West, and Wonn—33.

The nays were—

Senators Atkins, Bemis, Claussen, Dashiell, Dysart, Fairall, Hurley, Ketcham, Kinne, Larrabee, Leavitt, McIntyre, Shane, Stone, Willett, and Young—16.

Absent or not voting—

Senator Allen.

So the proviso was adopted.

Senator Boomer moved to strike out “ 5 ” and insert “ 3 ” in section 11.

The motion did not prevail.

Senator Fairall moved to strike out “ \$400 ” and insert “ \$300 ” in the 12th section, which was disagreed to.

Senator Richards moved to amend by inserting after the word “ cash ” in the second line of section 12 the words “ not exceeding \$2 per day for ten hours.”

On the adoption of this amendment the yeas and nays were demanded, and

The yeas were—

Senators Allen, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Dague, Dashiell, Dysart, Fairall, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Stone, Stuart, Taylor, Willet, Wonn and Young—37.

The nays were—

Senators Atkins, Beardsley, Converse, Crary, Fitch, Gault, McCoid, McCormack, McCulloch, Smith, Vale and West—12.

Absent or not voting—

Senator Howland—1.

So the amendment was adopted.

REPORTS OF COMMITTEES.

Senator Burke, from the committee on incorporations, submitted the following report :

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 9, A bill for an act for the protection of the life and health of miners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 225, A bill for an act to legalize the acts of the trustees, mayor and recorder of the town of Sharon, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Senator Ireland, from the committee on State University, submitted the following report:

MR. PRESIDENT:—Your committee on State University, to whom was referred S. F. No. 147, A bill for an act empowering the board of trustees of the agricultural college to grant diplomas to the students therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to committee on agricultural college.

A. B. IRELAND, *Chairman.*

Report adopted.

Senator Ireland, from the committee on normal schools, submitted the following report:

MR. PRESIDENT:—Your committee on normal schools, to whom was referred S. F. No. 177, A bill for an act entitled an act to provide for the establishing of normal schools in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. IRELAND, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on normal schools, to whom was referred S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. IRELAND, *Chairman.*

On motion of Senator Ireland the bill and the report were made the special order for Friday, March 22d, at 10 o'clock, A. M.

The President announced Senators Murray, Ireland, Willett, Stuart, and Young, as the special committee on S. F. No. 147.

Senator Dysart moved that when the Senate adjourn it be until 2 o'clock P. M.

On this question, they yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Converse, Cray, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Larrabee, Lowry, Maxwell, McCulloch, McNutt, Merrill, Richards, Smith, Stuart, Vale, West, Wonn, and Young—24.

The nays were—

Senators Allen, Atkins, Burke, Claussen, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Leavitt, McCoid, McCormack, McIntyre, Miles, Murray, Read, Russell, Shane, Stone, Taylor, and Willett—23.

Absent or not voting—

Senators Bemis, Chambers, and McKean—3.

So the motion prevailed.

At 12:17, on motion of Senator Beardsley, the Senate adjourned.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, the President in the chair.

PETITIONS AND MEMORIALS.

Senator McNutt presented a petition from J. H. Baxter and seventy-three other citizens, asking for a liberal support of the educational interests of the State, and particularly of the State University.

Referred to Committee on State University.

Senator Howland presented a petition from citizens of Franklin county, asking for the repeal of chapter 118 of the Laws of the Eleventh General Assembly.

Referred to Committee on Printing.

Senator Burke presented a petition from citizens of Bremer county, asking for the establishment of a reformatory institution for girls.

Referred to Committee on Reform Schools.

Senator Merrill presented a petition from citizens of Wapello county, asking for liberal appropriations for educational interests, and especially the various departments of the State University.

Senator McNutt presented a similar petition from citizens of Muscatine county.

Referred to Committee on Reform Schools

Also, a petition from seven physicians of Fort Madison, asking for increased compensation of the physician to the State Penitentiary.

Referred to Committee on Compensation of Public Officers.

INTRODUCTION OF BILLS.

By Senator Howland: S. F. No. 206, A bill for an act to repeal sections 1048 and 1051 of the Revision of 1860, and to enact substitute therefor.

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

By Senator Maxwell: S. F. No. 207, A bill for an act to provide for the payment of the *per diem* and expenses of the commissioners appointed under chapter 8 of the Fourteenth General Assembly.

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

By Senator Young: S. F. No. 208, A bill for an act to repeal section 4168 of the Revision of 1860.

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

By Senator McNutt: S. F. No. 209, A bill for an act concerning elections, election of officers and their terms, registration of voters, the general election, electors of President and Vice President, qualification for office, contesting elections, removal and suspension from office, deputies, additional security and discharge of sureties.

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

On motion of Senator Beardsley, the clerk was instructed to number parts of the Code as Senate Files and Code series Nos. 1, 2, 3, &c.

By Senator Gault: S. F. No. 210, A bill for an act to protect the people of Iowa from charlatism and imposition in the practice of medicine and surgery.

Read first and second time and referred to the Committee on Medical Institutions.

HOUSE MESSAGES.

H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named.

Read first and second time, ordered printed, and referred to committee on ways and means.

REPORTS OF COMMITTEES.

Senator Beardsley, from the committee on schools submitted the following report:

MR. PRESIDENT—Your committee on schools, to whom was referred S. F. No. 170, A bill for an act to provide a system of public instruction, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as noted in the bill, and that when thus amended it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Havens, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred S. F. No. 173, A bill for an act to amend chapter 100 of the acts of the Twelfth General Assembly, prescribing the duties of township trustees and road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred S. F. No. 174, A bill for an act pertaining to counties and townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying amendments, and being so amended, recommend that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

On motion of Senator Havens, the Secretary was authorized to omit from the Journal the amendments reported to "code bills" by committees.

Senator Dague, from the committee on printing, submitted the following report:

MR. PRESIDENT:—Your committee on printing, to whom was referred substitute for H. F. No. 49, A bill for an act to amend chapter 118 of the laws of the Eleventh General Assembly; also, a substitute for S. F. No. 30, A bill for an act defining the duty of Secretary of State under chapter 118 of the laws of the Eleventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the Senate with the accompanying substitute, with the recommendation that said substitute do pass.

R. A. DAGUE, *Chairman.*

The substitute was ordered printed.

On motion of Senator Young, H. F. No. 225, A bill for an act to legalize the acts of the board of trustees, mayor and recorder of the town of Sharon, Mahaska county, Iowa, with report of committee recommending its passage was taken up and considered.

Senator Young moved that the rule be suspended and the bill read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McNutt, Miles, Murray, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Chambers, Ireland, McKean, Merrill, Russell, and Stone—7.

So the bill passed and the title was agreed to.

Senator Kephart, from the committee on suppression of intemperance, submitted the following report:

MR. PRESIDENT—Your committee on suppression of intemperance to whom was referred S. F. No. 180, A bill for an act entitled an act to provide for the suppression of intemperance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as noticed in the bill, and thus amended that it do pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

The House amendment to the resolution in relation to the distribution of White's Geological Report was taken up and considered.

Senator Beardsley moved to lay the amendment on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, Miles, Murray, Shane, and Willett—21.

The nays were—

Senators Atkins, Boomer, Burke, Claussen, Fairall, Howland, Hurley, Kinne, Larrabee, Leavitt, Lowry, McCoid, McIntyre, McNutt, Merrill, Read, Richards, Russell, Smith, Stuart, Taylor, Vale, West, Wonn and Young—25.

Absent or not voting —

Senators Allen, Chambers, Ireland, and Stone—4.

So the motion to lay on the table did not prevail.

On the question "Shall the Senate concur in the House amendment?" the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Claussen, Howland, McCoid, McIntyre, McKean, McNutt, Russell, Smith, and Wonn—10.

The nays were—

Senators Atkins, Beardsley, Bemis, Burke, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Murray, Read, Richards, Shane, Stuart, Taylor, Vale, West, Willett, and Young—36.

Absent or not voting—

Senators Allen, Chambers, Ireland, and Stone—4.

So the Senate refused to concur in the House amendment.

Senator Ireland was granted leave of absence.

Senator Howland was granted leave of absence until Wednesday morning.

Senator Kephart moved to reconsider the vote by which S. F. No. 21 was passed.

Senator Burke moved to postpone the motion to reconsider for one week.

Senator Campbell moved to lay the motion to reconsider on the table.

Motion prevailed.

REPORT OF COMMITTEE.

Senator Havens, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred S. F. No. 123, A bill for an act in relation to the making of deeds for land sold for delinquent taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying amendments, and being so amended that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file and ordered printed.

BILLS ON SECOND READING.

S. F. No. 102, A bill for an act in relation to the law of the admission of the dying declarations of deceased persons in evidence.

Taken up and considered.

Senator Willett moved to strike out the three last lines of the section.

Senator West moved the previous question.

The Senate seconded and the main question was put.

Senator Willett's amendment was lost.

On motion of Senator Larrabee the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bemis, Burke, Campbell, Claussen, Crary, Dagne, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McIntyre, McKean, Murray, Read, Russell, Smith, Taylor, Willett, and Young—27.

The nays were—

Senators Beardsley, Boomer, Converse, Dashiell, Dysert, Fairall, Fitch, Gault, McCulloch, McNutt, Miles, Richards, Shane, Stuart, Vale, West, and Wonn—17.

Absent or not voting—

Senators Allen, Atkins, Chambers, Ireland, Merrill, and Stone—6.

So the bill passed and title was agreed to.

At 4:19, Senator Howland moved to adjourn, which did not prevail.

S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860, so as to limit the venue in actions upon negotiable paper to a county wherein some one of the makers reside, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Willett the rule was suspended and the bill read a third time.

Senator Fairall moved to reconsider the vote by which the bill was ordered to a third reading.

The motion prevailed.

On motion of Senator Burke the bill was recommitted to the committee on judiciary.

S. F. No. 109, A bill for an act relating to appeals from judgment of justices of the peace, with report of committee recommending its passage, was taken up and considered.

Senator Converse moved to amend by striking out the words "unless such judgment has been rendered on the verdict of a jury," and inserting the words "but if such judgment has been

rendered on the verdict of a jury, the party demanding such jury shall not have such right of appeal."

The amendment was adopted.

Senator Campbell moved to suspend the rule and read the bill a third time now, which was agreed to, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Claussen, Converse, Crary, Dashiell, Dysart, Howland, Hurley, Larrabee, McNutt, Smith, Vale, West, and Young—13.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Dague, Fairall, Fitch, Gault, Kephart, Ketcham, Kinne, Leavitt, McKean, Richards, Russell, Shane, Stuart, Taylor, Willett, and Wonn—32.

Absent or not voting—

Senators Allen, Chambers, Havens, Ireland, and Stone—5.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator Murray moved that when the Senate adjourn it be until 7 o'clock P. M.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Vale, West and Wonn—36.

The nays were—

Senators Atkins, Beardsley, Claussen, Dague, McCoid, McIntyre, Richards, Taylor, Willett and Young—10.

Absent or not voting—

Senators Allen, Chambers, Havens and Stone—4.

So the motion prevailed.

Senator McCoid moved to excuse the Sergeant-at-Arms for this evening.

The motion did not prevail.

Senator Murray moved a call of the Senate.

The call was sustained.

Senator Larrabee moved that further proceedings under the call be dispensed with, which motion was lost.

Senator Chambers was excused.

Senator Leavitt moved to excuse Senator Allen, which was disagreed to.

Senator Larrabee moved to dispense with further proceedings under the call, which prevailed.

Leave of absence for the remainder of the day was refused Senator McCoid.

Senator McIntyre moved that the Senate adjourn, which motion was lost.

S. F. No. 69, A bill for an act to provide for the examination of State institutions, with the report of the committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator Gault, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Boomer, Burke, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, McCulloch, McIntyre, McKean, Merrill, Murray, Richards, Shane, Stuart, Taylor, Vale, Willett and Young—30.

The nays were —

Senators Beardsley, Bemis, Campbell, Claussen, Dashiell, Maxwell, McCoid, McCormack, McNutt, Miles, Read, Smith, West and Wonn—14.

Absent or not voting—

Senators Allen, Chambers, Ireland, Leavitt, Russell and Stone—6.

So the bill passed and the title was agreed to.

Senator Shane moved to reconsider the vote by which S. F. No. 69 was passed.

Senator Lowry moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Atkins, Burke, Converse, Gault, Hurley, Ketcham, Kinne, Larrabee, Lowry, McIntyre, Stuart, Taylor, Willett, and Young—14.

The nays were—

Senators Beardsley, Bemis, Boomer, Campbell, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Kephart, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Vale, West, and Wonn—32.

Absent or not voting—

Senators Allen, Chambers, Ireland, and Stone—4.

So the motion did not prevail.

The question being on the motion to reconsider the vote by which S. F. No. 69 was passed, the yeas and nays were demanded, and,

The yeas were —

Senators Beardsley, Bemis, Boomer, Campbell, Claussen, Dague, Dashiell, Gault, Howland, Kephart, Ketcham, Maxwell, McCoid,

McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, West, and Wonn—26.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Chambers, Converse, Crary, Dysart, Fairall, Fitch, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, McIntyre, Stuart, Taylor, Vale, Willett, and Young—19.

Absent or not voting—

Senators Allen, Chambers, Ireland, Leavitt, and Stone—5.

So the motion to reconsider prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Boomer, Burke, Converse, Crary, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Lowry, McCulloch, McIntyre, Murray, Stuart, Taylor, Vale, Willett and Young—23.

The nays were—

Senators Beardsley, Bemis, Campbell, Claussen, Dague, Dashiell, Howland, Maxwell, McCoid, McCormack, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Smith, West, and Wonn—21.

Absent or not voting—

Senators Allen, Chambers, Ireland, Kephart, and Leavitt—5.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator Dashiell moved to reconsider the vote by which the Senate decided to hold a session commencing at 7 o'clock P. M.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Beardsley, Bemis, Burke, Dague, Dashiell, Fitch, Ketcham, Leavitt, McCoid, McIntyre, McKean, Merrill, Smith, Taylor, Willett, and Wonn—16.

The nays were—

Senators Atkins, Boomer, Campbell, Claussen, Converse, Crary, Dysart, Fairall, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larrabee, Lowry, Maxwell, McCulloch, McNutt, Miles, Murray, Read, Richards, Russell, Shane, Stuart, Vale, West, and Young—29.

Absent or not voting—

Senators Allen, Chambers, Ireland, McCormack, and Stone—5.

So the motion to reconsider did not prevail.

Senator Murry moved that the Senate take a recess of 30 minutes.

Senator Dashiell moved to amend by striking out "30 minutes," and inserting "12 hours," which did not prevail.

Senator Murray's motion was disagreed to.

S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum

rates of tariff for the transportation of certain certain freight thereon.

Read first and second time.

Senator Murray moved to substitute minority report for the majority report.

Pending which, Senator Murray moved to make the bill, substitute and reports of committee the special order for Wednesday next at 10:30 o'clock A. M.

Senator Campbell moved to amend by striking out "Wednesday next at 10:30," and insert "9:30 o'clock to-morrow morning."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Howland, Kephart, Maxwell, McCormack, McCulloch, McKean, McNutt, Richards, Shane, Stuart, Taylor, Vale, West, and Willett—26.

The nays were—

Senators Atkins, Bemis, Claussen, Fairall, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McIntyre, Merrill, Miles, Murray, Read, Russell, Smith, and Wonn—20.

Absent or not voting—

Senators Allen, Ireland, Stone and Young—4.

So the amendment was agreed to.

On the motion to make the bill, substitute, and reports of committee the special order for Wednesday next at 10½ o'clock A. M., the yeas and nays were demanded, and,

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Howland, Kephart, Ketcham, Kinne, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Richards, Shane, Stuart, Taylor, Vale, West, Willett, and Wonn—29.

The nays were—

Senators Atkins, Claussen, Fairall, Havens, Hurley, Larrabee, Leavitt, Lowry, M. Intyre, Merrill, Miles, Murray, Read, Russell, and Smith—15.

Absent or not voting—

Senators Allen, Bemis, Crary, Ireland, Stone, and Young—6.

So the motion not having received a two thirds vote was not agreed to.

At 5:45, Senator Murray moved that the Senate adjourn.

On this question, the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Burke, Claussen, Converse, Crary, Fairall, Fitch, Havens, Howland, Kinne, Larrabee, Lowry, McCoid, McCormack, McKean, Miles, Richards, Russell, Shane, Smith, and Wonn—19.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Hurley, Kephart, Ketcham, Maxwell, McCulloch, McIntyre, McNutt, Merrill, Read, Richards, Shane, Stuart, Taylor, Vale, West, and Willett—26.

Absent or not voting—

Senators Allen, Ireland, Leavitt, Stone, and Young—5.

So the motion was not agreed to.

Senator Murray moved to make the bill, substitute, and reports of committee, the special order for Thursday next at 10 o'clock A. M.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Claussen, Crary, Dashiell, Fairall, Fitch, Havens, Howland, Kinne, Leavitt, Lowry, McCormack, McIntyre, Merrill, Miles, Murray, Read, Russell, Smith, Stuart, Taylor, and Wonn—23.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Gault, Hurley, Kephart, Ketcham, Larrabee, Maxwell, McCoid, McCulloch, McKean, McNutt, Richards, Russell, Shane, Vale, West, and Willett—23.

Absent or not voting—

Senators Allen, Ireland, Stone, and Young—4.

So two-thirds of the members present not voting in the affirmative the motion did not prevail.

At 6:02 Senator Murray moved that the Senate adjourn.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Bemis, Burke, Claussen, Crary, Dashiell, Fairall, Fitch, Havens, Howland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, Miles, Murray, Russell, Stuart, and Wonn—20.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Converse, Dysart, Gault, Hurley, Kephart, Maxwell, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Read, Richards, Shane, Smith, Taylor, Vale, West, and Willett—25.

Absent or not voting—

Senators Allen, Dague, Ireland, Stone and Young—5.

So the motion was not agreed to.

Senator Beardsley moved the previous question.

Senator Murray moved a call of the Senate.

The call was sustained and the Secretary proceeded to call the roll, pending which Senator Campbell moved that further proceedings under the call be dispensed with.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse,

Dague, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Taylor, Vale, West, Willett and Wonn—27.

The nays were—

Senators Atkins, Bemis, Burke, Claussen, Crary, Fairall, Fitch, Havens, Hurley, Kinne, Larrabee, Leavitt, Lowry, McIntyre, Murray, Read, Russell and Smith—18.

Absent or not voting—

Senators Allen, Ireland, Stone, Stuart and Young—5.

So the motion prevailed.

Senator Larrabee moved that the Senate do now adjourn.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Campbell, Claussen, Crary, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Kinne, Larrabee, Leavitt, Lowry, McCormack, McNutt, Miles, Murray, Smith, Stuart and Wonn—22.

The nays were—

Senators Beardsley, Boomer, Burke, Converse, Dysart, Gault, Hurley, Kephart, Ketcham, Maxwell, McCoid, McCulloch, McIntyre, McKean, Merrill, Read, Richards, Russell, Shane, Taylor, Vale, West and Willett—23.

Absent or not voting—

Senators Allen, Chambers, Ireland, Stone and Young—5.

So the motion was not agreed to.

Senator Murray moved a call of the Senate.

The call was sustained, and the Secretary proceeded to call the roll.

Pending which, Senator West moved to dispense with further proceedings under the call.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Howland, Hurley, Kephart, Ketcham, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Stewart, Vale, West and Willett—27.

The nays were—

Senator Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Kinne, Larrabee, Leavitt, Lowry, McIntyre, Murray, Read, Russell, Smith, Taylor and Wonn—19.

Absent or not voting—

Senators Allen, Ireland, Stone, and Young—4.

So the motion was lost.

At 6:24 it was moved that the Senate adjourn.

On this question the yeas and nays were demanded, and the Secretary proceeded to call the roll.

Pending which, Senator Murray moved that he be excused from voting.

The Senate refused to excuse Senator Murray, and the roll call was proceeded with.

The yeas were—

Senator Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Howland, Larrabee, Leavitt, Lowry, McIntyre, Miles, Murry, Read, Russell, Smith and Wonn—18.

The nays were—

Senator Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dagne, Dashiell, Dysart, Gault, Hurley, Kephart, Ketcham, Kinne, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Richards, Shane, Stuart, Taylor, Vale, West and Willett—28.

Absent or not voting—

Senator Allen, Ireland, Stone and Young—4.

So the motion to adjourn was lost.

Senator Murray moved a call of the Senate.

Senator Dysart raised the point of order that one-fourth of the Senate could not demand a call of the Senate.

The President decided the point of order not well taken.

Senator Campbell moved that the bill, substitute and reports of committee be made a special order for Tuesday next at 9:20 A. M. and continued from day to day until disposed of.

The motion prevailed.

Senator Murray withdrew his motion for a call of the Senate.

Senator Beardsley withdrew the motion for the previous question.

Senator Vale moved to discharge the order by which the Senate agreed to meet at 7 o'clock P. M.

Which motion was agreed to.

At 6:43, on motion of Senator Dashiell, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 15th, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Dr. J. R. Murphy.

The reading of the Journal was proceeded with, during which Senator Gault moved to dispense with the further reading, which motion did not prevail, and the Journal was read and approved.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked:

H. F. No. 203, A bill for an act to provide for the taking up of rafts, logs and sawed lumber.

Also, that the House of Representatives has passed without amendment the following bill:

S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26, laws of the 13th General Assembly, entitled an act to restrain stock from running at large.

JNO. J. SANELY, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Burke presented a petition from citizens of Howard county, asking for the passage of a law to prevent centralization of power in county seats.

Referred to committee on ways and means.

Senator Ketcham presented a petition from citizens, asking for liberal support to the educational interests of the State and especially the various departments of the State University.

Referred to committee on State University.

Senator McNutt presented a similar petition from citizens of Muscatine county.

Same reference.

Senator Miles was excused until Tuesday.

Senator Stuart was excused until Wednesday.

Senator Murray was excused until Wednesday.

INTRODUCTION OF BILLS.

By Senator Merrill: S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

Read first and second time and referred to committee on ways and means.

RESOLUTIONS.

Senator Beardsley offered the following resolution:

Resolved, by the Senate the House concurring, That the census board be and is hereby authorized to procure a portrait of the late Gov. James W. Grimes, which shall be placed in the capitol and become a portion of the property of the State.

Senator Lowry moved to amend by including all the deceased Governors of the Territory and State of Iowa.

Senator Fairall moved to refer the resolution to the committee on ways and means, which did not prevail.

Senator Lowry's amendment was lost.

Senator McNutt moved to amend by providing that the portrait shall not cost over \$250.

On this amendment the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Boomer, Burke, Campbell, Converse, Crary, Dysart, Fairall, Fitch, Gault, Kinne, Maxwell, McCormack, McNutt, Murray, Read, Shane, Smith, and Stuart—19.

The nays were—

Senators Atkins, Beardsley, Chambers, Claussen, Dague, Dashiell, Havens, Hurley, Kephart, Ketcham, Larrabee, Leavitt, Lowry, McCoid, McCulloch, McIntyre, Merrill, Miles, Richards, Russell, Stone, Taylor, Vale, West, Willett, Wonn, and Young—27.

Absent or not voting—

Senators Allen, Howland, Ireland, and McKean—4.

So the amendment did not prevail.

Senator McNutt moved to amend by providing that the portrait shall not cost over \$400.

On this question the yeas and nays were demanded, and

The yeas were—

Senator Bemis, Boomer, Burke, Campbell, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Kinne, Lowry, Maxwell, McCormack, McNutt, Murray, Read, Shane, Smith, and Stuart—21.

The nays were—

Senators Atkins, Beardsley, Chambers, Claussen, Dague, Havens, Hurley, Kephart, Ketcham, Larrabee, Leavitt, McCoid, McCulloch, McIntyre, Merrill, Miles, Richards, Russell, Stone, Taylor, Vale, West, Willett, Wonn, and Young—25.

Absent or not voting—

Senators Allen, Howland, Ireland, and McKean—4.

So the amendment did not prevail.

Senator Burke moved to amend by providing that it shall not cost over \$500.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Boomer, Burke, Campbell, Converse, Crary, Dashiell, Dysart, Gault, Lowry, Maxwell, McCormack, McKean, McNutt, Murray, Read, Shane, Smith, and Stuart—19.

The nays were—

Senators Allen, Atkins, Beardsley, Chambers, Claussen, Dague, Fairall, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee,

Leavitt, McCoid, McCulloch, McIntyre, Merrill, Miles, Richards, Russell, Stone, Taylor, Vale, West, Willett, Wonn, and Young—28.

Absent or not voting—

Senators Fitch, Howland, and Ireland—3.

So the amendment was lost.

On the adoption of the resolution the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Chambers, Claussen, Dagne, Dashiell, Fairall, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McIntyre, McKean, Merrill, Miles, Richards, Russell, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—37.

The nays were—

Senators Burke, Campbell, Converse, Crary, Dysart, McCormack, McNutt, Murray, Read, Shane, and Stuart—11.

Absent or not voting—

Senators Howland and Ireland—2.

So the concurrent resolution was adopted.

The hour for the special order having arrived, it being the joint resolution proposing to amend section 11, article 1, and section 13, article 5, of the constitution of the State of Iowa, with the report of the committee on constitutional amendments recommending the passage of a substitute, were taken up and considered.

Senator McNutt moved to strike out the first proposition of the substitute.

Senator Campbell moved to amend the amendment by striking out the word "first" and inserting the word "second," which motion did not prevail.

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Claussen, Crary, Fairall, Gault, Hurley, Ketcham, Larrabee, Lowry, Maxwell, McCoid, McIntyre, McKean, McNutt, Miles, Read, Richards, Russell, Shane, Stone, West and Willett—22.

The nays were—

Senators Allen, Bemis, Boomer, Campbell, Converse, Dagne, Dashiell, Dysart, Fitch, Havens, Kephart, McCormack, McCulloch, Murray, Smith, Taylor, Vale and Young—18.

Absent or not voting—

Senators Atkins, Burke, Chambers, Howland, Ireland, Kinne, Leavitt, Merrill, Stuart and Wonn—10.

So the amendment prevailed.

Senator Richards moved to amend by striking out all of the second proposition after the word "five."

Senator Willett moved to amend the amendment by striking out of the second proposition all after the word "thereof" and inserting the following:

"The General Assembly shall provide by law for the election, by the qualified electors of such districts as it may create for that purpose, of one prosecuting attorney who shall be a resident of the district for which he is elected and who shall hold his office for such term as the General Assembly shall determine, and whose duties and salary shall be fixed by law."

The amendment to the amendment was lost.

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Campbell, Gault, Larrabee, Richards, Stuart and Young—8.

The nays were—

Senators Allen, Atkins, Boomer, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Hurley, Kephart, Ketcham, Kinne, Lowry, Maxwell, McCormack, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West and Willett—34.

Absent or not voting—

Senators Burke, Chambers, Howland, Ireland, Leavitt, McCoid, McCulloch and Wonn—8.

So the amendment was not adopted.

The substitute was then adopted.

On motion of Senator Shane the rule was suspended and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Havens, Hurley, Kephart, Ketcham, Kinne, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, and Willett—35.

The nays were—

Senators Atkins, Campbell, Fitch, Gault, Larrabee, Maxwell, Miles, Richards, and Young—9.

Absent or not voting—

Senators Burke, Chambers, Howland, Ireland, Leavitt, and Wonn—6.

So the joint resolution passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General As-

sembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa, the abandonment by said city of its special charter, and of other acts of the authorities of said city.

H. F. No. 24, A bill for an act to provide for the establishment and maintenance of free public libraries in cities and incorporated towns.

H. F. No. 212, A bill for an act legalizing the formation of the independent school district No. 1, in Bloomfield township, Polk county, State of Iowa.

JNO. J. SAFELY, *Chief Clerk.*

On motion of Senator Gault, S. F. No. 210 was ordered printed. Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval, the following bills, viz:

H. F. No. 280, An act to authorize circuit judges to approve the bonds of county officers in certain cases.

Also, H. F. No. 144, An act to release the interest of the State of Iowa in certain lots in Estherville, &c.

Also, H. F. No. 249, An act to legalize the acts of the independent school district of Mason City.

A. CONFERSE, *Chairman.*

By leave, Senator McCoid introduced S. F. No. 213, A bill for an act amendatory of the acts now in force for the suppression of intemperance.

Read first and second time, ordered printed, and referred to committee on suppression of intemperance.

Senator Boomer, from the committee on medical institutions, submitted the following report:

MR. PRESIDENT:—Your committee on medical institutions, to whom was referred S. F. No. 27, and a substitute therefor, A bill for an act to prevent the sale of oils for illuminating purposes inflammable at a less temperature or fire test than 110 degrees Fahrenheit, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that S. F. No. 27 be amended as follows:

SEC. 3. The board of supervisors of each county in the State shall at their regular meeting in September, 1872, and every year thereafter, appoint some competent person to inspect and test every package or barrel of oil before it is offered for sale for lighting

purpose, who shall be styled and known as "county inspector." His duty shall be, when called on, to inspect and test any and every package of oil offered for inspection, and if the fire test shall be 110 degrees, Fahrenheit, he shall stencil on such package "inspected, 110 degrees—safe," and his name and title of office; and if the oil inspected is found to stand a higher test than 110 degrees, he shall mark the degree shown by the test. But if the inspection shall show a fire test below 110 degrees Fahrenheit, he shall stencil on such package "inspected, dangerous," and his name and title of office; and any person who shall offer for sale in any county of this State any product or compound of petroleum or coal oil that shall not have been inspected by the county inspector of some county in this State, and by him marked "safe," such person shall incur all the penalties of this act as heretofore mentioned. And any person who shall adulterate any oil after it has been inspected and marked "safe," by any county inspector, shall, upon conviction thereof, be deemed guilty of felony, and shall be fined in the sum of not more than \$500, and imprisonment in the penitentiary for not less than one nor more than five years.

SEC. 4. The county inspector shall receive as a compensation for his services the sum of 50 cents for every package inspected and tested by him, and ten cents a mile for going and coming, and three dollars per day in addition if he shall necessarily travel more than two miles to make an inspection, to be paid by the party requiring his services.

And that when so amended it do pass.

A. BOOMER, *Chairman.*

Ordered passed on file.

Senators McKean and Fairall were excused until Tuesday.

At 12 o'clock and 35 minutes, on motion of Senator West, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 16, 1872. }

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

Prayer by the Rev. M. L. Walters.

Journal of yesterday read and approved.

Senators Gault, Kinne, Chambers, and McCoid were granted leave of absence.

Senator Atkins was excused until Wednesday.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 175, A bill for an act providing for the organization of independent school districts.

H. F. No. 240, A bill for an act to amend chapter 172, laws of 9th General Assembly.

Also, that the House has passed without amendment the following bill:

S. F. No. 195, A bill for an act to legalize appropriations made and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.

JNO. J. SAFELY, *Chief Clerk.*

Senator Larrabee offered the following amendment to the second rule of the Senate:

“But when a quorum is in attendance no call shall be ordered unless demanded by a majority of those present.”

On motion of Senator Read the resolution was referred to a special committee of three.

PETITIONS AND MEMORIALS.

Senator Beardsley presented a petition from citizens of Des Moines county, protesting against the enactment of a license law.

Referred to committee on suppression of intemperance.

Senator McNutt presented a petition from citizens of Muscatine county, asking for liberal appropriations for the educational interests of the State, and especially of the various departments of the State University.

Referred to committee on State University.

RESOLUTIONS.

Senator Larrabee offered the following resolution:

Resolved, That from and after this date the Senate will hold two sessions per day as follows:

Commencing at 9 o'clock A. M., and hold till noon.

Commence at 2½ o'clock P. M., and hold till 5 o'clock P. M.

Senator Russell moved to amend by striking out the words “this date,” and inserting “Thursday next.”

The amendment did not prevail.

Senator West moved to amend by adding the words "except Thursday and Saturday afternoons," which was agreed to.

The resolution as amended was adopted.

Senator Larrabee offered the following resolution :

Resolved, That from and after March 25th, no bill shall be introduced but from a standing committee with the recommendation that it do pass.

The resolution was adopted.

Senator Fitch offered the following:

Resolved, That there be ordered printed 300 copies of S. F. No. 211.

The resolution was agreed to.

INTRODUCTION OF BILLS.

By Senator Fitch: S. F. No. 214, A bill for an act defining and limiting the number of trustees of State institutions and of the State University.

Read first, and second time, ordered printed and referred to committee on compensation of public officers.

HOUSE MESSAGES.

H. F. No. 203, A bill for an act to provide for the taking up of rafts and logs, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 240, A bill for an act to amend chapter 172, laws of the Ninth General Assembly, and the acts amendatory thereto, in relation to the voting and levying of school taxes, was taken up, read first and second time and referred to committee on schools.

H. F. No. 175, A bill for an act providing for the organization of independent school districts, was taken up, read first and second time and referred to committee on schools.

REPORTS OF COMMITTEES.

Senator Larrabee from the committee on ways and means submitted the following report :

MR. PRESIDENT—Your committee on ways and means, to whom was referred S. F. No. 124, A bill for an act providing for the manner in which appropriations may be made or debts contracted by counties, towns and cities not connected with their ordinary expenditures, and making provision for their payment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 115, A bill for an act to repeal section 752, revision of 1860, and to enact a section in lieu thereof, pertaining to the assessment of property and appeals therefrom, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 67, A bill for an act to amend chapter 115, acts of the Tenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Passed on file.

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 67, A bill for an act to amend chapter 115, acts of the Tenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the enclosed substitute to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred communication from the Governor, enclosing act of the New Jersey Legislature, with reference to completion of the Washington Monument, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on ways and means to whom was referred resolution, instructing it to inquire into the propriety of changing the revenue laws, so as to adopt an *ad valorem* system of graduated taxation, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Merrill, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. MERRILL, *for Committee.*

Ordered passed on file.

Senator Beardsley, from the committee on schools, submitted the following report :

MR. PRESIDENT:—Your committee on schools, to whom was referred Sub. for H. F. No. 125, A bill for an act to legalize the organization and issuing of bonds of the independent school district of New Cherokee, Cherokee county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your committee on schools, to whom was referred S. F. No. 135, A bill for an act to amend an act passed April 8th, 1862, in relation to schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on schools, to whom was referred H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Hurley, from the committee on judiciary, submitted the following report :

MR. PRESIDENT—Your committee on judiciary, to whom was recommitted S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860, so as to limit the venue in actions upon negotiable paper to a county wherein some of the makers

shall reside, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding after the word "paper," in the fourth line thereof, the words "except when made payable at a particular place," and when the bill is so amended that the same do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary to whom was referred a report of the proceedings of the grand jury of Scott county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying bill, and recommend the passage of the bill.

JAMES S. HURLEY, *Chairman.*

The bill reported by the committee was numbered S. F. No. 212, and entitled an act to amend chapter 148 of the Thirteenth General Assembly.

Read first and second time and passed on file.

Senator Maxwell, from the committee on the agricultural college, submitted the following report:

MR. PRESIDENT:—Your committee on agricultural college, to whom was referred S. F. No. 147, A bill for an act to empower the board of trustees of the agricultural college to grant diplomas to the students therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. M. MAXWELL, *Chairman.*

Ordered passed on file.

The President announced Senators Read, Larrabee and Richards as the special committee on the amendment to the second rule of the Senate.

S. F. No. 18, A bill for an act for the relief of Jasper county, Iowa, for money stolen from the county safe, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

On motion of Senator Campbell the further consideration of bill and report was postponed one week.

H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Fitch the rule was suspended and the bill read a third time.

On the question; "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Fitch, Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, and Young—37.

The nays were none.

Absent or not voting—

Senators Atkins, Chambers, Dysart, Fairall, Gault, Howland, Kephart, McCoid, McKean, Miles, Murray, Stuart, and Wonn—13.

So the bill passed and the title agreed to.

H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa, with report of committee recommending its passage, was taken up, read, and ordered passed on file.

S. F. No. 61, A bill for an act for the relief of Marion county, with report of committee recommending its indefinite postponement, was taken up.

On motion of Mr. Campbell this bill, and all other bills for the relief of counties, were made the special order for Thursday next at 2:30 o'clock p. m.

H. F. No. 242, A bill for an act to legalize the acts of J. L. Coble, acting as justice of the peace in Kane township, in Benton county, with report of committee recommending it do not pass, was taken up.

On motion of Senator Burke it was re-committed to committee on judiciary.

H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Stone the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Fitch, Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Richards, Russell, Smith, Stone, Taylor, Vale, Willett, and Young—35.

The nays were none.

Absent or not voting—

Senators Atkins, Chambers, Dysart, Fairall, Gault, Howland, Kephart, McCoid, McKean, Miles, Murray, Shane, Stuart, West, and Wonn—15.

So the bill passed and the title was agreed to.

H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, Iowa, with report of committee recommending its passage, was taken up and considered.

Senator Richards moved to recommit to committee on schools, which did not prevail.

On motion of Senator Dashiell the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Converse, Crary, Dague, Fitch, Havens, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McIntyre, McNutt, Merrill, Read, Smith, Stone, Taylor, West, and Young—24.

The nays were—

Senators Boomer, Campbell, Claussen, Dashiell, Hurley, Ireland, Ketcham, McCormack, Richards, Shane, Vale, and Willett—12.

Absent or not voting—

Senators Atkins, Chambers, Dysart, Fairall, Gault, Howland, Kephart, McCoid, McKean, Miles, Murray, Russell, Stuart, and Wonn—14.

So the bill having failed to receive a constitutional number of votes it was declared lost.

Senator Dashiell moved to reconsider the vote by which the bill was defeated, which motion prevailed.

On motion of Senator Stone the vote by which the bill was ordered read a third time was reconsidered.

On motion of Senator Stone the further consideration of the bill was postponed until Wednesday next at 8 o'clock P. M.

S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Merrill the rule was suspended and bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Fitch, Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Richards, Shane, Smith, Stone, Taylor, Vale, and Young—34.

The nays were none.

Absent or not voting—

Senators Atkins, Chambers, Dysart, Fairall, Gault, Howland, Kephart, McCoid, McKean, Miles, Murray, Russell, Stuart, West, Willett, and Wonn—16.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 125, A bill for an act to legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Cherokee county, Iowa, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Beardsley the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Fitch, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Shane, Smith, Stone, Taylor, Vale, Willett, and Young—33.

The nays were—

Senator Richards—1.

Absent or not voting—

Senators Atkins, Chambers, Dysart, Fairall, Gault, Havens, Howland, Kephart, McCoid, McKean, Miles, Murray, Russell, Stuart, West, and Wonn—16.

So the bill passed and the title was agreed to.

H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Richards, the 2d section was amended by adding after the word "Leader," "without expense to the State."

On motion of Senator Beardsley, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Richards, Shane, Smith, Taylor, Vale, West, Willett, and Young—31.

The nays were none.

Absent or not voting—

Senators Atkins, Chambers, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, McCoid, McKean, Miles, Murray, Russell, Stone, Stuart, and Wonn—19.

So the bill passed and the title was agreed to.

Senator Burke, from the committee on incorporations, submitted the following report:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred S. F. No. 107, A bill for an act to repeal section 1043, of the revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be

amended as follows: Strike out of the 14th and 15th lines of the printed bill, the words "and that the territory proposed to be annexed has been laid out in lots or blocks." Add at the end of the bill the following: *Provided*, That nothing contained in this act shall be construed to authorize or permit the annexation of any farming land or suburban property not laid out in lots or blocks, or any such land or suburban property which if so laid out shall not contain more than twenty-five lots to each forty acres of land so laid out and sought to be annexed, unless a majority of the persons owning the property proposed to be annexed desire such annexation, and that when thus amended the bill do pass.

JOHN E. BURKE, *Chairman*.

Ordered passed on file.

On motion of Senator Beardsley, S. F. No. 170, A bill for an act to provide a system of public instruction, with report of committee recommending amendments was taken up and considered.

The amendments reported by the committee were adopted.

Senator Campbell moved to amend by striking out the word "clerk" wherever it occurred in the bill and inserting "auditor." The amendment was agreed to.

Senator Beardsley moved to suspend the rule and read the bill a third time now.

The motion prevailed, and the Secretary proceeded to the reading, pending which, on motion of Senator Maxwell, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 18, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Morgan.

Journal of Saturday read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 169, A bill for an act to amend chapter 98 of the acts of the Twelfth General Assembly.

Also, H. F. No. 170, A bill for an act to relinquish an escheat in Des Moines county to John Parrott.

Also, H. F. No. 343, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly, in relation to schools.

Also, the House has passed without amendment :

S. F. No. 102, A bill for an act legalizing the acts of the board of trustees of New Albany township, Story county, Iowa.

Also, the House has receded from its amendment to resolution authorizing distribution of White's Geological Survey.

BENJ. VAN STEINBERG, *Assistant Clerk.*

PETITIONS AND MEMORIALS.

Senator Dysart presented a petition from citizens of Poweshiek county asking for liberal appropriations for the educational interests of the State, and especially those of the State University.

Referred to committee on state university.

Senator Ireland presented a similar petition from citizens of Clinton county.

Referred to same committee.

Senator McNutt presented a similar petition from citizens of Muscatine and Louisa counties.

Same reference.

RESOLUTIONS.

Senator Shane offered the following resolution :

Resolved, That the joint committee heretofore appointed to investigate the character of the work and materials furnished and used on the foundation of the new capitol building, and the plans, contracts and acts of the board of commissioners, be and are hereby authorized and empowered to have the testimony taken in said investigation printed for the use of said committee, and the use of the Senate.

Senator Smith introduced a joint resolution asking for the establishment of a mail route from Bedford to Leon.

Read first and second time, and on motion of Senator Smith the rule was suspended and the joint resolution read a third time.

On the question " Shall the joint resolution pass ? "

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, Willett and Young

—36.

The nays were none.

Absent or not voting—

Senator Allen, Chambers, Dashiell, Fairall, Howland, Kephart, Ketcham, McCoid, McKean, Miles, Murray, Stuart, West and Wonn—14.

So the joint resolution passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 169, A bill for an act to amend chapter 98, of the acts of the 12th General Assembly, in relation to the indebtedness of school districts was taken up, read first and second time, and referred to committee on schools.

H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county, to John Parrott, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 343, A bill for an act to amend chapter 143, of the acts of the 11th General Assembly, in relation to schools, was taken up and read first and second time and referred to committee on schools.

REPORTS OF COMMITTEES.

Senator Lowry, from the committee on railroads, submitted the following report :

MR. PRESIDENT:—Your committee on railroads, to whom was referred a resolution requiring railroad companies to attach to passenger trains steam or air brakes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution be indefinitely postponed.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your committee on railroads, to whom was referred H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved March 28, 1864, and legalizing contracts made within the limits of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on railroads to whom was referred S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river, beg leave to report that that they have had the same under consideration, and a majority of

the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Senator Atkins, from the joint committee appointed to visit the Soldiers' Orphan's Home at Davenport, submitted a report, which was laid on the table, and ordered printed.

BILLS ON THIRD READING.

S. F. No. 170, A bill for an act to provide a system of public instruction, was taken up.

Senator McNutt moved to reconsider the vote by which the bill was ordered to a third reading.

On motion of Senator McCulloch the further consideration of the motion was postponed until 2:30 o'clock P. M.

BILLS ON SECOND READING.

S. F. No. 42, A bill for an act abolishing the argument terms of the supreme court at Davenport, and for the holding of the supreme court at Iowa City, with the report of the committee reporting it back without recommendation, was taken up, and on motion passed on file.

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies and other incorporated bodies for violation of of the criminal laws of this State, was taken up and passed on file.

S. F. No. 108, A bill for an act to exempt new townships from taxation in aid of railroads in certain cases, with report of committee recommending that it be indefinitely postponed, was taken up and passed on file.

Resolution in relation to the repeal of chapter 118 of the acts of the Eleventh General Assembly, with report of committee recommending that the subject matter had been reported upon in a former report, was taken up and considered.

Senator Burke moved to indefinitely postpone the resolution.

On motion of Senator Beardaley the resolution was re-committed to the committee on printing.

H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Fitch moved to amend by inserting after the word "town," in the first line, the words "and townships and road districts."

The amendment was disagreed to.

On motion of Senator Leavitt the further consideration of the bill was postponed until Wednesday next.

H. F. No. 93, A bill for an act to amend chapter 153, of the laws of the Thirteenth General Assembly, in relation to circuit courts and juries therein, with report of committee recommending that it do not pass, was taken up and considered.

Senator Richards moved to amend by striking out all of the first section after the word "hereby," and inserting the following:

"Repealed and the following enacted in lieu thereof. That no jury shall be summoned to attend the circuit courts except for the 1st and 3d terms thereof held in each year, but this section shall not apply to any county having a population of 20,000 or more unless the same has two county seats."

Senator McNutt moved to amend the amendment by striking out "20" and inserting "30."

On the adoption of the amendment to the amendment the yeas and nays were demanded, and

The yeas were—

Senators Campbell, Crary, Hurley, McCormack, McNutt, Read, Shane, Smith, West, and Young—10.

The nays were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Clausson, Converse, Dagne, Dysart, Fitch, Gault, Havens, Ireland, Kinne, Leavitt, Lowry, Maxwell, McCulloch, McIntyre, Merrill, Richards, Russell, Stone, Vale, and Willett—26.

Absent or not voting—

Senators Chambers, Dashiell, Fairall, Howland, Kephart, Ketcham, Larrabee, McCoid, McKean, Miles, Murray, Stuart, Taylor, and Wonn—14.

So the amendment to the amendment did not prevail.

Senator Young moved to amend the amendment by striking out "20" and inserting "25."

The amendment was lost.

On the adoption of the amendment the yeas and nays were demanded; and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Clausson, Dagne, Dysart, Fitch, Hurley, Ireland, Leavitt, Maxwell, McCulloch, McIntyre, Merrill, Richards, Russell, Stone, and Vale—19.

The nays were—

Senators Allen, Burke, Campbell, Converse, Crary, Gault, Havens, Kinne, Lowry, McCormack, McNutt, Read, Shane, Smith, West, Willett and Young—17.

Absent or not voting—

Senators Chambers, Dashiell, Fairall, Howland, Kephart, Ketcham, Larrabee, McCoid, McKean, Miles, Murray, Stuart, Taylor, and Wonn—14.

So the amendment was adopted.

On the question, "Shall the bill be engrossed for a third reading?" the yeas and were demanded, and,

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Claussen, Dague, Dysart, Fitch, Gault, Hurley, Larrabee, Leavitt, Maxwell, McCulloch, McIntyre, Merrill, Richards, Russell, Smith, Stone, Vale, and Young—22.

The nays were—

Senators Allen, Burke, Campbell, Converse, Crary, Havens, Ireland, Kinne, Lowry, McCormack, McNutt, Read, Shane, West, and Willett—15.

Absent or not voting—

Senators Chambers, Dashiell, Fairall, Kephart, Ketcham, McCoid, McKean, Miles, Murray, Stuart, Taylor, and Wonn—13.

So the bill was ordered engrossed for a third reading.

At 12 o'clock M., on motion of Senator Beardsley, the Senate adjourned.

TWO-AND-A-HALF O'CLOCK P. M.

Senate met pursuant to adjournment, the President in the chair. Senators Gault and Taylor were excused for the day.

Senator Larrabee offered the following resolution:

Resolved by the Senate, the House concurring, That the Fourteenth General Assembly will adjourn sine die on Tuesday, the 16th day of April next, at 12 o'clock, noon.

Senator West moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Beardsley, Boomer, Claussen, Dague, Dashiell, Fitch, Havens, Ireland, Lowry, Maxwell, McCulloch, McIntyre, McNutt, Merrill, Read, Smith, and West—17.

The nays were—

Senators Atkins, Bemis, Burke, Campbell, Converse, Crary, Hurley, Kinne, Larrabee, Leavitt, McCormack, Richards, Russell, Shane, Stone, Vale, Willett, and Young—18.

Absent or not voting—

Senators Allen, Chambers, Dysart, Fairall, Gault, Howland, Kephart, Ketcham, McCoid, McKean, Miles, Murray, Stuart, Taylor, and Wonn—15.

So the motion to lay on the table did not prevail.

On motion of Senator Beardsley, the further consideration of the resolution was postponed until Wednesday next, at 2½ o'clock P. M.

The question of reconsidering the vote by which S. F. No. 170 was ordered to a third reading, was decided in the affirmative.

Senator Richards moved to recommit to the committee on schools, with instructions.

On which the yeas and nays were demanded, and

The yeas were—

Senators Dashiell, Kinne, McCulloch, Richards, and Shane—5.

The nays were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claassen, Converse, Crary, Dague, Fitch, Havens, Hurley, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McIntyre, McNutt, Merrill, Read, Smith, Stone, Vale, West, and Willett—28.

Absent or not voting—

Senators Chambers, Dysart, Fairall, Gault, Howland, Ireland, Kephart, Ketcham, McCoid, McKean, Miles, Murray, Russell, Stuart, Taylor, Wonn, and Young—17.

So the motion to refer did not prevail.

On motion of Senator Hurley, the bill was referred to the joint special committee on revision.

At 4 o'clock P. M., Senator Maxwell moved that the Senate adjourn.

On this question, the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Burke, Dague, Dashiell, Havens, Hurley, Ireland, Kinne, Lowry, Maxwell, McCormack, McIntyre, Read, Richards, Russell, Smith, Stone, West, and Willett—21.

The nays were—

Senators Beardsley, Boomer, Campbell, Claassen, Converse, Crary, Fitch, Larrabee, Leavitt, McCulloch, McNutt, Merrill, Shane, Vale, and Young—15.

Absent or not voting—

Senators Chambers, Dysart, Fairall, Gault, Howland, Kephart, Ketcham, McCoid, McKean, Miles, Murray, Stuart, Taylor, and Wonn—14.

So the motion to adjourn was agreed to, and the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 19, 1872. }

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

Prayer by the Rev. Mr. Dimmitt.

On motion of Senator Shane the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 73, A bill for an act to amend section 2, chapter 173, laws of the 9th General Assembly.

H. F. No. 129, A bill for an act to amend section 3, chapter 158 laws of the 13th General Assembly.

H. F. No. 204, A bill for an act to amend section 835, of the revision of 1860.

H. F. No. 237, A bill for an act to legalize the donation of the swamp lands and swamp land funds of Hamilton county, Iowa.

H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock county, Iowa, to B. L. Patch.

H. F. No. 349, A bill for an act to legalize the vacation of the town plat of Wittemburg.

Also, I present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House of Representatives.

H. F. No. 225, A bill for an act to legalize the acts of the trustees, mayor and recorder of the town of Sharon, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

PETITIONS AND MEMORIALS.

Senator Miles presented a petition from physicians and citizens of Washington county asking liberal appropriations to all departments of the State University.

Referred to committee on State University.

Senator Stone presented a petition from T. B. Hart and others on same subject, referred to same committee.

Senator McCormack presented a petition from the legal voters of sub-district No. 11, Knoxville township, Marion county, Iowa, asking for an independent school district.

Referred to committee on schools.

INTRODUCTION OF BILLS.

By Senator Russell: S. F. No. 216, A bill for an act providing that district and circuit judges shall fix time of holding courts in their respective districts and circuits.

Read first and second time, and referred to committee on judiciary.

By Senator Hurley: S. F. No. 217, A bill for an act to prevent the sale or giving away any intoxicating liquors to certain classes of persons.

Read first and second time, and referred to committee on suppression of intemperance.

RESOLUTIONS.

Senator Shane offered the following :

Resolved, That the committee on judiciary be and are hereby instructed to prepare and report a bill to the Senate, abolishing the death penalty for the violation of the laws of this State, and modifying the existing laws relating to pardoning power.

Senator McNutt moved to amend by inserting the words, "inquire into the right and expediency of."

Pending which, the hour for the special order having arrived it being S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon, reported by railroad committee, and S. F. No. 121, A bill for an act to establish a board of railroad commissioners and for regulation of freight charges.

The special order was on motion of Senator Shane, postponed 5 minutes.

Senator Shane moved to postpone the further consideration of the resolution until Friday next at 11 o'clock A. M., which motion prevailed.

The special order, S. F. No. 121, and S. F. No. 211, was then taken up.

The question being on the motion of Senator Murray to substitute the consideration of S. F. No. 121 for S. F. No. 211.

On which question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Claussen, Crary, Fairall, Fitch, Havens, Hurley, Ireland, Larrabee, Leavitt, Lowry, McCoid, McIntyre, Murray, Read, Smith, Stone and Wonn—19.

The nays were—

Senators Beardsley, Bemis, Burke, Campbell, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Kinne, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Russell, Shane, Taylor, Vale, West and Willet—25.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, Stuart and Young—6.

So the motion did not prevail.

S. F. No. 211 was then considered by sections.

Senator West moved to amend the 3d section by striking out in second and third lines the words "loaded and unloaded at the expense of the shipper," which was agreed to.

Also, to strike out the words "per car and," in third line of same section, which prevailed.

Senator West moved to amend the 4th section by striking out the words "loaded and unloaded at the expense of the shipper," in the first and second lines.

The motion prevailed.

Senator Dysart moved to amend the 7th section by striking out of the first line the words "coal and," which was agreed to.

On motion of Senator West, the words "loaded and unloaded at the expense of the shipper," were stricken out of the second line of same section.

Senator Dysart moved to strike out section 10 and insert the following:

"SEC. 10. For the transportation of coal, undressed stone and sand, one third less per car per ton per mile than is charged for the transportation of wheat," which was agreed to.

On motion of Senator Vale, the 11th section was amended by inserting after the word "State," in the eleventh line thereof, the following: "Together with reasonable attorneys' fees, to be taxed as part of the costs in the case by the court trying the same, and reasonable attorney's fees to be taxed as costs in each and every appellate court to which said action may be appealed."

Senator Wonn moved to strike out section 12, which was not agreed to.

Senator Willett moved to amend the 13th section by inserting after the word "act," in first line, the words "except as herein-after provided;" and add at end of the section, the words "any railroads where gross earnings reckoned as aforesaid shall not equal the sum of \$4,000 per mile, as aforesaid, and shall equal or exceed the sum of \$3,500 per mile, is hereby authorized to add to the rates hereinbefore provided, an amount not to exceed 12½ per cent., and any railroad whose gross earnings reckoned as aforesaid shall not equal the sum of \$3,500 per mile, and shall equal or exceed the sum of \$3,000 per mile reckoned as aforesaid, are hereby authorized to add to the rates hereinbefore provided, an amount not to exceed 20 per cent."

Senator McCormack moved to strike out section 13.

The motion was lost.

The question being on the amendment offered by Senator Willett, it was agreed to.

MESSAGE FROM THE HOUSE.

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 S. F. No. 65, A bill for an act making an additional appropriation for the Insane Asylum at Independence, with the following amendment: Strike out the words "and from," in the fourth line of section 1, in which the concurrence of the Senate is asked.

BENJ. VAN STEINBURG, *Ass't. Clerk.*

Senator Stone moved to amend by adding the following sections:

SEC. 14. At the next general election after the taking effect of this act there shall be elected by the qualified electors of the State three commissioners, whose duty it shall be to see that this law is faithfully executed; and in case said commissioners shall at any time be satisfied that the rates and tariffs fixed by this act are not reasonable and just, they shall readjust the same, and cause such readjustment to be printed and certified by their chairman to the proper officers of the company whose line or lines such readjustment will effect. Any change, readjustment, or modification by said commissioners of the rates and tariffs herein fixed shall be as valid until changed by them, as if the same had been established by law, and the rates and tariffs fixed by this act shall have no force or effect after the same shall have been changed, modified, or readjusted by said commissioners. Before entering upon their duties said commissioners shall take the oath of office, and shall hold their office two years, unless removed for cause.

SEC. 15. In fixing a tariff or rates, or in changing or modifying the same, it shall be the duty of the commissioners to adjust the same on a fair, reasonable and equitable basis, allowing a just and reasonable compensation for the service rendered. Each of said commissioners shall receive the sum of three thousand dollars per annum for their services, payable quarterly. They shall hold their sessions at such places as may to them seem proper, and shall receive mileage at the rate of five cents per mile for each mile traveled. Said commissioners shall have full power to inquire into all facts pertaining to the management of railroad companies, and their rate of charges, necessary to enable them to properly discharge their duties under this act.

SEC. 16. The violation of any regulation or order of said commissioners, made in pursuance of the provisions of this act, shall be visited by the same punishment and penalty prescribed in section 11 of this act.

SEC. 17. Said commissioners shall make a full report to the General Assembly of all their acts and doings in pursuance of this act, which report shall be printed and published at least three months prior to each meeting of the General Assembly; and each change, modification, or readjustment of rates or tariffs made in pursuance of the provisions of this act shall be printed, signed by the chairman of said commission, and conspicuously posted up by the railroad company at each depot along the line of the road affected by the same.

SEC. 18. Any commissioner appointed under the provisions of this act who shall be guilty of being bribed in a matter pertaining to his duties herein prescribed, shall be punished by imprisonment in the penitentiary not exceeding ten years.

Pending which the hour for the special order, it being S. F. No.

50, A bill for an act to enlarge the Iowa institution for the blind and for other purposes.

S. F. No. 197, A bill for an act making further appropriations for the insane asylum at M. Pleasant.

And S. F. No. 190, A bill for an act making appropriations for the agricultural college and farm, having arrived, on motion they were continued and made special orders to be taken up in the order named as soon as S. F. No. 211 should be disposed of.

The question being on the adoption of the amendment offered by Senator Stone.

Pending which the hour of adjournment having arrived the President declared the Senate adjourned until 2½ o'clock this afternoon.

TWO O'CLOCK AND THIRTY MINUTES.

Senate convened and was called to order by the President.

Senator Converse from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

S. F. No. 105, A bill for an act to legalize the acts of the trustees of New Albany township, Story county, Iowa.

S. F. No. 195, A bill for an act to legalize appropriations made and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.

S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26, of the laws of the Thirteenth General Assembly, entitled an act to restrain stock from running at large.

A. CONVERSE, *Chairman.*

Senator Larrabee asked and obtained leave to call up S. F. No. 65, A bill for an act making additional appropriations for the Iowa Hospital for the Insane at Independence.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards,

Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Stuart—5.
So the Senate concurred in the House amendments.

Senator Ketcham was excused.

The question being on the adoption of the amendments proposed by Senator Stone, the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Dagne, Dashiell, Fairall, Fitch, Havens, Ireland, Larrabee, Leavitt, Lowry, McCoid, McIntyre, Murray, Read, Russell, Stone, Taylor, and Wonn—22.

The nays were—

Senators Beardsley, Burke, Campbell, Converse, Dysart, Gault, Hurley, Kephart, Kinne, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Smith, Vale, West, Willett, and Young—23.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Stuart—5.
So the amendment was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery.

H. F. No. 195, A bill for an act to legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Cherokee county, Iowa.

JNO. J. SAFELY, *Chief Clerk.*

The consideration of S. F. No. 211, was resumed.

Senator Willett offered the following amendment :

Sec. 13. It shall be the duty of every corporation or person owning or operating a railroad in this State whose line extends into or through any other State or States to report to the Secretary of State, and to the Auditor of each county in this State through which their road may pass, their tariff of rates for the transportation of all kinds of freight on that portion or those portions of their road beyond the limits of this State which said report shall

be sworn to by the president or general manager of the road. Any changes made from time to time in said rates shall be verified and reported in like manner as soon as made. And no such railroad corporation or person shall, either directly or indirectly, charge and collect more for the transportation of any kind and quantity of freight over any portion of said railroad lying within this State than for the transportation of the same quantity of like freight, whether by special contract or when a drawback is allowed after deducting the amount of such drawback, over a longer distance on the same line of railroad whether the same is within, or partly within and partly without the State, this restriction shall apply to all railroads without reference to the gross earnings of the same. Any such corporation or person failing to file the reports provided for in this section for one month after the taking effect of this act or failing to file the report of their changes of rates as herein provided, shall be subject to indictment in any county in the State through which their road may pass and on conviction thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars for each month during which such neglect shall continue. When a railroad in this State is operated and controlled in connection with any road or roads out of this State by the same corporation or person, they shall, for the purposes of this section be regarded as one road without regard to the question of ownership or nature of the connection.

On the adoption of this amendment the yeas and nays were demanded, and

The yeas were -

Senators Beardsley, Burke, Campbell, Converse, Dagne, Dashiell, Dysart, Fitch, Gault, Kephart, Larrabee, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Richards, Shane, Taylor, Vale, West and Willett—24.

The nays were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Fairall, Havens, Hurley, Ireland, Kinne, Leavitt, Lowry, McIntyre, Merrill, Murray, Read, Russell, Smith, Wonn and Young—20.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, Stone and Stuart—6.

So the amendment was adopted.

On motion of Senator Willett certain sections were transposed.

Senator Murray offered a substitute for the bill.

Senator Gault moved that the Senate adjourn.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Bemis, Burke, Fairall, Gault, Kephart, McCoid, McCormack, McCulloch, Miles, Read, Richards, Taylor, Vale, and Wonn—15.

The nays were—

Senators Atkins, Beardsley, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McIntyre, McKean, McNutt Merrill, Murray, Russell, Shane, Smith, Stone, West, Willett, and Young—30.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Stuart—5.

So the motion did not prevail.

Senator Beardsley moved the previous question.

The call for the previous question was sustained, and the main question ordered.

On the adoption of the substitute offered by Senator Murray, the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Hurley, Ireland, Larrabee, Leavitt, McCoid, McIntyre, Miles, Murray, Read, Russell, Smith, Stone, Wonn and Young—22.

The nays were—

Senators Beardsley, Burke, Campbell, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Richards, Shane, Taylor, Vale, West and Willett—23.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham and Stuart—5.

So the substitute was lost.

On the question "Shall the bill be engrossed for a third reading?"

The yeas were—

Senators Beardsley, Burke, Campbell, Converse, Dague, Dashiell, Dysart, Gault, Hurley, Kephart, Kinne, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Richards, Shane, Vale, West, and Willett—23.

The nays were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Ireland, Larrabee, Leavitt, Lowry, McIntyre, Miles, Murray, Read, Russell, Smith, Stone, Taylor, Wonn, and Young—22.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Stuart—5.

So the bill was ordered engrossed for a third reading.

Senator Cambell moved that the Senate adjourn.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Burke, Campbell, Converse, Dague, Dashiell, Dysart, Gault, Hurley, Kephart, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Richards, Shane, Taylor, Vale, West, and Willett—23.

The nays were—

Senators Allen, Atkins, Claussen, Crary, Fairall, Fitch, Havens, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, McIntyre, Miles, Murray, Read, Russell, Smith, Stone, Wonn, and Young—22.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Stuart—5.
So the motion prevailed, and the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 20th, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Morgan.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 221, A bill for an act to amend section 2 of chapter 100, laws of the 12th General Assembly.

H. F. No. 138, A bill for an act to amend section 2, chapter 177, of the acts of the 13th General Assembly.

H. F. No. 308, A bill for an act to provide seals for the office of county recorders.

Substitute for H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys, and repealing certain laws relating thereto.

BENJ. VAN STEINBURG, *Ass't Clerk.*

REPORT OF COMMITTEE.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they did, on the 19th inst., present to the Governor for his approval, the following bills, viz:

S. F. No. 24, An act to provide for the establishment and maintenance of free public libraries.

H. F. No. 269, An act to legalize the annexation of territory to the city of Pella, Iowa.

H. F. No. 212, An act legalizing the formation of independent school district No. 1, in Bloomfield township, Polk county, Iowa.

H. F. No. 225, An act to legalize the acts of the trustees, mayor and recorder of the town of Sharon, Iowa.

S. F. No. 65, An act making an additional appropriation for the Iowa Hospital for the Insane at Independence.

A. CONVERSE, *Chairman.*

The hour for the special order having arrived, it being S. F. No. 50, A bill for an act to enlarge the Iowa Institution for the Education of the Blind, and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments, and a printing press for the use of the blind, with report of committee recommending its passage, it was taken up and considered.

On motion of Senator Shane the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Claassen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McOoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Howland, Ketcham, and Stuart—6.

So the bill passed and the title was agreed to.

On motion of Senator Russell, special order, being the bills relating to chapter 45 of the revision of 1860, was postponed until Thursday, March 28, and made the special order for 10 o'clock A. M. of that day.

The special order, being S. F. No. 197, A bill for an act making further appropriations for the hospital for the insane, at Mount Pleasant, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator Beardsley the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell,

Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Taylor, Vale, West, Willett, and Wonn—42.

The nays were none.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, McCormack, Russell, Stuart, and Young—8.

So the bill passed and title was agreed to.

The special order, being S. F. No. 190, A bill for an act making appropriations for the agricultural college and farm, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Larrabee the bill was considered by sections.

Senator Vale moved to amend the first section by inserting after the word "laboratory" the word "building."

Senator Campbell moved to amend the amendment by striking out of the first section the words "For the building of a physical laboratory, \$45,000."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Bemis, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Havens, Ireland, Kephart, Lowry, McCoid, McCormack, McIntyre, McNutt, Merrill, Read, Shane, Smith, Stuart, West, and Young—23.

The nays were—

Senators Atkins, Beardsley, Crary, Dysart, Fitch, Gault, Hurley, Larrabee, Maxwell, McCulloch, McKean, Miles, Murray, Richards, Russell, Taylor, Vale, Willett, and Wonn—19.

Absent or not voting—

Senators Boomer, Chambers, Fairall, Howland, Ketcham, Kinne, Leavitt, and Stone—8.

So the amendment to the amendment prevailed, and the amendment as amended was agreed to.

Senator Campbell moved to amend by striking out of the first section the words "for an additional professor's house \$4,500."

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Hurley, Kephart, Lowry, McCoid, McCormack, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Vale, and Young—28.

The nays were—

Senators Burke, Gault, Larrabee, Leavitt, Maxwell, McCulloch, McIntyre, Richards, Russell, Stuart, Taylor, West, Willett and Wonn—14.

Absent or not voting—

Senators Boomer, Chambers, Fairall, Howland, Ireland, Ketcham, Kinne, and Stone—8.

So the amendment prevailed.

Senator Beardsley moved to amend by adding to section 1 the following: "for an addition to the laboratory building \$40,000."

Senator Vale moved to amend the amendment by striking out "\$40,000 and inserting \$25,000."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Claussen, Converse, Crary, Dague, Dysart, Gault, Kinne, Lowry, McCoid, Merrill, Miles, Murray, Stuart, Vale, West, and Willett—17.

The nays were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Dashiell, Fitch, Havens, Hurley, Ireland, Kephart, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Read, Richards, Russell, Shane, Smith, Taylor, Wonn and Young—27.

Absent or not voting—

Senators Boomer, Chambers, Fairall, Howland, Ketcham, and Stone—6.

So the amendment to the amendment did not prevail.

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Converse, Dysart, Gault, Hurley, Kinne, Larrabee, Maxwell, McCulloch, McIntyre, Miles, Murray, Richards, Russell, Stuart, Taylor, West Willett and Wonn—19.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Campbell, Claussen, Crary, Dague, Dashiell, Fitch, Havens, Ireland, Kephart, Lowry, McCoid, McCormack, McKean, McNutt, Merrill, Read, Shane, Smith, Vale, and Young—24.

Absent or not voting—

Senators Boomer, Chambers, Fairall, Howland, Ketcham, Leavitt, and Stone—7.

So the amendment was lost.

Senator Larrabee moved to suspend the rule and read the bill a third time, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McIntyre, McKean, McNutt, Mer-

rill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Boomer, Chambers, Fairall, Howland, Ketcham, McCoid, McCormack, and Stone—8.

So the bill passed and the title was agreed to.

Senator Larrabee, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation and releasing certain taxes herein named, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows :

Amend section first, second line, by striking out the words "during the month" and inserting the words "on the first Monday;" also strike out in same line the words "the value of."

Amend section two by striking out all of the first line and all in the second line to the word "it."

Amend fourth and fifth lines of section three by striking out the words "estimating the value of" and inserting the word "assessing;" also the sixth line by striking out the words "then last past" and inserting the word "preceding;" also the ninth line by striking out the word "portion" and inserting the word "part."

Amend section four, first line, by striking out the words "after such assessment is completed" and inserting the words "on or before the 15th day of March;" also in second line by striking out the words "or any part of which" and the words "of the;" also the third line by striking out all to the words "the length" and inserting the word "showing" before the words "the length;" also in fourth line, by inserting after the word "county" the following: "and the assessed value per mile of said road as fixed by a pro rata distribution per mile of the assessed value of the whole property named in section three of this act."

Amend section five, third line, by striking out the words "of such road" and inserting the words "and assessed value of such road lying;" also in same line by striking off the letter "s" from the word "districts;" also fourth line by striking out the words "and the taxable value per mile of said road;" also in same line by striking out the words "a pro rata" and inserting the word "the;" also in fifth line by striking out the word "order" and inserting the word "amount;" also in sixth line by inserting the word "all" between the words "for" and "taxable."

Amend section six by striking out the word "valuation" in the fifth line, and insert in place thereof the word "assessment."

LARRABEE, *Chairman.*

At 12 o'clock M., the President declared the Senate adjourned until 2½ o'clock P. M.

TWO AND-A-HALF O'CLOCK P. M.

Senate met pursuant to adjournment, the President in the chair. By leave Senator McNutt introduced S. F. No. 218, A bill for an act to more effectually protect the ballot.

Read first and second time.

Senator McNutt moved that the rule be suspended and the bill read a third time.

Senator West moved to amend by referring to the committee on elections.

The amendment prevailed, and the motion as amended was agreed to.

Senator West, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred S. F. No. 82, A bill for an act authorizing the purchase and improvement of county agricultural fair grounds, beg leave to report that they have had the same under consideration, and have prepared a substitute, and have instructed me to report the same back to the Senate, with the recommendation that the substitute do pass.

J. P. WEST, *Chairman.*

Ordered passed on file.

On motion of Senator Larrabee, substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named, was taken up and made the special order for Tuesday next at 10 o'clock A. M.

Senator Fitch, from the committee on roads submitted the following report:

MR. PRESIDENT—Your committee on roads, to whom was referred S. F. No. 163, A bill for an act amending an act entitled an act authorizing the appropriation of money to build bridges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WM. H. FITCH, *Chairman.*

Ordered passed on file.

By leave Senator Dashiell presented a memorial in reference to the national prison association and international penitentiary congress.

Referred to committee on ways and means.

By leave Senator Claussen introduced S. F. No. 219, A bill for an act providing for the acknowledgments and recording of deeds in certain cases, and rendering valid the acknowledgments of deeds and instruments in writing.

Read first and second time, and referred to committee on judiciary.

The special order being the resolution in relation to adjournment, it was taken up and considered.

Senator McNutt moved to postpone the further consideration of the resolution until the first day of April.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Claussen, Fitch, Havens, McCoid, McCulloch, McIntyre, McNutt, Miles, Shane, Smith, Vale, West, and Willett—14.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Campbell, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McKean, Merrill, Murray, Read, Richards, Stone, Stuart, Taylor, Wonn, and Young—30.

Absent or not voting—

Senators Boomer, Chambers, Converse, Howland, Ketcham, and Russell—6.

So the motion did not prevail.

Senator Fairall moved to amend by adding the following to the resolution:

“And that the morning session of the remainder of the time we are assembled be devoted to the consideration of the report of the commissioners on the statutes and the bills introduced on the subject, until they are disposed of.”

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Stone, Stuart, Taylor, Vale, and Young—35.

The nays were—

Senators Converse, Gault, McCoid, Read, Richards, Russell, Smith, West, Willett and Wonn—10.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Shane—5.

So the amendment was agreed to.

Senator Fairall moved to reconsider the vote by which his amendment was adopted.

The motion to reconsider prevailed.

Senator Beardsley moved to amend the resolution by striking out "Tuesday, 16th," and inserting "Thursday, 25th."

The amendment was lost.

On the adoption of the resolution the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Burke, Campbell, Crary, Dysart, Fairall, Gault, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, Merrill, Murray, Richards, Russell, Shane, Stone, Taylor, Wonn and Young—26.

The nays were—

Senators Beardsley, Claussen, Converse, Dague, Dashiell, Fitch, Havens, Kephart, McCoid, McCulloch, McIntyre, McKean, McNutt, Miles, Read, Smith, Stuart, Vale, West and Willett—20.

Absent or not voting—

Senators Boomer, Chambers, Howland, and Ketcham—4.

So the resolution was adopted.

Senator Murray moved to reconsider the vote by which the resolution was adopted.

Senator Murray moved to postpone the further consideration of the motion to reconsider until the first day of April.

Senator Larrabee moved to lay the motion on the table.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Bemis, Burke, Campbell, Crary, Dysart, Fairall, Kinne, Larrabee, Leavitt, Lowry, McCormack, Richards, Russell, Stone, Taylor, and Wonn—17.

The nays were—

Senators Atkins, Beardsley, Claussen, Converse, Dague, Dashiell, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Maxwell, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, and Young—29.

Absent or not voting—

Senators Boomer, Chambers, Howland, and Ketcham—4.

So the motion did not prevail.

On the motion to postpone until the first day of April, the yeas and nays were demanded, and,

The yeas were—

Senators Atkins, Beardsley, Bemis, Claussen, Converse, Dague, Dashiell, Fitch, Havens, Hurley, Ireland, Kephart, Leavitt, Maxwell, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, and Young—30.

The nays were—

Senators Allen, Burke, Campbell, Crary, Dysart, Fairall, Kinne,

Larrabee, Lowry, McCormack, Richards, Russell, Stone, Taylor, and Wonn—15.

Absent or not voting—

Senators Boomer, Chambers, Gault, Howland, and Ketcham—5.

So the motion to postpone prevailed.

The special order, being the motion to reconsider the vote by which H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, was lost.

The motion to reconsider prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Converse, Dague, Dashiell, Fairall, Fitch, Havens, Kephart, Kinne, Larrabee, Leavitt, Lowry, McCoid McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Stone, West, and Young—30.

The nays were—

Senators Campbell, Claussen, Crary, Dysart, Gault, Hurley, Maxwell, McCormack, Richards, Shane, Stuart, Taylor, Vale, Willett, and Wonn—15.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ireland, and Ketcham—5.

So the bill passed and the title was agreed to.

Senator Hurley offered the following resolution :

Resolved, That the standing committees are hereby instructed to report to the Senate their action on such part of the report of the commissioners on revision as was referred to them by a former resolution of this Senate.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator Converse from the committee on enrolled bills submitted the following report.

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

S. F. No. 8, An act to enable civil townships to adopt the provisions of chapter 26 of the laws of the Thirteenth General Assembly.

Also, S. F. No. 105, An act legalizing the acts of the board of trustees of New Albany.

Also, S. F. No. 195, An act to legalize appropriations made and county warrants issued by the board of supervisors of Bremer county.

Also, H. F. No. 147, An act entitled an act to legalize the acts of Robert E. Montgomery.

Also, H. F. No. 125, An act to legalize the organization and issuing of the bonds of the independent school district of Cherokee.

Also, H. F. No. 109, An act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

A CONVERSE, *Chairman.*

On motion of Senator Hurley, H. F. No. 218, A bill for an act to enable cities, towns and counties to settle, adjust and compound their indebtedness, and to provide for the payment of the same, with report of committee recommending that it do pass, was taken up and considered.

Senator Russell moved to postpone the further consideration of the bill until to-morrow at 9½ o'clock a. m., and that it be made the special order for that hour, which motion did not prevail.

Senator Richards moved that the rule be suspended and that the bill be read a third time, which was agreed to.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett Wonn and Young—41.

The nays were—

Senators Burke and Campbell—2.

Absent or not voting—

Senators Atkins, Boomer, Chambers, Howland, Ketchem, McCormack, and Stone—7.

So the bill passed and the title was agreed to.

Senator Larrabee moved to take up and consider H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes, with report of committee recommending its passage, which was agreed to.

Senator Fairall moved to amend by inserting in the first line of the last section after the word "act" the following words: "being deemed of immediate importance."

The amendment was agreed to.

Senator Richards moved to amend the second line of the first section by striking out "general incorporation;" also, insert after the word "that," in the first line of section 1, the word "incorporated."

Both amendments were adopted.

On motion of Senator McCulloch, the fifth line of the 1st section was amended by striking out "50," and inserting "75."

On motion the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Burke, Campbell, Claussen, Converse, Dagne, Dashiell, Dysart, Fairall, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Wonn—40.

The nays were—

Senators Atkins, Bemis, Crary, Fitch, and Read—5.

Absent or not voting—

Senators Boomer, Chambers, Howland, Ketcham, and Young—5.

So the bill passed and the title was agreed to.

Senator Stuart moved to take up S. F. No. 27, A bill for an act to prevent the sale of oils for illuminating purposes inflammable at a less temperature or fire test than 110 degrees Fahrenheit, with report of committee recommending amendments, and make them a special order for Tuesday next at 2½ o'clock p. m., which motion prevailed.

By leave Senator Hurley introduced S. F. No. 220, a bill for an act in relation to jury fees.

Read first and second time, and referred to committee on ways and means.

Also, S. F. No. 221, A bill for an act for the relief of Louisa county, Iowa, for money stolen from the safe on the night of the 18th of February, 1868.

Read first and second time, and referred to committee on ways and means.

By Senator Fairall: S. F. No. 222, A bill for an act to authorize the boards of supervisors of counties which have donated their swamp lands to aid in building railroads, to extend the time for the completion of such roads.

Read first and second time, and referred to committee on county and township organizations.

Senator McCoid moved to reconsider the vote by which S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads and to establish reasonable maximum rates for tariff for the transportation of certain freights thereon, was ordered engrossed.

Senator McCoid moved to postpone the motion to reconsider until 11 o'clock a. m. to-morrow, and that it be made the special order for that hour.

Senator West moved to amend by striking out "to-morrow" and inserting "Wednesday next."

The amendment prevailed, and the motion as amended was agreed to.

At 5 o'clock P. M., the President declared the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER, DES MOINES, IOWA, }
March 21, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Frisbie.

Journal of yesterday read and approved.

Senator Murray, from the special committee to whom was referred S. F. No. 159, submitted the following report :

MR. PRESIDENT:—Your special committee to whom was referred S. F. No. 159, A bill for an act for the abatement of taxes in certain cases voted to aid in the construction of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that the substitute be adopted, and that it do pass.

B. F. MURRAY, *Chairman.*

Ordered passed on file.

On motion of Senator Ireland the bill and report was taken up and considered.

Senator McCoid moved to amend the substitute by striking out of the first section the words "in the counties of Clinton and Jackson."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Claussen, Converse, Gault, Lowry, Maxwell, McCoid, McCormack, McKean, and Richards—10.

The nays were—

Senators Atkins, Bemis, Burke, Campbell, Dagne, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, McCulloch, McIntyre, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Vale, West, Willett, and Wonn—31.

Absent or not voting—

Senators Allen, Boomer, Chambers, Fairall, Ketcham, McNutt, Taylor, and Young—9.

So the amendment did not prevail.

The substitute was then adopted.

On motion of Senator Ireland the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Burke, Claussen, Converse, Dague, Dysart, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Vale, West, Willett and Wonn—35.

The nays were—

Senators Beardsley, Campbell, Dashiell, Kephart, McCoid, Read, and Young—7.

Absent or not voting—

Senators Boomer, Chambers, Crary, Fairall, Fitch, Ketcham, Merrill, and Taylor—8.

So the bill passed and the title was agreed to.

On motion of Senator Hurley, S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river, with report of committee recommending its passage, was taken up and considered.

Senator Kinne moved to amend the fifth line of the 1st section by striking out the words "the ordinary."

Senator Lowry moved that the further consideration of the bill be postponed until Tuesday next.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Crary, Dysart, Ireland, Lowry, McCormack, McIntyre, McKean, McNutt, Murray, Russell, Shane, Smith, Vale, and West—18.

The nays were—

Senators Atkins, Burke, Converse, Dague, Dashiell, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, Merrill, Read, Richards, Stone, Stuart, Willett, and Wonn—23.

Absent or not voting—

Senators Bemis, Boomer, Chambers, Fairall, Ketcham, McCoid, Miles, Taylor, and Young—9.

So the motion to postpone did not prevail.

Senator Kinne's amendment was adopted.

On motion of Senator Richards, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt,

Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Vale, West, Willett, Wonn, and Young—41.

The nays were—

Senators Crary, and Lowry—2.

Absent or not voting—

Senators Boomer, Chambers, Fairall, Ketcham, McCoid, Miles, and Taylor—7.

So the bill passed and the title was agreed to.

The special order, being S. F. No. 29, A bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Iowa, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Campbell, the bill was indefinitely postponed.

Senator Fairall was granted leave of absence.

On motion of Senator McKean, S. F. No. 83, A bill for an act to define and punish misdemeanors in the buying, selling, and delivery of corn, grain and other articles, and to punish the change of scales and standards fixed by law for weights and measures, with report of committee recommending its passage, was taken up and considered.

Senator McKean moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Burke, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Lowry, McKean, McNutt, Merrill, Murray, Shane, Smith, Vale, West, Willett, and Young—29.

The nays were—

Senators Claussen, Havens, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McIntyre, Read, Richards, Russell, Stone, Stuart, and Wonn—14.

Absent or not voting—

Senators Allen, Boomer, Chambers, Fairall, Ketcham, Miles, and Taylor—7.

So the bill passed and the title was agreed to.

On motion of Senator McCormack, S. F. Nos. 18 and 61 were taken up and made the special order for to-morrow at 9½ o'clock A. M.

Senator Campbell, from the second conference committee on the disagreeing votes of the two houses upon the Senate amendments to House amendments to substitute for S. F. No. 1, submitted the following report :

The second committee of conference on the disagreeing votes of the two houses upon the Senate amendments to the House amend-

ments to substitute for S. F. No. 1 having met, after full and free conference have agreed to and do report to their respective houses the following:

"That the House recede from its disagreement to the Senate amendment of the first House amendment, [being the first proviso in the bill,] and adopt the same."

"That in place of the Senate amendment to the second House amendment, [being the second proviso in the bill,] the following be adopted as a substitute, viz:

"And provided further that all taxes which prior to the taking effect of this act, shall have been voted under the provisions of either of the aforesaid chapters, but not collected, shall, at the expiration of two years from the first day of November next, after the levy of said taxes, be canceled upon the tax-books by the county treasurer, and such vote, and levy of taxes, shall become void unless the railroad shall, at the expiration of the two years aforesaid have been fully completed within the county, township, city or incorporated town where said taxes were designed to be expended; and if any portion of said taxes shall have been collected but not paid over to the railroad company, it shall, at the expiration of the two years aforesaid be refunded to the person or persons by whom the tax was paid; and where two years shall have elapsed after the abandonment of grading on any such road, which shall have been commenced in the township where the money was to be expended, the treasurer shall in like manner cancel the tax on his tax books."

F. T. CAMPBELL,
JOHN E. BURKE,
B. B. RICHARDS,

Managers on part of the Senate.

D. D. DAVISSON,
DAVID SECOR,
L. L. AINSWORTH,

Managers on part of the House.

Senator Young moved to postpone the consideration of the report until Wednesday next at 2½ o'clock p. m., and that the report with all the amendments heretofore made to the bill, be printed.

Pending which 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 memorial and joint resolution, in which the concurrence of the Senate is asked:

Memorial and joint resolution to congress in relation to homestead settlers on land claimed by railroads in Iowa.

I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 218, A bill for an act to enable cities, towns and counties to settle, adjust and compound their indebtedness, and to provide for the payment of the same.

JOHN J. SAFELY, *Chief Clerk.*

And also a message from the Governor, by the hands of Capt. W. H. Fleming, was received and laid on the President's table.

The consideration of the motion to postpone the question of adopting the report of the conference committee was resumed, pending which the President, at 12 o'clock m., declared the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
March 22, 1872. }

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

Prayer by the Rev. Mr. Frisbee.

Journal of yesterday read and approved.

Senator Murray introduced a memorial and joint resolution of the Legislature of Iowa in relation to the Niagara Falls ship canal.

Read first and second time, and on motion of Senator Murray the rule was suspended and the memorial and joint resolution read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Clausen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McIntyre, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Stone, Stuart, Vale, West, Willett, Wonn, and Young—39.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Chambers, Dague, Ketcham, McCoid, McKean, Russell, Smith, and Taylor—11.

So the joint resolution passed and the title was agreed to.

Senators Kephart, Dague, Maxwell, Richards, Russell, Taylor and Bemis were granted leave of absence.

Senator Maxwell introduced a joint resolution in relation to establishing a highway on the agricultural college farm.

Read first and second time.

On motion of Senator Beardsley the joint resolution was referred to the committee on roads.

Senator Dashiell, from the committee on reform school, submitted the following report :

MR. PRESIDENT:—Your committee on reform school to whom was referred S. F. No. 167, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

DASHIELL, *Chairman.*

Ordered passed on file.

PETITIONS.

Senator McNutt presented a petition from citizens of Wilton Junction asking for liberal appropriations to the State university.

Referred to committee on State university.

Senator Beardsley presented a petition from citizens of Dallas county asking that no appropriation be made for the support of the medical department of the State university.

Referred to committee on medical institutions.

On motion of Senator Campbell, S. F. No. 18, A bill for an act for the relief of Jasper county, Iowa, for money stolen from the county safe, and S. F. No. 61, A bill for an act for the relief of Marion county, with report of committee recommending that the bills be indefinitely postponed, was taken up in the above order and considered.

On the question of indefinitely postponing S. F. No. 18, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Crary, Dysart, Ketcham, Larrabee, Lowry, McNutt, Merrill, Shane, Smith, Stone, Stuart, and West—11.

The nays were—

Senators Atkins, Boomer, Burke, Campbell, Claussen, Converse, Dashiell, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Leavitt, Maxwell, McCoid, McCormack, McIntyre, Murray, Read, Richards, Vale, Willett, and Wonn—28.

Absent or not voting—

Senators Allen, Bemis, Chambers, Dague, Fairall, McCulloch, McKean, Miles, Russell, Taylor, and Young—11.

So the motion did not prevail.

On motion of Senator Campbell the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Boomer, Burke, Campbell, Claussen, Converse, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, Miles, Murray, Read, Shane, Stone, Stuart, Vale, Willett and Wonn—32.

The nays were—

Senators Beardsley, Crary, Dysart, Ketcham, Larrabee, Lowry, McNutt, Merrill, Richards, and West—10.

Absent or not voting—

Senators Bemis, Chambers, Dague, Leavitt, Russell, Smith, Taylor, and Young—8.

Senator Larrabee raised the point of order that it took an affirmative vote of two-thirds of the members of the Senate to pass the bill.

The President decided the point of order not well taken.

So the bill passed and the title was agreed to.

S. F. No. 61, A bill for an act for the relief of Marion county with report of committee recommending its indefinite postponement, was taken up.

The report of the committee was disagreed to.

On motion of Senator McCormack the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Burke, Campbell, Claussen, Converse, Dashiell, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Maxwell, McCormack, McCulloch, McIntyre, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Vale, and Wonn—30.

The nays were—

Senators Beardsley, Boomer, Crary, Dysart, Howland, Ketcham, Larrabee, Lowry, McCoid, McNutt, Richards, West, and Willett—13.

Absent or not voting—

Senators Bemis, Chambers, Dague, Leavitt, Russell, Taylor, and Young—7.

So the bill passed and the title was agreed to.

Senator Shane, from the committee on constitutional amendments, submitted the following report:

MR. PRESIDENT—Your committee on constitutional amendments, to whom was referred a joint resolution ratifying and confirming certain amendments to the constitution to strike the word "male" from section 1, article 2, and section 4, article 3, of that instrument, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to

report the same back to the Senate, with the recommendation that it do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

The following minority report was also submitted :

We, the undersigned, members of the committee on constitutional amendments, dissent from the majority report on the joint resolution for amending the constitution of the State of Iowa by striking out the word "male" in section 1, article 2, and from section 4, article 3, of the constitution, and submit the following reasons therefor :

The exercise of the right of suffrage is neither a natural nor absolute right, but one of expediency, and we are opposed to tendering the right of suffrage to females.

We believe that there is no antagonism between the sexes, and that the proposed change is fraught with serious and mischievous results to society.

We, therefore, recommend that the resolution do not pass.

SAM. H. KINNE,
H. R. CLAUSSEN,
G. R. WILLETT,

Minority.

Senator McNutt moved to make the joint resolution and reports a special order for Friday next, at 10 o'clock A. M.

Senator Larrabee moved to amend by striking out "Friday" and inserting "Saturday," which was not agreed to.

Senator McNutt's motion was then adopted.

Senator Richards moved that the Senate go into committee of the whole at 2½ o'clock P. M., to listen to addresses from Mrs. Savery and Mrs. Harbert, on the subject of female suffrage.

The hour for the special order having arrived, it being S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa, with report of committee recommending its passage, was taken up and considered.

Senator Ireland moved that the consideration of the special order be postponed until the motion of Senator Richards be disposed of.

Senator Hurley moved to amend by striking out "until the motion of Senator Richards is disposed of," and inserting "one week from to-day," which did not prevail.

Senator Ireland's motion was then agreed to.

The consideration of Senator Richard's motion was resumed.

Senator Campbell offered the following substitute for the motion :

That the Senate adjourn next Tuesday afternoon at 3 o'clock,

and that permission be given, to occupy this hall, to any parties who desire to address the members who wish to hear them.

The substitute was lost.

Senator Larrabee moved to lay the whole subject on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Converse, Crary, Howland, Hurley, Ketcham, Kinne, Larrabee, Lowry, McCormack, McIntyre, McKean, Merrill, Miles, Richards, Stuart, Willett, and Wonn—19.

The nays were—

Senators Allen, Beardsley, Burke, Campbell, Claussen, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Kephart, McCoid, McCulloch, McNutt, Murray, Read, Shane, Smith, Stone, Vale, West, and Young—23.

Absent or not voting—

Senators Bemis, Chambers, Dague, Ireland, Leavitt, Maxwell, Russell, and Taylor—8.

So the motion to lay on the table did not prevail.

On the adoption of the substitute the yeas and nays were demanded, and

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Converse, Dashiell, Fairall, Fitch, Kephart, Leavitt, McCormack, McIntyre, McKean, Miles, Murray, Shane, and Willett—17.

The nays were—

Senators Atkins, Beardsley, Claussen, Crary, Dysart, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Lowry, McCoid, McCulloch, McNutt, Merrill, Read, Richards, Smith, Stone, Stuart, Vale, West, Wonn and Young—27.

Absent or not voting—

Senators Bemis, Chambers, Dague, Maxwell, Russell, and Taylor—6.

So the substitute was lost.

On the motion of Senator Richards the yeas were demanded, and

The yeas were—

Senator Allen, Beardsley, Claussen, Dashiell, Dysart, Fairall, Havens, Kephart, Leavitt, McCoid, McCulloch, McNutt, Murray, Read, Shane, Smith, Stone, Vale, West and Young—20.

The nays were—

Senators Atkins, Boomer, Burke, Campbell, Converse, Crary, Fitch, Gault, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Lowry, McCormack, McIntyre, McKean, Merrill, Miles, Richards, Stuart, Willett and Wonn—24.

Absent or not voting—

Senators Bemis, Chambers, Dague, Maxwell, Russell, and Taylor—6.

So the motion did not prevail.

Senator Merrill was granted leave of absence.
 Senator Ireland moved to make S. F. No. 183 a special order for 9:15 to-morrow morning, which motion prevailed.

REPORTS OF COMMITTEES.

Senator Wonn, from the committee on engrossed bills, submitted the following report:

MR. PRESIDENT:—The committee on engrossed bills respectfully report that they have examined the following bill, and find the same correctly engrossed:

S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon.

H. A. WONN, *for the Committee.*

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT:—Your committee on schools, to whom was referred S. F. No. 200, A bill for an act changing the manner of electing presidents in independent school districts, and fixing the time for levying school taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on schools, to whom was referred H. F. No. 169, A bill for an act to amend chapter 98 of the acts of the Twelfth General Assembly, in relation to indebtedness of school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on schools, to whom was referred H. F. No. 240, A bill for an act to amend chapter 172 of the laws of the Ninth General Assembly, and acts amendatory thereto in relation to the voting and levying of school taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your committee on schools, to whom was referred S. F. No. 165, A bill for an act to repeal an act legalizing the organization of an independent school district from portions of Page and Taylor counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Stone, from the committee on congressional districts, submitted the following report :

MR. PRESIDENT :—In compliance with the instructions of the committee on congressional districts, I have the honor to report the accompanying bill for an act dividing the State in congressional districts, with the recommendation that it do pass.

JNO. Y. STONE, *Chairman.*

The bill was numbered S. F. No. 223, and made the special order for Tuesday next at 10 o'clock A. M.

Senator Hurley moved that when the Senate adjourn it be until 9 o'clock A. M. to-morrow, which was agreed to.

At 12 o'clock M., the President declared the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
March 23, 1872. }

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

Prayer by the Rev. Mr. Frisbie.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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:

Sub. H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon.

H. F. No. 341, to appropriate money for the maintainance of the State University of Iowa.

JOHN J. SAFELEY, *Chief Clerk.*

The President submitted a communication from the Governor, which was laid on the table and ordered printed.

Senator West, from the committee appointed to visit and report upon the soldiers' orphans' home at Cedar Falls, submitted a report which was laid on the table and ordered printed.

Senators Gault, Beardsley, Dysart, and Leavitt were granted leave of absence.

The hour for the special order having arrived, it being S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa, with report of committee recommending that it do pass, it was taken up and considered.

On motion of Senator Ireland the bill was considered by sections.

Senator Shane moved to amend the second section by striking out the words "census board and" and inserting the following: "The Governor shall by and with the consent of the General Assembly, appoint four persons, no two of whom shall be residents of same congressional district, who with.

Pending the consideration of this amendment 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:

Sub. for S. F. No. 159, A bill for an act relating to the collection of taxes voted to aid in the construction of railroads in the counties of Clinton and Jackson, with the following amendment in which the concurrence of the Senate is asked. Strike out the words "Jackson Sentinel, a newspaper published at Maquoketa, Iowa," and insert "Daily State Register, a newspaper published at Des Moines, Iowa," and add to the publication clause the words "without expense to the State."

JNO. J. SAFELY, *Chief Clerk.*

The consideration of Senator Shane's amendment was resumed.

Senator Larrabee moved to amend the amendment by striking out the words "General Assembly" and inserting the words "Senate," which was agreed to.

The amendment as amended was then adopted.

Senator West moved to amend the third line of section 2, by striking out "four" and inserting "nine," which motion did not prevail.

Senator West moved to amend by adding the following proviso

to the second section, "*Provided* that the not more than one shall be established in the same congressional district."

The amendment was adopted.

Senator Young moved to amend the 3d section and 10th line by striking out the figure "2," and inserting the figure "4." Also to amend the 11th line by striking out "3" and inserting "5."

Senator Miles moved to amend the amendment by striking out "5." and inserting "4."

The amendment to the amendment was agreed to.

The amendment as amended was lost.

Senator Young moved to amend by striking out all of section 3 after the word "and" in the 9th line, which was disagreed to.

Senator Fairall moved to amend the 3d section by adding thereto as follows :

The commission is required to without expense to the State, procure in the name and behalf thereof deeds for all property necessary for the purposes of this act and in all cases the title thereto shall be good and free from incumbrance. No school shall be established until a deed of warranty for the necessary grounds therefor accompanied by an abstract of title shall have been presented to and approved by the Attorney General of the State.

The amendment was adopted.

Senator McNutt moved to amend section 4 as follows : by inserting after the word "use," at the end of the 5th line the words "without expense to the State" which motion prevailed.

Senator Fairall offered the following substitute for section 5.

SEC. 5. The said schools when located shall be by the commission named, and thereafter be referred to by such name and shall be under the control of a board styled the board of trustees of the normal schools of the State of Iowa, consisting of the superintendent of public instruction, and of four persons to be chosen by the General Assembly in joint convention.

The substitute was adopted.

Senator McCoid moved to amend section 10 by adding the words "good health," which was agreed to.

Senator Vale moved to amend the 7th line of section 10, the word "practicable" and inserting the word "convenient."

Senator Howland moved to amend the amendment by striking out the 5th clause of section 10.

The amendment to the amendment and the amendment were lost.

Senator McCoid moved to amend by adding to section 10 the following: "and said applicant shall file a bond in the sum of \$500, conditioned that upon the breach of said pledge said applicants shall pay to the State of Iowa a reasonable compensation for the education received in said school.

The amendment was lost.

Senator McIntyre moved to amend the fourth line of section 11

by inserting after the word "issue" the word "graded," which amendment was disagreed to.

Senator McKean moved to amend the third line of section 16 by inserting after the word "taught" the words "or controverted," which was agreed to.

Senator Shane moved to amend section 15 by adding the following proviso: *Provided*, That the orphans of deceased soldiers, with the requisite qualifications shall at all times be admitted to the benefits of said normal schools without charge for tuition or incidental fee.

The amendment was agreed to.

Senator Kephart moved to amend section 15 by striking out the first clause and inserting the following thereto: "An incidental fee, fixed by the board of trustees, shall be paid by all the students of the normal schools who are residents of this State."

Pending the consideration of which, Senator Stuart moved to postpone the further consideration of the bill and amendment until Monday morning at 9½ o'clock.

Senator McNutt moved to amend by striking out "Monday morning at 9½ o'clock" and inserting "Thursday next at 10½ o'clock A. M."

The amendment was adopted and the motion as amended agreed to.

On motion of Senator Stuart S. F. No. 159 A bill for an act for the abatement of taxes in certain cases voted to aid in the construction of railroads, was taken up and considered.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Read, Smith, Stuart, Vale, West, Willett, and Wonn—34.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Chambers, Dagne, Dysart, Gault, Leavitt, Maxwell, Merrill, Richards, Russell, Shane, Stone, Taylor, and Young—16.

So the Senate concurred in the House amendments.

Senator McNutt, from the committee on elections, submitted the following report :

MR. PRESIDENT:—Your committee on elections, to whom was referred S. F. No. 34, A bill for an act to repeal chapter 171 of the acts of the Twelfth General Assembly entitled an act for the registry of electors and to prevent fraudulent voting, and chapter 174 of the acts of the Thirteenth General Assembly entitled an act to amend the registry law, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate without recommendation.

SAM'L McNUTT, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on elections, to whom was referred S. F. No. 209, A bill for an act concerning elections, election of officers and their terms, registration of voters, the general election, election of President and Vice-President, qualification for office, contesting elections, removal and suspension from office, deputies, additional security, and discharge of sureties, vacancies and special elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the changes, verbal and otherwise, marked on the margin of the copy, be made in the bill, and thus corrected and amended that the bill do pass.

SAMUEL McNUTT, *Chairman.*

Ordered passed on file.

Senator Fitch, from the committee on roads, submitted the following report:

MR. PRESIDENT:—Your committee on roads, to whom was referred chapters 1, 2, 3, and 4 of title 7 of the "reported code," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as noted in the bill, and that when so amended it do pass.

WILLIAM H. FITCH, *Chairman.*

Ordered passed on file.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 208, A bill for an act to repeal section 4168 of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute for the original bill, with the recommendation that the substitute do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 216, A bill for an act providing that district and circuit judges shall fix the time for holding courts in their respective districts and circuits, beg leave to report that they have had the

same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains and water courses, beg leave to report that they have had the same under consideration, and have instructed me to report the following amendments:

Insert after the word "county," in the second line of the first section, the words "having not less than ten thousand population." Insert after "terminus," in the fourth line of the second section, "and shall at the same time file a bond with good and sufficient securities to the acceptance of the county auditor, conditioned to pay all costs and expenses incurred in case the supervisors shall refuse to grant the prayer of the petition."

Strike out after the word "be," in the thirteenth line of section four to the word "and," in the fifteenth line of section four, and insert the following: "paid in the first instance by the parties benefited by such improvement, or secured to be paid upon such terms and conditions as the county auditor may deem just and proper." Strike out the word "commissioners," in the second line of the sixth section, and insert the word "supervisors." Also, insert in said section, after the word "auditor," in the seventh line, the following: "As provided in section eight hereof."

Strike out the words "out of general," and insert "from." Insert after "fund," in the sixth line of section eight, "collected for that purpose." And in same section strike out all after the word "auditor," in sixth line, and that thus amended that the bill do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary to whom was referred S. F. No. 154, A bill for an act providing for certain allowances as costs to be recovered by the successful party in courts of record against the losing party, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 89, A bill for an act to abolish the circuit court,

and to repeal chapter 83, of the laws of the 12th General Assembly, and to authorize the election of an additional district judge, in each judicial district of this State, and to define and prescribe their duties and fix their salaries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 199, A bill for an act in regard to the payment of witness fees in certain criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the publication clause, and inserting after the word “the” in the second line of section 1, the word “material,” and by striking out all after the word “treasury,” in section 1, and inserting the following: “but the court may after verdict of conviction, or plea of guilty, direct that judgment be entered in favor of the county, and against the defendant for the amount so paid out of the treasury.” When so amended the same do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 73, A bill for an act to amend section 3293 of the revision of 1860, relating to stay of execution, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the following substitute for the original bill with the recommendation that the substitute do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 203, A bill for an act to provide for the taking up of rafts, logs and sawed lumber, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 70, A bill for an act to amend the registry law,

beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary to whom was referred S. F. No. 219, A bill for an act providing for the acknowledgments and recording of deeds, in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. No. 155, A bill for an act amendatory of section 25-34, chapter 103, of the revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county, to John Parrott, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

At 12 o'clock M. the President declared the Senate adjourned until 9 o'clock Monday morning.

SENATE CHAMBER, DES MOINES, IOWA, }
 March 25th, 1872. }

Senate met pursuant to adjournment.
 President in the chair.
 Prayer by the Rev. Mr. Gary.
 Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

Senator Howland presented a petition from citizens asking for the passage of a law regulating the sale of drugs, etc., in the State of Iowa.

Referred to committee on medical institutions.

Senator Boomer presented a petition from citizens asking for liberal appropriations for the support of the State university.

Referred to committee on State university.

Also, a remonstrance against the abolishment of the office of county superintendent of common schools.

Referred to committee on schools.

Senator Chambers presented a petition from citizens asking for liberal appropriations for the support of the State university.

Referred to committee on State university.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway company, and certain of its acts and contracts.

Also, H. F. No. 305, A bill for an act to amend chapter 148 of the acts of the Ninth General Assembly.

Also, H. F. No. 306, A bill for an act relating to the payment of the managers and officers of the State institutions.

I also herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 218, A bill for an act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, Iowa.

I am also directed to inform your honorable body that the House of Representatives has concurred in the joint resolution of the Senate in relation to the Niagara Falls ship canal.

JNO. J. SAFELY, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator McCoid: S. F. No. 224, A bill for an act regulating the tariffs on railroads and requiring uniformity therein, and punishing discriminations, combinations and violations of this act.

Read first and second time, ordered printed, and passed on file.

HOUSE MESSAGES.

H. F. No. 73, A bill for an act to amend section 2, chapter 173, laws of the Ninth General Assembly, in regard to township collectors, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the laws of the Thirteenth General Assembly in relation to reading wills, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 204, A bill for an act to amend section 835 of the revision of 1860 so as to authorize road commissioners to swear their assistants, was taken up, read first and second time, and referred to committee on roads.

H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock county, to B. L. Patch, was read first and second time and referred to committee on public lands.

H. F. No. 237, A bill for an act to legalize the donation of the swamp lands and swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone and Northern Railway Company and the Iowa, Minnesota and North Pacific Railway Company, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 349, A bill for an act to legalize the vacation of the town plat of Wittemburg, was taken up, read first and second time, and passed on file.

Substitute for H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys and repealing certain laws relating thereto, was taken up, read first and second time, and on motion of Senator West, referred to a special committee, consisting of Senators Beardsley, Allen, Richards, Lowry, and Leavitt.

H. F. No. 308, A bill for an act to provide seals for the office of county recorders, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 158, A bill for an act to amend section 2, chapter 177, of the acts of the Thirteenth General Assembly, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 221, A bill for an act to amend section 2, of chapter 100, of the laws of the Twelfth General Assembly, in relation to road laws, was taken up, read first and second time, and referred to committee on county and township organizations.

Memorial and joint resolution to Congress relative to homestead settlers on lands claimed by railroads in Iowa, was taken up, read first and second time, and referred to committee on federal relations.

H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University of Iowa, and for additional buildings therefor, and providing a permanent annual addition to the income thereof, was taken up, read first and second time, and referred to committee on State University.

Substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable maximum rates of taxiff for the transportation of certain freights thereon, was taken up and read a first and second time.

Senator West moved to make the bill a special order for April 3d, at 10½ o'clock a. m.

Senator McCoid moved to amend by striking out "April 3d," and inserting "March 27 and continued from day to day until disposed of."

The amendment prevailed and the motion as amended was agreed to.

H. F. No. 305, A bill for an act to amend chapter 148, of the acts of the 9th General Assembly, was taken up, read first and second times and referred to committee on judiciary.

H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone and Northern Railway, and certain of its acts and contracts, was taken up, read first and second times, and referred to committee on incorporations.

H. F. No. 306, A bill for an act relating to the payment of the managers and officers of the State Institution was taken up, read first and second times, and referred to committee on compensation of public officers.

By leave, Senator Burke introduced S. F. No. 225, A bill for an act for the relief of Bremer county, Iowa, for money stolen from the county safe.

Read first and second times, and on motion of Senator Burke, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Chambers, Clanssen, Fairall, Fitch, Havens, Hurley, Ireland, Kinne, McCoid,

McCormack, McIntyre, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett and Wonn—27.

The nays were—

Senators Crary, Howland, Larrabee, Lowry, McCulloch and Young--6.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Richards, Russell, Stone, and Taylor—17.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Larrabee, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 196, A bill for an act to prohibit appropriations, gifts or donations of public money or property for ecclesiastical or sectarian purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be adopted as a substitute therefor, and that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. Nos. 33, 57, 63, and 146, bills for the taxation of railroad property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they lie on the table.

LARRABEE, *Chairman.*

To be considered with substitute for H. F. No. 12 and S. F. No. 211.

The same committee also referred back S. F. No. 221, A bill for an act for the relief of Louisa county, Iowa, for money stolen from the safe on the 18th day of February, 1868, without recommendation.

On motion of Senator Hurley, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Chambers, Claussen, Fairall, Fitch, Havens, Hurley, Ireland, Kinne, McCoid, McCormack, McIntyre, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, and Wonn—27.

The nays were—

Senators Orary, Larrabee, Lowry, McCulloch, and Young—5.

Absent or not voting—

Senators Atkins, Beardley, Bemis, Converse, Dague, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Richards, Russell, Stone, and Taylor—18.

So the bill passed and the title was agreed to.

Senator Murray, from the committee on federal relations, submitted the following report:

MR. PRESIDENT:—Your committee on federal relations, to whom was referred a joint resolution in relation to the enlargement of the canal at the foot of Lake Superior, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

B. F. MURRAY, *Chairman*.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on federal relations, to whom was referred a joint resolution relative to amendments to the constitution of the United States so that United States Senators will be elected by the people, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

B. F. MURRAY, *Chairman*.

Ordered passed on file.

Senator Boomer, from the committee on medical institutions, submitted the following report:

MR. PRESIDENT:—Your committee on medical institutions, to whom was referred S. F. No. 202, A bill for an act for the prevention of criminal abortions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and as so amended that the bill do pass:

"Strike out all after the word "necessary," in the fifth line of the first section, to the word "shall," in the sixth line, and insert the following: "And then only after consultation and agreement

with one or more physicians that said act shall be deemed necessary in order to save the life of said woman or child."

Sec. 2. That section 4221 of the revision of 1860 be and the same is hereby repealed.

A. BOOMER, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on medical institutions, to whom was referred S. F. No. 210, A bill for an act to protect the people of Iowa from charlatanism and imposition in the practice of medicine and surgery, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and as so amended that the bill do pass:

Sec. 1 to be amended by striking out the word "and" in the third line after the word "instruction," and insert the word "or."

In the 2d section and third line, after the word "county" insert the word "or," and after the word "society," in the same line, insert the following: "composed of at least seven members organized under the general incorporation laws of the State."

Also, strike out of the 4th section, in the 4th line, after the word "instruction" the word "and," and insert the word "or."

Strike out all of sections 6, 7, and 8.

A. BOOMER, *Chairman.*

Ordered passed on file.

Senator Boomer moved to make S. F. No. 109 and S. F. No. 210, and the reports of the committee, a special order for April 2d at 10 o'clock A. M., which motion did not prevail.

Senator McCoid from the committee on public lands, submitted the following report:

MR. PRESIDENT—Your committee on public lands, to whom was referred S. F. No. 207, A bill for an act to provide for the payment of the per diem and expenses of the commissioners appointed under chapter 8, of the acts of the 14th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that with some merely clerical amendments which the committee have made, it do pass.

M. A. MCCOID, *Chairman.*

On motion of Senator McCoid the bill and report were taken up and considered.

On motion of Senator McCoid the rule was suspended and the bill read a third time.

On the the question "Shall the bill pass?"

The yeas were—

Senators Alien, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Read, Smith, Stuart, Vale, West, Willett, Wonn, and Young—32.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Richards, Russell, Shane, Stone, and Taylor—18.

So the bill passed and the title was agreed to.

Senator Fitch, from the committee on roads, submitted the following report :

MR. PRESIDENT:—Your committee on roads, to whom was referred a petition from citizens of Benton county, beg leave to report that they have had the same under consideration and in conformity therewith have instructed me to report the accompanying bill with the recommendation that it do pass.

WM. H. FITCH, *Chairman.*

Ordered passed on file.

The bill was numbered S. F. No. 226, and entitled an act to repeal section 827 of the revision of 1860, and passed on file.

Senator Kinne from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—Your committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz :

H. F. No. 218, An act to legalize the organization of the independent school district of Elm Grove, Bloomfield township, Polk county, and Greenfield, Warren county, Iowa.

SAMUEL H. KINNE, *for Committee.*

Senator Fitch from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled :

Substitute for S. F. No. 159, A bill for an act relating to the collection of taxes to aid in the construction of railroads in the counties of Clinton and Jackson.

WM. H. FITCH, *for Committee.*

On motion of Senator Claussen S. F. No. 219, A bill for an act providing for the acknowledgment and recording of deeds in cer-

tain cases and rendering valid the acknowledgments of deeds and instruments in writing with report of committee recommending that it do pass, was taken up and considered.

Senator Claussen moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young—31.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Chambers, Converse, Dagne, Dashiell, Dysart, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Miles, Richards, Russell, Stone and Taylor—19.

So the bill passed and the title was agreed to.

On motion of Senator Ireland H. F. No. 203, A bill for an act to provide for the taking up of rafts and logs, with report of committee recommending that it do pass, was taken up and considered.

Senator Ireland moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young—31.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Chambers, Converse, Dagne, Dashiell, Dysart, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Richards, Russell, Stone, and Taylor—19.

So the bill passed and title was agreed to.

On motion of Senator Willett S. F. No. 94, A bill for an act for the relief of corporations for pecuniary profit who may have failed to file with the Secretary of State their articles of incorporation as provided by section 11, of chapter 172, of the laws of the 13th General Assembly, with report of committee recommending that it do pass, was taken up and considered.

Senator Willett moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Chambers, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young—32.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Campbell, Converse, Dague, Dysart, Dashiell, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Richards, Russell, Stone and Taylor—18.

So the bill passed and the title was agreed to.

By leave Senator McKean introduced S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

Read first and second time.

On motion of Senator McKean the rule was suspended and bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, Wonn, and Young—33.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Richards, Russell, Stone, and Taylor—17.

So the bill passed and the title was agreed to.

On motion of Senator Boomer, S. F. No. 107, A bill for an act authorizing the Superintendent of Public Instruction to procure a seal for his official use, with report of committee recommending that it do pass, was taken up and considered.

Senator Boomer moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young—32.

The nays were none.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Converse, Dague, Dashiell,

Dysart, Gault, Kephart, Ketcham, Leavitt, Maxwell, Merrill, Read, Richards, Russell, Stone, and Taylor—18.

So the bill passed and the title was agreed to.

On motion of Senator Shane, House joint resolution proposing amendments to section 10, article 5, of the constitution of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Shane moved that the rule be suspended and the joint resolution be read a third time now, which prevailed, and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Lowry, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Vale, West, Willett, and Wonn—30.

The nays were—

Senators McCoid, Stuart, and Young—3.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Converse, Dange, Dashiell, Dysart, Gault, Ketcham, Kephart, Leavitt, Maxwell, Merrill, Richards, Russell, Stone, and Taylor—17.

So the joint resolution passed and the title was agreed to.

The Senate joint resolution proposing amendments to the same section and article was, on motion of Senator Shane, indefinitely postponed.

On motion of Senator Willett, S. F. No. 111, A bill for an act to amend section 2800 of the revision of 1860, so as to limit the venue in actions upon negotiable paper to a county wherein some one of the makers shall reside, with report of committee recommending that it do pass, was taken up and considered.

Senator Willett moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Lowry, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Smith, Vale, West, Willett, and Young—27.

The nays were—

Senators Fairall, Shane, Stuart, and Wonn—4.

Absent or not voting—

Senators Atkins, Beardsley, Bemis, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Larrabee, Leavitt, Maxwell, McIntyre, Merrill, Richards, Russell, Stone, and Taylor—19.

So the bill passed and the title was agreed to.

Senator Kinne, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor, for his approval, the following bill:

H. F. No. 218, An act to enable cities, towns, and counties to settle, adjust and compound their indebtedness, and to provide for the payment of the same.

SAM. H. KINNE, *for Committee.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Substitute for S. F. No. 159, A bill for an act relating to the collection of taxes to aid in the construction of railroads in the counties of Clinton and Jackson.

BENJ. VAN STEINBURG, *Ass't. Clerk.*

Senator Burke moved to take up and consider S. F. No. 107, A bill for an act to repeal section 1043 of the Revision of 1860, and enact a substitute therefor, with report of committee recommending amendments, which motion prevailed.

The amendments were adopted.

The question being on the engrossment of the bill it was lost.

By leave, Senator McNutt introduced S. F. No. 228, A bill for an act to establish a board of inspectors of State institutions, and to define their duties, and the duty of the Governor under this act.

Read first and second time, ordered printed, and referred to committee on ways and means.

Senator Murray moved that when the Senate adjourn it be until 9 o'clock to-morrow morning, which was agreed to.

BILLS ON SECOND READING.

S. F. No. 134, A bill for an act to increase the number of judges of the supreme court to five, with report of committee recommending that it do pass, was taken up and considered, and on motion of Senator Hurley was passed on file.

H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys, or solicitors, in said courts, and prohibiting their holding the office of justice of the peace, was taken up and ordered engrossed.

H. F. No. 104, A bill for an act protecting the purchasers of

patent rights, patented and proprietary articles, was taken up and considered.

Pending which, at 12 o'clock *m.* the President declared the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
March 26, 1872. }

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

Prayer by the Rev. Mr. Gary.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 :

Substitute for H. F. No. 150, A bill for an act to amend chapter 86 of the laws of the Twelfth General Assembly, and to define the powers and jurisdiction of the circuit court.

Also, the House has passed without amendment,

S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, in Marion county, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Burke asked and obtained leave to have the report of the committee of conference on the disagreeing vote of the two houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, returned to the committee.

PETITIONS AND MEMORIALS.

Senator Young presented a petition from citizens of Mahaska county asking that chapter 118 of the laws of the Eleventh General Assembly be not repealed.

Referred to committee on printing.

Senator Beardsley presented a petition from citizens of Des Moines county asking for the passage of a liquor law similar to that in force in the States of Ohio and Illinois.

Senator Dague presented a petition from citizens of Clarke county asking for a change in the road laws of Iowa.

Referred to committee on roads.

Senator Taylor presented a petition from citizens of Marshall county asking that no appropriation be made for the support of the medical department of the state university.

Referred to committee on state university.

Senator Kinne presented a petition from citizens asking that liberal appropriations be made for the support of the various departments of the state university.

Referred to committee on state university.

Senator Stuart presented a similar petition.

Same reference.

Senator Boomer presented a petition from citizens of Delaware county asking that the office of county superintendent of common schools be abolished.

Referred to committee on schools.

RESOLUTIONS.

Senator McNutt offered the following resolution :

Resolved by the Senate, the House concurring, That on April 10th, at noon, this General Assembly shall finish or cease all general legislation, and from that time shall consider the code only, and shall continue that subject from day to day until the code is completed.

Senator McNutt moved the adoption of the resolution.

Senator West moved to amend by making the resolution a special order for April 1st, 1872.

The amendment was adopted and the motion as amended agreed to.

MESSAGE FROM THE HOUSE.

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 bill :

S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll taxes, with the following amendments, in which the concurrence of the Senate is asked: strike out in the second section the words "the sum of \$1.25" and insert in lieu thereof the words "any sum not exceeding \$2.00."

JOHN J. SAFELY, *Chief Clerk.*

By leave Senator Hurley introduced substitute for H. F. No. 150, A bill for an act to amend chapter 86 of the laws of the Twelfth General Assembly and to define the powers and jurisdiction of the circuit court.

Read first and second time and on motion of Senator Hurley the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Crary, Dague, Dashiell, Fairall, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, McCoid, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—36.

The nays were—

Senators Atkins, Claussen, Fitch, Havens, and McCormack—5.

Absent or not voting—

Senators Allen, Bemis, Converse, Dysart, Gault, Leavitt, Maxwell, Richards and Russell—9.

So the bill passed and the title was agreed to.

Senator Boomer asked and obtained leave to withdraw S. F. No. 163 from the files.

REPORTS OF COMMITTEES.

Senator Lowry, from the committee on railroads, submitted the following report :

MR. PRESIDENT—Your committee on railroads, to whom was referred S. F. No. 188, A bill for an act authorizing the punishment of railroad companies, and other incorporated bodies, for violations of the criminal laws of this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on railroads, to whom was referred S. F. No. 191, A bill for an act relating to railroads and their management beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

The hour for the special order having arrived, it being substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named, with report of committee recommending amendments, was taken up and considered.

On motion of Senator Campbell the further consideration of the bill and report was postponed until 10 o'clock A. M. on Tuesday next and the report ordered printed.

The hour for the special order having arrived, it being S. F. No. 223, A bill for an act dividing the State into nine congressional districts, was taken up and considered.

On motion of Senator Beardsley the bill was considered by paragraphs.

Senator Larrabee offered the following amendment :

That the counties of Dubuque, Delaware, Buchanan, Black Hawk, Bremer, Butler, Grundy, Hardin, Franklin, and Wright shall compose the third district.

That the counties of Allamakee, Clayton, Winneshiek, Fayette, Chickasaw, Howard, Mitchell, Floyd, Worth, Cerro Gordo, Winnebago and Hancock, shall compose the fourth district.

On the adoption of this amendment the yeas and nays were demanded, and

The yeas were—

Senators Crary, Ireland, Larrabee, McKean, McNutt, Shane, Vale, West, Willett, Wonn and Young—11.

The nays were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Lowry, McCoid, McCormack, McCulloch, McIntyre, Merrill, Miles, Murray, Smith, Stone, Stuart, and Taylor—30.

Absent or not voting—

Senators Allen, Bemis, Converse, Dysart, Gault, Leavitt, Maxwell, Richards, and Russell—9.

So the amendment did not prevail.

Senator Willett moved to strike out of the third clause the words "Buchanan," and insert "Howard and Chickasaw."

The amendment did not prevail.

Senator Leavitt was granted leave of absence until to-morrow.

Senator Howland moved to amend the fourth paragraph by adding the word "Hamilton," which was disagreed to.

On motion of Senator Taylor "Woodbury" was added to the Ninth District.

On motion of Senator Shane the third section of the bill was stricken out.

On motion of Senator Murray the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Dague, Dashiell, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Lowry, McCoid, McCulloch, McIntyre, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West and Young—34.

The nays were—

Senators Crary, Fairall, Kinne, Larrabee, McCormack, Willett, and Wonn—7.

Absent or not voting—

Senators Bemis, Converse, Dysart, Gault, Leavitt, Maxwell, McKean, Richards, and Russell—9.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Miles, from committee on internal improvements, submitted the following report:

MR. PRESIDENT—Your committee on internal improvements, to whom was referred S. F. No. 192, A bill for an act in relation to mill dams, races and drainage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

In section 14, 4th line, strike out the word "and" and insert "or." In section 21, 3d line, strike out the word "court," and insert "land." In section 28, 3d line, after the word "parties," insert "and two by the justice." In section 35, 4th line, strike out the word "mines," and insert "miners." In section 38, end of 5th line, strike out "charter," and insert "chapter." After section 18 insert all of section 4, chapter 159, acts of the Thirteenth General Assembly, and thus amended it do pass.

J. D. MILES, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on internal improvements, to whom was referred S. F. No. 193, A bill for an act to provide for the taking of private property for works of internal improvements, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

In sec. 12, end of 2d line, strike out "it" and insert "he."

In third line strike out "its" and insert "his."

In section 14, 1st line, strike out first "shall."

In section 19, 2d line, strike out first word "the" and insert "that," and as thus amended it do pass.

J. D. MILES, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on internal improvements, to whom was referred S. F. No. 194, A bill for an act in relation to telegraph, beg leave to report that they have had the same under

consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. MILES, *Chairman.*

Ordered passed on file.

Senator Chambers, from the committee on compensation of public officers, submitted the following report :

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred S. F. No. 52, A bill for an act to amend chapter 175 of the laws of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred S. F. No. 214, A bill for an act defining and limiting the number of trustees of state institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to a special committee composed of the chairmen of the following standing committees, viz : agricultural college, orphans' home, charitable institutions, reform school and state university.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred a resolution fixing the compensation of the officers and employees of the Senate, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted.

J. C. CHAMBERS, *Chairman.*

The substitute was as follows :

Resolved, That the compensation per day of the officers and employees of the Senate be as follows :

Secretary.....	\$10 00
First and second assistant secretaries, each.....	8 00
Engrossing and enrolling clerks, each.....	7 00
Sergeant-at-arms.....	5 00
Janitor.....	6 00
Doorkeeper, assistant doorkeeper, postmaster, assistant postmaster, mail carrier, and paper folders, each.....	4 00
Messengers.....	8 00

On motion of Senator Chambers the resolution, substitute, and report were taken up and considered.

The question being on the adoption of the substitute, Senator McCoid moved to strike out all relating to postmaster, assistant postmast, and mail carrier, which motion was agreed to.

Senator Shane moved to strike out "7" and insert "8."

Senator McKean moved to amend the amendment by striking out the word "enrolling," which did not prevail.

On the adoption of Senator Shane's amendment, the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Campbell, Crary, Ketcham, Shane, West, and Willett—8.

The nays were—

Senators Allen, Beardsley, Burke, Chambers, Claussen, Dagne, Dashiell, Fairall, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, Merrill, Miles, Murray, Read, Smith, Stone, Taylor, Vale, Wonn, and Young—31.

Absent or not voting—

Senators Bemis, Converse, Dysart, Fitch, Gault, Leavitt, Maxwell, McNutt, Richards, Russell, and Stuart—11.

So the amendment did not prevail.

Senator Campbell moved to amend by striking out all after the word "resolved," and inserting the following: "That the pay of the officers of the Senate be fixed the same as allowed at the session of the 18th General Assembly,"

On the adoption of this amendment, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Crary, Lowry, McCulloch, Shane, and West—8.

The nays were—

Senators Allen, Atkins, Burke, Chambers, Claussen, Dagne, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, McCoid, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Smith, Stone, Taylor, Vale, Willett, Wonn, and Young—31.

Absent or not voting—

Senators Bemis, Converse, Dysart, Gault, Larrabee, Leavitt, Maxwell, McCormack, Richards, Russell, and Stuart—11.

So the amendment was disagreed to.

The substitute was then adopted and passed.

Senator Kinne from the committee on enrolled bills, submitted the following:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz:

S. F. No. 159, An act relating to the collection of taxes voted to aid in the construction of railroads in the counties of Clinton and Jackson.

SAM. H. KINNE, *for Committee.*

At 12 o'clock M. the President declared the Senate adjourned until 2½ o'clock P. M.

2 O'CLOCK AND 30 MINUTES.

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

The hour for the special order having arrived, it being S. F. No. 27, A bill for an act to prevent the sale of oils for illuminating purposes inflammable at a less temperature or fire test than 110 degrees Fahrenheit, and substitute for S. F. No. 27, and report of committee recommending amendments, it was taken up and considered.

Senator West moved to postpone the further consideration of the special order until Monday next at 2½ o'clock P. M., which motion did not prevail.

Senator Vale offered the following amendment:

Directions for applying the flashing test to samples of kerosene or other burning fluids: The vessel which is to hold the oil shall be of tin or thin sheet iron; it shall be two inches deep and two inches wide at the opening, tapering slightly toward the bottom. It shall have a flat rim, and a raised edge one-quarter ($\frac{1}{4}$) of an inch high around the top. It shall be supported by this rim in a tin vessel four inches and a half ($4\frac{1}{2}$) deep, and four and a half ($4\frac{1}{2}$) inches in diameter. It shall also have a thin wire stretched across the opening, which wire shall be so fixed to the edge of the vessel that it shall be a quarter ($\frac{1}{4}$) of an inch above the surface of the flat rim. The thermometer to be used is to be graduated upon the scale of Fahrenheit, every ten degrees (10 degrees) occupying not less than half an inch upon the scale. The inner vessel shall be filled with the petroleum to be tested, but care must be taken that the liquid does not cover the flat rim. The other vessel shall be filled with cold or nearly cold water; a small flame shall be applied to the bottom of the outer vessel, and the thermometer shall be inserted into the oil so that the bulb shall be immersed about one and a half ($1\frac{1}{2}$) inches beneath the surface; a screen of pasteboard or wood shall be placed around the apparatus, and shall be of such dimensions as to surround it about two thirds, and to reach several inches above the level of the vessel. When heat has been

applied to the water until the thermometer has risen to about ninety degrees (90 degrees) Fahrenheit, a very small flame (such as would be given by a wax taper), shall be quickly passed above the surface of the oil on a level with the wire. If no pale blue flicker or flash is produced, the application of the flame is to be repeated for every two or three degrees in the thermometer. When the flashing point has been recorded, the test should be repeated with a fresh sample of the oil, using cold or nearly cold water as before, withdrawing the source of heat from the outer vessel. When the temperature approaches to one hundred and ten (110) degrees without flashing, it shall be branded as safe oil.

The amendment did not prevail.

Senator West moved to amend the first amendment reported by the committee as follows: Strike out the word "some," and insert the words "one or more."

The amendment was lost.

Senator Murray moved to amend the first section reported by the committee by striking out the word "and," and inserting the word "or," which motion did not prevail.

On the adoption of the amendments reported by the committee the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Fitch, Hurley, Larrabee, Murray, Stone, Taylor, Vale, and Young—8.

The nays were—

Senators Atkins, Beardsley, Campbell, Chambers, Claussen, Crary, Ireland, Kephart, Kinne, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Read, Shane, Smith, Stuart, West, Willett, and Wonn—25.

Absent or not voting—

Senators Allen, Bemis, Burke, Converse, Dague, Dashiell, Dygart, Fairall, Gault, Havens, Howland, Ketcham, Leavitt, Lowry, Maxwell, Richards, and Russell—17.

So the amendment did not prevail.

Senator Murray moved a call of the Senate.

The call was sustained, and the Secretary proceeded to call the roll with the following result:

Absent without leave—Senators Allen, Burke, Dashiell, Fairall, Howland, Ketcham, Lowry, and Read.

The Sergeant-at-Arms presented Senator Howland at the bar of the Senate, and on motion, he was excused.

Senator Beardsley moved that further proceedings under the call be dispensed with, which motion prevailed.

The consideration of S. F. No. 27, was resumed.

Senator Stuart offered a substitute for the bill.

The substitute was adopted.

On motion of Senator Stuart, the rule was suspended and the bill read a third time.

On the question " Shall the bill pass ?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Clausen, Converse, Crary, Dague, Dashiell, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, Wonn, and Young—35.

The nays were—

Senators Chambers, Fitch, McCoid, McIntyre, and Russell—5.

Absent or not voting—

Senators Allen, Burke, Dysart, Fairall, Gault, Havens, Lowry, Maxwell, Read, and Richards—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to amend an act for the better protection of the school fund.

Approved April 8th, 1862.

BENJ. VAN STEINBURG, *Ass't. Clerk.*

Senator West, from the committee on agriculture, submitted the following report :

MR. PRESIDENT—Your committee on agriculture, to whom was referred S. F. No. 187, A bill for an act in relation to State and county agricultural societies; and of domestic and other animals; of fences; and of stock acts of 1868 and 1870; beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended as follows :

1st. Sub-divide the bill into the following bills, viz: A bill for an act in relation to State, district, and county agricultural societies, and that the above bill be amended as follows: After the word "supervision," in the ninth line of the 5th section, add the words "of the secretary;" also, in the second line of section 7, after the word "of," insert the words "stock, tillage, crops, implements, mechanical fabrics, and articles of;" also, strike out the 9th section; also, in the 8th line of the 11th section, strike out the word "ask," and insert the word "vote."

Also in the 3d line of the 13th section after the words "fair is"

insert the word "being." Also in the 11th line of the 15th section, after the words "fair is" insert the word "being."

2d. A bill for an act in relation to fences.

3d. A bill for an act in relation to domestic and other animals and stock acts of 1868 and 1870.

And when thus amended the same do pass.

J. P. WEST, *Chairman.*

The amendments reported by the committee were adopted and the bill passed on file.

On motion of Senator Ireland H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts, with report of committee recommending that it do pass, was taken up and considered.

Senator Ireland moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, West and Willett—35.

The nays were—

Senators Wonn and Young—2.

Absent or not voting—

Senators Allen, Burke, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Lowry, Maxwell, Richards, Russell and Stone—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 208, A bill for an act to provide for the taking up of rafts, logs and sawed lumber.

S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, Marion county, Iowa.

Joint resolution proposing to amend section 10, article 5, of the constitution of the State of Iowa.

Memorial and joint resolution in relation to the Niagara Falls ship canal.

JNO. J. SAFELY, *Chief Clerk.*

Senator McIntyre moved that when the Senate adjourn, it shall be until Thursday morning at 9 o'clock.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Dashiell, Howland, Hurley, Ireland, Ketcham, Leavitt, McIntyre, McKean, McNutt, Merrill, Murray, Russell, Shane, Smith, Stuart, Taylor, West, Willett, and Young—20.

The nays were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Dague, Dysart, Kephart, Kinne, Larrabee, McCoid, McCormack, McCulloch, Miles, Read, Vale, and Wonn—19.

Absent or not voting—

Senators Allen, Burke, Crary, Fairall, Fitch, Gault, Havens, Lowry, Maxwell, Richards, and Stone—11.

So the motion was agreed to.

On motion of Senator Howland, S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Larrabee moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Boomer, Claussen, Crary, Dague, Fitch, Hurley, Ireland, Ketcham, Larrabee, Leavitt, Lowry, McCoid, McCulloch, McKean, Merrill, Read, Russell, Smith, Taylor, Vale, Willett, and Young—22.

The nays were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Converse, Dashiell, Dysart, Howland, Kephart, Kinne, McCormack, Miles, Murray, Shane, Stuart, West, and Wonn—18

Absent or not voting—

Senators Allen, Burke, Fairall, Gault, Havens, Maxwell, McIntyre, McNutt, Richards, and Stone—10.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator Howland moved to reconsider the vote by which the bill was defeated.

Senator Stuart moved to lay the motion on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Converse, Dysart, Kephart, Kinne, McCormack, Murray, Shane, Stuart, West, and Wonn—15.

The nays were—

Senators Boomer, Claussen, Crary, Dague, Dashiell, Fitch, How-

land, Hurley, Ireland, Ketcham, Larrabee, Leavitt, Lowry, McCoid, McCulloch, McKean, Merrill, Miles, Read, Smith, Taylor, Vale, Willett, and Young—24.

Absent or not voting—

Senators Allen, Burke, Fairall, Gault, Havens, Maxwell, McIntyre, McNutt, Richards, Russell, and Stone—11.

So the motion to lay on the table did not prevail.

On motion of Senator Larrabee the consideration of the motion to reconsider the vote by which the bill was lost, was postponed until Thursday next at 10 A. M.

Senator Kinne, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following memorial and joint resolution and bill, and find the same correctly enrolled:

Memorial and resolution relative the Niagara Falls ship canal.

S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, Marion county, Iowa.

S. H. KINNE, *for Committee.*

On motion of Senator Dashiell the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 28, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Cooke.

Journal of Tuesday read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 380, A bill for an act to change the name of the village plat of Flood Creek, in Floyd county, Iowa.

Also, H. F. No. 346, A bill for an act to provide for taking a census of the State in the year 1873.

Also, substitute for H. F. No. 238, A bill for an act to provide for the exemption of land owners to pay taxes on land which they have conveyed to railroad companies.

Also, H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly.

Also, substitute for H. F. No. 42, A bill for an act to amend section 781 of the revision of 1860.

BENJ. VAN STEINBERG, *Assistant Clerk.*

Senator Beardsley moved that all the code bills be referred to committee on revision.

The motion prevailed.

Senator West moved to postpone the consideration of the motion to reconsider the vote ordering the engrossment of S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads, and establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon, till 10 o'clock, on which question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Hurley, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Shane, Vale, West, Willett and Wonn—26.

The nays were—

Senators Atkins, Fairall, Havens, Ireland, Larrabee, Leavitt, Lowry, McCoid, McIntyre, Miles, Murray, Read, Russell, Smith, Stone, Taylor, and Young—17.

Absent or not voting—

Senators Allen, Bemis, Crary, Howland, Kinne, Richards and Stuart—7.

So the motion prevailed.

On motion of Senator West, substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon, was taken up.

Senator McCoid moved to substitute the consideration of S. F. No. 224, A bill for an act regulating the tariff on railroads, and requiring uniformity therein, and punishing discriminations and violations of this act, for substitute for H. F. No. 12, on which the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Claussen, Crary, Fairall, Fitch, Havens, Hurley, Ireland, Larrabee, Leavitt, McCoid, McIntyre, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Wonn, and Young—21.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Shane, Taylor, Vale, West, and Willett—26.

Absent or not voting—

Senators Allen, Kinne, and Richards—3.

So the motion was lost.

Senator Stone offered the following amendment :

SECTION 17. On the taking effect of this act, the Governor shall appoint three commissioners, whose successors shall be elected at the general election in 1872, and whose duty it shall be to see that this law is faithfully executed, and in case said commissioners shall at any time, be satisfied that the rates and charges fixed by this act, shall not be reasonable and just, they shall revise and readjust the same and cause such revision and readjustment to be printed and certified by their chairman to the proper officers of the company whose line or lines such revision and readjustment will affect. Said commissioners, in such case, shall fix specific rates and charges by a list or lists, which shall prevail along the distances and between the points to be therein specified. Any such change, revision or readjustment made by said commissioners shall be as valid and legal, until changed by them, as if the same had been established by law. And the rates, charges and tariffs fixed by this act, shall have no force or effect after the same shall have been changed, revised, modified or readjusted by said commissioners.

SECTION 18. In fixing charges, rates or tariffs, or in changing, modifying, revising or readjusting the same, it shall be the duty of the commissioners in doing the same, to fix, change, revise, modify or readjust the rates, charges and tariffs, on a basis that will be fair, equitable and just to the people, allowing a just and reasonable compensation for the service rendered. And said commissioners shall have full power and authority to examine into the management and affairs of all railroad companies in this State; and they shall have the use of all legal means and processes necessary for that purpose.

SECTION 19. Said commissioners shall each receive for their services the sum of three thousand dollars (\$3,000) per annum, payable quarterly. They shall hold their sessions at such places as they may deem proper and shall each receive the sum of five cents as mileage, for every mile actually traveled. Before entering upon their duties, each of said commissioners shall take the usual oath of office, and they shall hold their office for the period of two (2) years unless removed by the Governor of the State, for incompetency or corruption in office.

Sec. 20. The violation of any regulation or order of said commissioners, made in pursuance of the provisions of this act, shall be visited by the punishment and penalties prescribed in section eleven of this act.

Sec. 21. Said commissioners shall make, to the General Assembly, a full report of all their acts and doings, in pursuance of this act, which report shall be printed and published at least three

months previous to each regular meeting of the General Assembly, and each change, modification, revision or re-adjustment made in pursuance of the provisions of this act shall be printed, signed by the chairman of said commissioners and conspicuously posted up by the railroad company at each depot and station along the line of its road or roads affected thereby.

Sec. 22. Any of said commissioners appointed or elected under the provisions of this act, who shall be guilty of being bribed in any matter pertaining to his duties herein prescribed, shall be punished, on conviction, by imprisonment in the penitentiary not exceeding ten years.

On the adoption of the amendments the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Dashiell, Fairall, Fitch, Howland, Hurley, Ireland, Larrabee, Leavitt, Lowry, McCoid, McIntyre, McKean, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—26.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Gault, Havens, Kephart, Ketcham, Kinne, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Shane, Vale, West and Willett—23.

Absent or not voting—

Senator Richards—1.

So the amendments were adopted.

Senator Howland moved to postpone the further consideration of the bill till Wednesday, April 3d, and that it be printed, together with the amendments offered by Senator Stone, on which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Fitch, Howland, Murray and Stuart—6.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn and Young—43.

Absent or not voting—Senator Richards—1.

So the motion to postpone did not prevail.

Senator Stone moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Cham-

bers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McIntyre, McKean, McNutt, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett and Young—39.

The nays were—

Senators Allen, Atkins, Gault, Havens, Hurley, Ireland, McCoid, McCulloch, Merrill, and Wonn—10.

Absent or not voting, Senator Richards—1.

So the bill passed and the title was amended by adding the words "and to provide for railroad commissioners and prescribing their powers and duties," and thus amended was agreed to.

By leave Senator Ireland, from committee on state university, submitted the following report:

MR. PRESIDENT:—Your committee on state university, to whom was referred H. F. No. 341, A bill for an act to appropriate money for the maintainance of the state university of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass,

A. B. IRELAND, *Chairman.*

Ordered passed on file.

The hour for the special order having arrived, it being all the bills proposing amendments to chapter 45 of the Revision of 1860, it was taken up and considered.

S. F. No. 23, A bill for an act to amend chapter 45 and to repeal section 781 of chapter 45 of the Revision of 1860, with report of committee recommending its indefinite postponement, was taken up, and report of committee adopted.

S. F. No. 123, A bill for an act to repeal section 871 of chapter 45 of the Revision of 1860, and to provide for making deeds for delinquent taxes, with report of committee recommending amendments, was taken up and report of committee adopted.

Senator Willett moved to amend the sixth line of the second section by striking out the word "when" and inserting the word "if." Also, to insert "not" between "is" and "redeemed," in the same line and section.

The amendments were agreed to.

Senator Burke moved to reconsider the vote by which "20" was stricken out and "25" inserted, which motion did not prevail.

On motion of Senator Larrabee the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, McCulloch, McIntyre, McNutt,

Miles, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn and Young—39.

The nays were—

Senators Bemis, Burke, Hurley, Maxwell, McCoid, McKean, Merrill, and Stuart—8.

Absent or not voting—

Senators Atkins, Howland, and Richards—3.

So the bill passed and the title was agreed to.

S. F. No. 142, A bill for an act to amend section 811, chapter 45, of the Revision of 1860, with report of committee recommending that it be indefinitely postponed, was taken up, and report of committee adopted.

S. F. No. 168, A bill for an act to amend chapter 45 of the Revision of 1860, pertaining to revenue, with report of committee recommending that it do not pass, was taken up and considered.

Pending which, by consent, S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa, was, on motion of Senator Ireland, taken up and made a special order for to-morrow at 9:15.

The consideration of S. F. No. 168 was resumed.

Senator Larrabee moved to postpone the further consideration of the bill until S. F. No. 201 was disposed of, which was agreed to.

Senator Howland moved to reconsider the vote by which S. F. No. 201 was lost.

Motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Boomer, Burke, Claussen, Converse, Crary, Dagne, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Larrabee, Leavitt, Lowry, McCoid, McCormack, McCulloch, McIntyre, McKean, McNutt, Merrill, Read, Russell, Shane, Smith, Stone, Taylor, Vale, Willett, and Young—35.

The nays were—

Senators Beardsley, Bemis, Campbell, Chambers, Dashiell, Dyart, Kephart, Kinne, Maxwell, Miles, Stuart, West, and Wonn—13.

Absent or not voting—

Senators Murray and Richards—2.

So the bill passed and the title was agreed to.

The consideration of S. F. No. 183 was resumed.

Senator Fairall moved that the further consideration of the bill be postponed until to-morrow at 2:30 o'clock P. M.

Senator Burke moved to amend by striking out "to-morrow at 2:30 o'clock P. M.," and inserting "Tuesday next at 9:30 o'clock A. M.," which was disagreed to.

Senator Fairall's motion then prevailed.

Senator West moved that when the Senate adjourn it be until 2:30 o'clock this afternoon.

The motion was lost.

At 12 o'clock *m.* the President declared the Senate adjourned.

SENATE CHAMBER, DNS MOINES, IOWA, }
 March 29, 1872. }

Senate met pursuant to adjournment, President in the chair.

Prayer by the Rev. Mr. Doran.

On motion of Senator Shane, the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked:

H. F. No. 107, A bill for an act to enable townships, incorporated towns, and cities, which have heretofore or may hereafter vote a tax in aid of the construction of a railroad, &c.

Also, the House has passed without amendment:

S. F. No. 207, A bill for an act to provide for the payment of the per diem and expenses of the commissioners, &c.

Also, I herewith present for your signature the following bill, which has been duly enrolled and signed by the Speaker of the House of Representatives:

Substitute for H. F. No. 150, A bill for an act to amend chapter 86 of the laws of the Twelfth General Assembly, and to define the powers and jurisdiction of the circuit court.

BENJ. VAN STEINBURG, *Ass't. Clerk.*

Senator Shane offered the following joint resolution:

Joint resolution appointing trustees for the Iowa College for the Blind.

Resolved by the General Assembly of the State of Iowa, That Hon. E. B. Kephart, of Linn county; Jeremiah Gay, of Blackhawk county; and Samuel H. Watson, of Benton county; be, and are hereby appointed trustees for the Iowa College for the Blind for four years from the first day of February, 1872, and until their successors are elected and qualified.

The resolution was read a first and second time.

Senator McCoid offered the following substitute :

Resolved, That the trustees for all public institutions of the State be elected by ballot in joint convention of the two houses of the General Assembly, and that for this purpose the two houses meet on Tuesday, the 9th day of April, 1872, to elect such trustees as may have to be elected at this session of the Legislature.

Senator Shane raised the point of order that the substitute was not germane to the subject.

The President decided the point of order well taken.

Senator Shane moved that the rule be suspended and the joint resolution be read a third time.

Senator Larrabee moved that the joint resolution be referred to the committee on charitable institutions which motion was agreed to.

The hour for the special order having arrived, it being S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa, it was taken up and considered.

The question being on the following amendment proposed by Senator Kephart, viz : strike out the 1st clause of the 15th section, and insert "an incidental fee fixed by the board of trustees shall be paid by all the students of the normal schools who are residents of this State."

The amendment was adopted.

Senator McIntyre was granted leave of absence.

Senator ——— offered the following amendment: *Provided*, further, those agreeing to teach shall in all cases have the preference, which was adopted.

Senator McCoid offered the following amendment to section 15 : *Provided*, also, that all students shall upon entering said schools, file with the trustees, a bond with security to be approved by said trustees in the sum of \$500, conditioned that upon failure to teach in the common schools of this State for five years next after leaving said schools, they will pay to the State for the benefit of said school, the tuition fee for the time they shall have attended said schools.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Chambers, Crary, Gault, Howland, Hurley, Larrabee, Maxwell, McCoid, McNutt, Russell, Smith, West, Wonn and Young—14.

The nays were—

Senators Allen, Beardsley, Bemis, Boomer, Campbell, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, McCulloch, McKean, Merrili, Miles, Murray, Read, Shane, Stone, Stuart, Taylor, Vale and Willett—31.

Absent or not voting—

Senators Atkins, Burke, McCormack, McIntyre and Richards—5.

So the amendment was adopted.

Senator Ketcham moved to amend section 15 by striking out of the first line the words: "the members of said board of trustees and."

The amendment was adopted.

Senator McNutt moved to amend section 17 by striking out "80" and inserting "6."

Senator Maxwell moved to amend the amendment by striking out "6" and inserting "10."

Both the amendment to the amendment and the amendment were disagreed to.

Senator Dashiell moved to amend by striking out "80" and inserting "20."

Senator McNutt moved to amend the amendment by striking out "20" and inserting "7," which did not prevail.

The amendment was then adopted.

Senator Dashiell moved to amend the third line of the 17th section by striking out "7" and inserting "5," which was agreed to.

Senator Campbell moved to amend by adding the following section to the bill:

(NOTE.—The copy for this amendment not having been furnished, we are unable to insert it.)

By consent Senator Ketcham offered the following amendment to section 16:

And the members of the board of trustees shall receive no compensation except the same mileage as members of the General Assembly, computed for the actual distance from their residence to the place of meeting.

The amendment was adopted.

Senator Beardsley moved to reconsider the vote by which the 3d section was adopted.

Senator Fairall raised the point of order that it was too late to reconsider the vote.

The President decided the point of order well taken.

On motion Senator Ireland the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, and Vale—34.

The nays were—

Senators Converse, Gault, Havens, Hurley, Maxwell, McCoid, McCulloch, McNutt, Read, West, Willett, Wonn, and Young—12.

Absent or not voting---

Senators Atkins, McCormack, McIntyre, and Richards—4.

So the bill passed and the title was agreed to.

Senate Atkins was granted leave of absence until Thursday next.

The hour for the special order, it being the joint resolution agreeing to, ratifying and confirming amendments to the State constitution, striking out the word "male from that instrument, with the majority and minority reports of the committee on constitutional amendments, it was taken up and considered.

Senator Lowry moved the previous question.

The Senate seconded the motion, and the main question was ordered.

On the question, "Shall the joint resolution be engrossed for a third reading?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dagne, Dashiell, Dysart, Howland, Hurley, Kephart, Lowry, Maxwell, McCoid, McKean, McNutt, Murray, Read, Shane, Smith, Vale, West and Young—26.

The nays were—

Senators Claussen, Crary, Fairall, Fitch, Gault, Havens, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCulloch, Merrill, Miles, Russell, Stone, Stuart, Taylor, Willett and Wonn—20.

Absent or not voting—

Senators Atkins, McCormack, McIntyre and Richards—4.

So the joint resolution was ordered engrossed.

On motion of Senator Shane the rule was suspended and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Beardsley, Bemis, Burke, Campbell, Chambers, Converse, Dagne, Dashiell, Dysart, Howland, Hurley, Kephart, Maxwell, McCoid, McKean, McNutt, Read, Shane, Smith, Vale, West, and Young—22.

The nays were—

Senators Allen, Boomer, Claussen, Crary, Fairall, Fitch, Gault, Havens, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCulloch, Merrill, Miles, Murray, Russell, Stone, Stuart, Taylor, Willett and Wonn—24.

Absent or not voting—

Senators Atkins, McCormack, McIntyre and Richards—4.

So the joint resolution, having failed to receive a constitutional number of votes, was declared lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for your signature the fol-

lowing bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts.

JNO. J. SAFELY, *Chief Clerk.*

A message from the Governor, by the hands of Capt. Wm. H. Flemming, was received and laid on the President's table.

Senator Ireland was granted leave of absence until Thursday morning.

At 11:55 o'clock, on motion of Senator Beardaley the Senate adjourned until 2½ o'clock P. M.

TWO-AND-A-HALF O'CLOCK P. M.

Senate met pursuant to adjournment, the President in the chair.

MESSAGE FROM THE HOUSE.

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 S. F. No. 50, A bill for an act to enlarge the Iowa institution for the education of the blind, and to change the name of the same, &c., with the following amendments:

Strike out the word "five," in the 7th line of sec. 5, and insert "one." Also strike out sec. 7, and insert in lieu thereof a new section. In which amendments the concurrence of the Senate is asked.

BENJ. VAN STEINBURG, *Ass't Clerk.*

REPORTS OF COMMITTEES.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 207, A bill for an act to provide for the payment of the per diem and expenses of the commissioners appointed under chapter 8, acts of the Fourteenth General Assembly, and amendatory thereof.

A. CONVERSE, *Chairman.*

COMMUNICATION FROM THE GOVERNOR.

The President submitted the following communication from the Governor:

Gentlemen of the Senate.—A bill entitled "An act relating to the collection of taxes voted to aid in the construction of railroads the in counties of Clinton and Jackson," originating in the Senate, seems to me, if not absolutely unconstitutional, at least very questionable legislation. It provides "that in any township, incorporated city or town in the counties of Clinton and Jackson, where a tax has been voted to aid in the construction of any railroad, such tax in said counties shall be collected only on the basis of the valuation as determined by the board of supervisors of said counties, and not on the valuation where it has been raised by the State Board of Equalization," etc.

I cannot but regard this as in conflict with section 30, article 3, of the constitution. This section declares that "the General Assembly shall not pass local or special laws in the following cases;" and then, after enumerating several specific purposes for which such special legislation shall not be had, it provides that "in all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State." In this view of the unconstitutionality of the proposed measure, the Attorney-General coincides, after a critical examination of the subject.

Fairness also, as well as constitutional law, would seem to require that if legislation of this kind may be applied to Clinton and Jackson counties, it should equally apply to all other counties, where the assessment has been increased by the State Board of Equalization. In fact, it should not only apply where the valuation has been increased, but it should also be made applicable where it has been diminished, by that board.

In another view of this subject, I cannot but regard the bill as tending to establish a very bad precedent. While it may be said and perhaps truthfully, that this bill is no more obnoxious to the charge of being a *special* enactment where general legislation would equally apply, than a great many other acts which have passed into law, having escaped the review of the courts; yet, if we admit all this, it is valuable occasionally to recur to these first principles of constitutional limitation, and especially so where the measure in question is likely to complicate, and perhaps render still more expensive to all parties, pending litigation.

It may be said that the equities are altogether with the tax-payers who are to be benefitted by this bill. This I will not question. It will, however, be admitted that there was no public improvement contemplated in either of these counties—no school house was to be built, no road repaired,—but what the estimate of the

amount necessary in the way of finances, in this particular, was made upon the assessors' or supervisors' valuation, and that raising the assessment will give a surplus to these objects not contemplated in the original estimates. Such taxes are just as properly subject to removal by special legislation as the tax to aid in the construction of a railroad.

Again, the results which might flow from this measure may not be confined to such portions of an assessment as have been fixed by the State board of equalization. It is difficult to see how a basis of valuation, as determined by a board of supervisors, in any county, can be more or less valid than when determined by the census board. The powers of each are derived from the same source. If, therefore, it is within the province of the legislature to exempt any county from a portion of any class of taxation upon the ground of such portion having been added by the state board of equalization, I cannot but regard the legislature as equally competent to wipe out by special law a portion, or all of the assessed valuation as determined by the board of supervisors.

It may be thought that the equalization by the census board is intended to apply particularly to taxes for state purposes. The law, however, makes no distinction in this regard, and if we once enter upon this doubtful ground of experiment, it will be difficult to draw the line of limitation.

For these reasons, and in view of the further fact that this legislation, if accepted as a precedent, and applied to other counties and to taxation for other purposes, will prove a prolific source of litigation, I feel impelled, though very reluctantly, and with great respect for the body in which it originated, to return the bill without my approval.

C. C. CARPENTER.

On the question, "Shall the bill pass notwithstanding the objections of the Governor?"

The yeas were none.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—40.

Absent or not voting—

Senators Allen, Atkins, Dague, Havens, Ireland, McCormack, McCulloch, McIntyre, Richards, and Stone—10.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval, the following bills, viz:

S. F. No. 16, An act to legalize the annexation of certain territory to the city of Knoxville.

Also, joint resolution relative to ship canal.

Also, joint resolution proposing to amend section 10, of article 5, of the constitution of Iowa.

Also, H. F. No. 203, An act to provide for the taking up of rafts, &c.

Also, H. F. No. 150, An act to amend chapter 86 of the laws of the Twelfth General Assembly.

Also, H. F. No. 178, An act to limit taxation for teachers' and contingent funds in school districts.

A. CONVERSE, *Chairman.*

Senator McCormack was granted leave of absence.

By leave, Senator Stuart offered the following resolution:

Resolved, That the President of the Senate appoint a special committee of five, with instructions to draw up and present a bill, which shall be of a general character in its operation, and embody the same principles as S. F. No. 159, in relation to abatement of taxes voted in aid of railroads, as based upon the county board of equalization, and raised by the State census board.

Senator Murray moved to amend by striking out the words "to draw and present," and inserting the words "enquire into the expediency of preparing."

The amendment was adopted.

Senator Murray moved to amend by striking out the words "President of the Senate appoint a special committee of five with instructions," and inserting committee on ways and means be instructed," which amendment was disagreed to.

Senator Young moved to lay the resolution on the table, which was not agreed to.

The question being on the adoption of the resolution, the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Boomer, Campbell, Claussen, Converse, Dashiell, Dysart, Fairall, Gault, Howland, Hurley, Ketcham, Kinne, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Miles, Russell, Shane, Stuart, Taylor, Vale, West, Willett, and Wonn—28.

The nays were—

Senators Allen, Beardaley, Burke, Chambers, Crary, Fitch, Kephart, Larrabee, Leavitt, McCoid, Murray, Read, Smith, and Young—14.

Absent or not voting—

Senators Atkins, Dague, Havens, Ireland, McCormack, McIntyre, Richards, and Stone—8.

So the resolution was adopted.

Senator Shane moved that the special order, being the resolution in relation to the death penalty, be taken up and postponed until Friday next at 9:20 A. M., which was agreed to.

Senators Dashiell and McCulloch were granted leave of absence.

Senators Smith and McNutt were excused until Wednesday.

Senator Murray moved to reconsider the vote by which the joint resolution was lost proposing to amend the constitution of the State by striking the word "male" from that instrument.

Senator Murray moved to postpone the motion to reconsider until Wednesday next.

Senator Lowry moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Boomer, Burke, Claussen, Crary, Fairall, Fitch, Gault, Howland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCulloch, McKean, Merrill, Miles, Russell, Stone, Stuart, Taylor, Willett, and Wonn—24.

The nays were—

Senators Beardsley, Bemis, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Hurley, Kephart, Maxwell, McCoid, McNutt, Murray, Read, Shane, Smith, Vale, West, and Young—20.

Absent or not voting—

Senators Atkins, Havens, Ireland, McCormack, McIntyre, and Richards—6.

So the motion to lay on the table prevailed.

S. F. No. 168, A bill for an act to amend chapter 45 of the Revision of 1860, pertaining to revenue, was taken up and considered.

Senator Hurley moved to postpone the further consideration of the bill until one week from to-morrow, and that it be printed.

Senator Beardsley moved to lay the bill on the table, on which the yeas and nays were demanded, and

The yeas were—

Senators Allen, Beardsley, Burke, Chambers, Claussen, Crary, Dague, Fitch, Hurley, Ketcham, Larrabee, Lowry, Maxwell, McCoid, McNutt, Miles, Read, Russell, Stone, and Young—20.

The nays were—

Senators Boomer, Campbell, Converse, Dysart, Fairall, Gault, Howland, Kephart, Kinne, Leavitt, McKean, Merrill, Murray, Shane, Stuart, Taylor, Vale, and Willett—18.

Absent or not voting—

Senators Atkins, Bemis, Dashiell, Havens, Ireland, McCormack, McIntyre, Richards, Smith, West, and Wonn—12.

So the motion prevailed.

The President announced Senators Stuart, McCoid, Russell, Ireland, and Murray, as the special committee provided for in Senator Stuart's resolution adopted this afternoon.

S. F. No. 80, A bill for an act to amend sections 777 and 778 of chapter 45 of the revision of 1860, in relation to tax sales, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Burke, the bill was indefinitely postponed.

REPORTS OF COMMITTEES.

Senator Fitch, from the committee on roads, submitted the following report:

MR. PRESIDENT:—Your committee on roads, to whom was referred H. F. No. 204, A bill for an act to amend section 835 of the revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out section two, and that it do then pass.

W. H. FITCH, *Chairman.*

On motion of Senator Fitch the bill and report were taken up, considered, and report of committee adopted.

On motion of Senator Fitch the rule was suspended and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, McNutt, Miles, Read, Russell, Shane, Stuart, Taylor, Vale, Willett, Wonn and Young—35.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Dashiell, Havens, Hurley, Ireland, McCormack, McCulloch, McIntyre, Merrill, Murray, Richards, Smith, Stone, and West,—15.

So the bill passed and the title was agreed to.

Senator Fitch also presented the following:

MR. PRESIDENT:—Your committee on roads, to whom was presented the accompanying bill under resolution of the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. H. FITCH, *Chairman.*

Ordered passed on file.

The bill was numbered S. F. No. 230, and entitled A bill for an act to appropriate moneys to build bridges.

Senator Boomer moved to take up and consider the bill and report now, which was agreed to.

Senator Willett moved that S. F. No. 124, A bill for an act prescribing the manner in which appropriations may be made and debts contracted by counties, towns and cities, not connected with the ordinary expenditures, and providing for their payment, be taken up and considered with S. F. No. 230, which was agreed to.

On motion, both bills were recommitted to committee on roads.

Senator Fitch, from the committee on roads presented the following report:

MR. PRESIDENT:—Your committee on roads, to whom was referred S. F. No. 178, A bill for an act changing the manner of laying out, vacating, altering and establishing roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

W. H. FITCH, *Chairman.*

Ordered passed on file.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 237, A bill for an act to legalize the donation of the swamp land and swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone and Northern Railway Co., and the Iowa, Minnesota and North Pacific Railway Company, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the figures 17, be stricken out in the first line on second page, that other figures 18, be inserted therein, and thus amended the same do pass.

JAMES S. HURLEY, *Chairman.*

The amendments reported by the committee were adopted.

On motion of Senator Hurley the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claassen, Converse, Orary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, McNutt, Merrill, Miles, Read, Russell, Shane, Stone, Stuart, Taylor, Vale, Willett, Wonn and Young—38.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Dashiell, Havens, Ireland, McCormack, McCulloch, McIntyre, Murray, Richards, Smith and West—12.

So the bill passed and the title was agreed to.

Senator Campbell, from the committee on military, submitted the following report:

MR. PRESIDENT—Your committee on military, to whom was referred S. F. No. 188, A bill for an act pertaining to the militia, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying amendments, and that so amended it do pass.

F. T. CAMPBELL, *Chairman.*

Bill and amendments referred to joint committee on revision.

PETITIONS AND MEMORIALS.

By Senator Merrill: From citizens of Wapello county, now students in the Iowa State Agricultural College, asking that appropriations be made for the erection of a physical laboratory, recitation and lecture room and for other purposes.

Referred to committee on agricultural college.

By Senator McNutt: From citizens of Muscatine asking that the 5 per cent tax voted in aid of railroads be levied only on the county valuation.

Referred to special committee appointed this p. m.

By Senator Gault: From citizens of Moulton and vicinity asking for the enactment of a law to protect the people of Iowa from charlatanism and imposition in the practice of surgery and medicine.

Referred to committee on medical institutions.

By Senator Wonn: A similar petition from citizens of Davis county.

Referred to same committee.

By Senator Young: From citizens of Mahaska county, asking that chapter 118 of the laws of the Eleventh General Assembly be not repealed.

Also, a petition asking for the repeal of said law.

Both petitions were referred to committee on printing.

By Senator Hurley: From citizens, asking for a change in relation to the satisfaction of mortgages.

Passed on file.

By Senator Shane: From citizens of Benton county—now students in the Iowa State Agricultural College—asking for appropriation for a physical laboratory at that institution.

Referred to committee on agricultural college.

By Senator Chambers: From citizens of Cedar county, asking that members of secret charitable institutions be prohibited from serving as jurors, &c.

Referred to committee on incorporations.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the speaker of the House:

S. F. No. 207, A bill for an act to provide for the payment of the per diem and expenses of the commissioners appointed under chapter 8, of the acts of the Fourteenth General Assembly, and amendatory thereof.

BENJ. VAN STEINBURG, *Ass't Clerk.*

BILLS ON THIRD READING.

S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll taxes, was taken up.

The question being on concurring in the House amendments,

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, McNutt, Merrill, Miles, Read, Russell, Shane, Taylor, Vale, Willett, Wonn, and Young—34.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Chambers, Claussen, Dashiell, Havens, Ireland, McCormack, McCulloch, McIntyre, Murray, Richards, Smith, Stone, Stuart, and West—16

So the Senate concurred in the House amendments.

On motion of Senator Boomer, S. F. No. 202, A bill for an act for the better prevention of criminal abortions, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator McCoid moved to amend the bill as follows: Strike out of the second line of the 1st section the words "supposed to be with child," and the word "such" in same line; also, in the fifth line, strike out the words "produce the miscarriage," and insert the words "prevent conception;" also, after the word "woman," in the same line, insert the words "or to produce the miscarriage by any women supposed to be with child."

The amendment was disagreed to.

On motion of Senator Boomer, the words "state prison" were stricken out of the ninth line, and the word "penitentiary" inserted.

On motion of Senator Boomer, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Cravv, Dague, Dysart, Fairall, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McKean, McNutt, Merrill, Miles, Shane, Stone, Taylor, Vale, Willett, and Young—30.

The nays were—

Senators Burke, Claussen, Fitch, Maxwell, McCoid, Murray, Read, Russell, Stuart, and Wonn—10.

Absent or not voting—

Senators Atkins, Dashiell, Havens, Ireland, McCormack, McCulloch, McIntyre, Richards, Smith, and West—10.

So the bill passed and the title was agreed to.

On motion of Senator Hurley, S. F. No. 4, A bill for an act for the appointment of short-hand reporters in district and circuit courts, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Burke moved to amend the bill by adding to the 2d section the following: "And when so audited shall be taxed with the costs in the case, and when collected shall be paid into the county treasury."

Pending the consideration of which, at 5 o'clock P. M., the President declared the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
March 30th, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Kephart.

The reading of the journal was proceeded with, when on motion of Senator Campbell the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

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:

H. F. F. No. 347, A bill for an act requiring the publication of

the receipts and expenditures of independent school districts, and estimates for the future maintenance of the same.

Also that the House has passed the following bills without amendment:

S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson in the county of Johnson, and State of Iowa.

S. F. No. 184, A bill for an act concerning acknowledgments of deeds and other instruments in writing executed in foreign countries.

Also that the House has passed S. F. No. 171, A bill for an act regulate the intersection of railroad tracks near the Mississippi river with the following amendment in which the concurrence of the Senate is asked.

Sec. 2. Provided that when such crossing occurs within the limits of cities of 6,000 inhabitants, or upwards, nothing herein contained shall deprive the city councils of any such city of the right to fix and establish the elevation of grades at such crossing.

Also that the House has concurred in the Senate amendments to H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes.

JNO. J. SAFELY, *Chief Clerk.*

Senators Stuart, Fairall and Wonn were granted leave of absence.

Senator Kephart was excused until Wednesday next.

Senator Russell was excused until Tuesday.

The Sergeant-at-Arms and Assistant Doorkeeper were excused.

Senator Boomer offered the following resolution:

Resolved, That the chairmen of the several standing committees of the Senate be constituted a sifting committee, whose duty shall be to classify all bills having received the recommendation of the committees in the first class; all bills reported without recommendation in the second class, and all bills reported adversely in the third class.

All bills hereafter to be taken up in the regular order, as classified.

This resolution shall take effect from and after the third day of April.

Senator Murray offered the following amendment:

On and after the sixth day of April the Senate will devote its entire time to the consideration of the bills on the code.

Senator Kephart moved to amend the amendment by striking out "6" and inserting "10."

On motion of Senator Russell the further consideration of the resolution and amendments was postponed until Tuesday next at 9:30 A. M.

Senator Ketcham offered the following:

Resolved, That on Wednesday, April 3d, at 4 o'clock P. M. the Senate will proceed to elect a President *pro tem*.

Senator McCoid moved to lay the resolution on the table which was disagreed to.

The resolution was then adopted.

Senator McCoid offered the following concurrent resolution :

Resolved by the Senate, the House of Representatives concurring, That the compensation of the postmaster, assistant postmaster and mail carrier of the Fourteenth General Assembly be seven dollars per day each during the session.

Senator Murray moved to lay the resolution on the table, which motion prevailed.

Senator Gault present a petition from citizens of Appanoose county asking for the enactment of a law to protect the people of Iowa against charlatanism and imposition in the practice of medicine and surgery.

Referred to committee on medical institutions.

Senator Bemis presented a petition from citizens asking for liberal appropriations for the various departments of the state university.

Referred to committee on state university.

By leave Senator Dysart introduced S. F. No. 231, A bill for an act to legalize the acts of George E. Maxwell as recorder of the incorporated town of Tama City, Tama county, Iowa.

Read first and second time, and on motion of Senator Dysart the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Merrill, Mites, Murray, Read, Russell, Shane, Stone, Taylor, Vale, Willett, and Young—35.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Dashiell, Fairall, Ireland, Kinne, McCormack, McCulloch, M Intyre, McNutt, Richards, Smith, Stuart, West, and Wonn—15.

So the bill passed and the title was agreed to.

On motion of Senator Maxwell, S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas to the students therein, with report of committee recommending that it do pass, was taken up and considered.

Senator Maxwell moved that the rule be suspended and the bill

be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Stone, Taylor, Vale, Willett, and Young—35.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Dashiell, Fairall, Ireland, Kinne, McCormack, McCulloch, McIntyre, McNutt, Richards, Smith, Stuart, West, and Wonn—15.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

S. F. No. 50, A bill for an act to enlarge the Iowa Institution for the Education of the Blind, and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments, and a printing press for the use of the blind, was taken up and considered.

The question being on concurring in the House amendments,

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Stone, Taylor, Vale, Willett, and Young—35.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Dashiell, Fairall, Ireland, Kinne, McCormack, McCulloch, McIntyre, McNutt, Richards, Smith, Stuart, West, and Wonn—15.

So the Senate concurred in the House amendments.

Senator Shane moved to reconsider the vote by which the resolution in relation to the pay of postmaster, assistant-postmaster and mail carrier was laid upon the table.

Motion was agreed to.

The motion to lay on the table was lost.

The resolution was then adopted.

Senator Dysart, from the special committee appointed to inquire into the quality of the material used for the foundation walls of the new capitol building, submitted a report.

On motion the reading was dispensed with and the report laid on the table.

The janitor was granted leave of absence.

HOUSE MESSAGES.

H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to amend an act for the better protection of the school fund, approved April 8, 1862, was taken up, read first and second time, and referred to the committee on schools.

H. F. No. 380, A bill for an act to change the name of the village plat of Flood Creek, in the township of Rudd, in Floyd county, Iowa, was taken up, read first and second times and referred to committee on incorporations.

Substitute for H. F. No. 288, A bill for an act to provide for the exemption of land owners to pay taxes on land, which they have conveyed to railroad companies, was taken up, read first and second times, and referred to committee on ways and means.

H. F. No. 346, A bill for an act to provide for taking a census of the State in the year 1873, was taken up, read first and second time and referred to committee on ways and means.

H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly, was taken up, read first and second time, and referred to committee on ways and means.

Substitute for H. F. No. 42, A bill for an act to amend section 781 of the revision of 1860, was taken up, read first and second time, and referred to committee on ways and means.

H. F. No. 107, A bill for an act to enable townships, incorporated towns and cities which have heretofore or may hereafter vote a tax in aid of the construction of a railroad under the provisions of chapter 102 of the laws of the Thirteenth General Assembly of the State of Iowa, to transfer and use such tax in aid of the construction of such other railroads within such township, city or town for which the same was voted, as the inhabitants of the township, city or town voting the same may desire, was taken up, read first and second time, and referred to committee on railroads.

H. F. No. 347, A bill for an act requiring the publication of the receipts and disbursements of the funds of independent school districts, and estimates for the future maintenance of the same, was taken up, read first and second time, and referred to committee on schools.

REPORTS OF COMMITTEES.

Senator Chambers, from the committee on compensation of public officers, submitted the following report:

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred S. F. No. 164, A bill for an act to regulate the compensation of officers and employees of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to

the Senate with the recommendation that S. F. No. 186 be substituted therefor, and that it do pass.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

By leave, Senator Russell introduced S. F. No. 232, A bill for an act to legalize the acts of the independent school district of Grand Junction, Iowa.

Read first and second time, and referred to committee on schools.

H. F. No. 108, A bill for an act to legalize the organization of the township of Centre, in O'Brien county, Iowa, was taken up, considered, and ordered engrossed for a third reading.

H. F. No. 349, A bill for an act to legalize the vacation of town plat of Wittemburg, was taken up and considered.

On motion of Senator Hurley, the bill was indefinitely postponed.

S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river, with the House amendments, was taken up.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dagne, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Shave, Stone, Vale, Willett, and Young—34.

The nays were—

Senator Crary.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, McCormack, McCulloch, McIntyre, McNutt, Richards, Russell, Smith, Stuart, Taylor, West and Wonn—15.

So the Senate concurred in the House amendments.

S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon, was taken up, and on motion, postponed until Wednesday next.

H. F. No. 93, A bill for an act to amend chapter 153 of the laws of the Thirteenth General Assembly in relation to circuit courts and juries therein, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senator Merrill—1.

The nays were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee,

Leavitt, Lowry, Maxwell, McKean, Miles, Murray, Read, Shane, Stone, Taylor, Vale, Willett, and Young—34.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, McCoid, McCormack, McCulloch, McIntyre, McNutt, Richards, Russell, Smith, Stuart, West, and Wonn—15.

So the bill having failed to receive a constitutional number of votes was declared lost.

H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts, and prohibiting their holding the office of justice of the peace, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Gault, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Murray, Read, Russell, Shane, Stone, Taylor, Vale, Willett, and Young—32.

The nays were—

Senators Fitch, Havens, Howland, and Miles—4.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, McCormack, McCulloch, McIntyre, McNutt, Merrill, Richards, Smith, Stuart, West, and Wonn—14.

So the bill passed and the title was agreed to.

S. F. No. 104, A bill for an act to protect the purchasers of patent rights, patented and proprietary articles, with majority report recommending that the bill do not pass, and minority report recommending the adoption of a substitute, was taken up and considered.

Senator Willett moved to adopt the minority report recommending the adoption of a substitute, which motion was agreed to.

Senator McCoid moved to suspend the rule and read the bill a third time, which was disagreed to.

On the question, "Shall the bill be engrossed for a third reading?" the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Converse, Crary, Dysart, Havens, Howland, Kephart, Ketcham, Kinne, Lowry, Vale, and Willett—12.

The nays were—

Senators Allen, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Dague, Fitch, Gault, Hurley, Larrabee, Leavitt, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Stone, Taylor and Young—25.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, McCormack, Mc-

Culloch, McIntyre, McNutt, Richards, Smith, Stuart, West and Wonn—13.

So the bill was lost on engrossment.

Senator Larrabee moved that when the Senate adjourn it be until 2:30 o'clock P. M.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beinis, Boomer, Converse, Crary, Fitch, Gaalt, Ketcham, Larrabee, Leavitt, Maxwell, McCoid, McKean, Miles, Vale, and Young—15.

The nays were—

Senators Allen, Beardsley, Burke, Campbell, Chambers, Clausen, Dague, Dysart, Havens, Howland, Hurley, Kephart, Kinne, Merrill, Murray, Read, Russell, Shane, Stone, Taylor, and Willett—21.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, Lowry, McCormack, McCulloch, McIntyre, McNutt, Richards, Smith, Stuart, West and Wonn—14.

So the motion did not prevail.

On motion of Senator Murray the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 1st, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Dimmitt.

On motion of Senator Beardsley the reading of the journal was dispensed with.

PETITIONS AND MEMORIALS.

Senator McCormack presented a petition from citizens of Marion county, asking for the passage of a law to protect the people of Iowa against charlatanism and imposition in the practice of medicine and surgery.

Referred to committee on medical institutions.

REPORTS OF COMMITTEES.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 158, A bill for an act to amend section 2, chapter

177, of the acts of the 13th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary to whom was referred S. F. No. 153, A bill for an act requiring pleading and papers to be served, and to regulate the proceedings and practice in the courts of this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without a recommendation.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 305, A bill for an act to amend chapter 148, of the acts of the 9th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to committee on schools.

JAMES S. HURLEY, *Chairman.*

Report adopted.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the laws of the 13th General Assembly, in relation to reading wills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Senator Havens, from the committee on county and township organization, submitted the following report:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred S. F. No. 120, A bill for an act in relation to estray animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your committee on county and township organizations, to whom was referred S. F. No. 198, A bill for an act to repeal section 474 and 475 of the revision of 1860, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on county and township organizations, to whom was referred H. F. No. 78, A bill for an act to amend section 2, chapter 173, laws of the 9th General Assembly, in regard to township assessors, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your committee on county and township organizations, to whom was referred H. F. No. 75, A bill for an act providing for the construction of public bridges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on county and township organizations, to whom was referred S. F. No. 222, A bill for an act to authorize the board of supervisors of counties which have donated their swamp lands to aid in building railroads to extend the time for the completion of such road, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on county and township organizations, to whom was referred H. F. No. 308, A bill for an act to provide seals for county recorders, beg leave to report that they have had the same under consideration and a majority have in-

structed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa, was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Miles, Murray, Taylor, Vale, Willett, and Young—29.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Bemis, Dagne, Dashiell, Fairall, Ireland, Kephart, Larrabee, McCulloch, McIntyre, McNutt, Read, Richards, Russell, Shaue, Smith, Stone, Stuart, West and Wonn—21.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 without amendment S. F. No. 231, A bill for an act to legalize the acts of George E. Maxwell as recorder of the incorporated town of Tama City, Tama county, Iowa.

BENJ. VAN STEINBURG, *Assistant Clerk.*

BILLS ON SECOND READING.

The joint resolution in relation to so-called civil service reform, was taken up and considered.

On motion of Senator Beardsley, the joint resolution was indefinitely postponed.

The joint resolution in relation to land grants to railroads, was taken up and considered.

On motion of Senator Shane the joint resolution was recommitted to the committee on federal relations.

Sub. H. F. No. 17, A bill for an act to amend chapter 8, laws of the 13th General Assembly relating to independent school districts,

was taken up, and on motion of Senator Lowry, postponed until to-morrow morning at 9:30.

S. F. No. 3, A bill for an act entitled an act to authorize the improvement of streets and alleys, was taken up, and ordered passed on file to be considered with sub. for H. F. No. 22.

S. F. No. 53, A bill for an act to authorize the improvement of streets and alleys, was taken up, and ordered passed on file to be considered with sub. for H. F. No. 22.

S. F. No. 45, A bill for an act in relation to fences along the lines of railroads, with report of committee recommending indefinite postponement, was taken up and report of committee adopted.

S. F. No. 17, A bill for an act to amend chapter 102, laws of the 13th General Assembly, with report of committee recommending that it be laid on the table, was taken up and report of committee adopted.

S. F. No. 106, A bill for an act to amend section 1329, of the Revision of 1860, so as to require the construction of a cattle guard, and fence to connect therewith, on each side of causeways or crossings, made for persons owning lands on both sides on any railroad, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

Senator Willett moved to postpone the further consideration of the bill and report until 2½ o'clock P. M. on Wednesday next, and that it be made the special order for that day and hour.

The motion did not prevail.

Senator Willett moved to amend the third line of the 1st section by inserting after the word "railroad," the words "when such railroad is fenced."

Senator Boomer moved to postpone the further consideration of the bill, report and amendment until 10:30 to-morrow, and that it be made the special order for that hour, which was disagreed to.

On the question, "Shall the report of the committee be adopted?"

The yeas were—

Senators McCoid, and Murray—2.

The nays were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fitch, Ganit, Havens, Hurley, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McKean, Merrill, Miles, Shane, Stone, Taylor, Vale, and Willett—30.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Howland, Ireland, Kephart, Larrabee, McCulloch, McIntyre, McNutt, Read, Richards, Russell, Smith, Stuart, West, Wonn and Young—18.

So the report of the committee was disagreed to.

On motion of Senator Burke the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Miles, Shane, Stone, Taylor, Vale, Willett, and Young—31.

The nays were Senator Allen—1.

Absent or not voting—

Senators Atkins, Bemis, Dashiell, Fairall, Ireland, Kephart, Leavitt, McCulloch, McIntyre, McNutt, Murray, Read, Richards, Russell, Smith, Stuart, West, and Wonn—18.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, it being the consideration of the resolution in relation to adjournment on the 16th inst., it was taken up and considered.

The question being on the motion to reconsider the vote by which the resolution was adopted, Senator Beardsley moved that further consideration be postponed until Wednesday next at 10:30 A. M.

Senator Murray withdrew his motion to reconsider the vote by which the resolution was adopted.

Senator McCoid objected to the withdrawal of the motion, and raised the point of order that it was not within the power of a Senator to withdraw the motion to reconsider at this late day.

The President decided the point of order well taken.

Senator Campbell moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Campbell, Crary, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, Merrill, Murray, Stone, and Taylor—14.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Clausen, Converse, Dague, Dysart, Fitch, Gault, Havens, Howland, Maxwell, McCoid, McKean, Miles, Shane, Vale, Willett, and Young—20.

Absent or not voting—

Senators Atkins, Chambers, Dashiell, Fairall, Ireland, Kephart, McCulloch, McIntyre, McNutt, Read, Richards, Russell, Smith, Stuart, West, and Wonn—16.

So the motion did not prevail.

The question being on Senator Beardsley's motion to postpone until Wednesday next at 10:30 A. M., the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Chambers, Clausen, Con-

verse, Dague, Dysart, Fitch, Havens, Howland, Maxwell, McCoid, McKean, Miles, Shane, Vale, and Young—18.

The nays were—

Senators Allen, Burke, Campbell, Crary, Gault, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, Merrill, Murray, Stone, Taylor, and Willett—17.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, Kephart, McCulloch, McIntyre, McNutt, Read, Richards, Russell, Smith, Stuart, West, and Wonn—15.

So the motion to postpone prevailed.

The resolution of Senator McNutt providing for fixing a day when all general legislation shall cease, and the code taken up and considered, was also postponed until Wednesday at 10:30.

Senator Converse from the committee on enrolled bills submitted the following report.

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz:

S. F. No. 207, An act to provide for the payment of the per diem and expenses of the commissioners appointed under chapter 8 of the acts of the Fourteenth General Assembly thereof.

A. CONVERSE, *Chairman.*

BILLS ON SECOND READING.

S. F. No. 130, A bill for an act to regulate city indebtedness and providing for the payment thereof, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator Leavitt the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Miles, Murray, Shane, Stone, Taylor, Vale, Willett, and Young—35.

The nays were none.

Absent or not voting—

Senators Atkins, Dashiell, Fairall, Ireland, Kephart, McCulloch, McIntyre, McNutt, Read, Richards, Russell, Smith, Stuart, West, and Wonn—15.

So the bill passed and the title was agreed to.

S. F. No. 116, A bill for an act in relation to the cancellation of

mortgages, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Burke moved to amend the first and second lines of section 1 by striking out the words "those legally acting for him," and insert the word "assignee."

Senator Ketcham moved to amend the amendment by striking out the words in the first line, "or those legally acting for him," and inserting "his assignee or his attorney in fact shown of record to be such." And, in the 6th line, "or his said attorney in fact."

The amendment to the amendment was adopted, and the amendment as amended was agreed to.

Senator Vale moved to amend the 2d line of the 2d clause by inserting the words, "within ninety days," which motion did not prevail.

Senator Dysart moved to amend by inserting "within thirty days."

Senator Maxwell moved to amend the amendment by striking out "thirty" and inserting "two," which was disagreed to.

Senator Dysart's amendment was then adopted.

Senator Stone moved that when the Senate adjourn it be until 9 o'clock A. M. to-morrow morning, which was agreed to.

The assistant postmaster was granted leave of absence.

Senator Maxwell moved to reconsider the vote by which Senator Dysart's amendment, inserting "within thirty days," was adopted.

By leave Senator Hurley, from the committee on judiciary submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred S. F. Nos. 26, 176, 158, and H. F. No. 242, and petition of J. C. Harbim, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following substitute, with the recommendation that the substitute do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

By leave Senator Murray, from the committee on senatorial districts, submitted the following report:

MR. PRESIDENT:—Your committee on senatorial districts, beg leave to report a bill for an act apportioning the State into senatorial districts, with a recommendation that it do pass.

B. F. MURRAY, *for Committee.*

The bill was numbered S. F. No. 234, and entitled "an act apportioning the State of Iowa into senatorial districts."

Read a first and second time, ordered printed, and passed on file.

At 12 o'clock M. the President declared the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER, DES MOINES, IOWA, }
April 2, 1879. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Kephart.

On motion of Senator Claussen the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 277, A bill for an act to provide for an allowance to the chief justice of the supreme court for clerk hire.

—Also, H. F. No. 336, A bill for an act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of officers thereof.

Also, H. F. No. 302, A bill for an act entitled an act to amend section 498 of the revision of 1860, in relation to special elections.

Also, a joint resolution asking congress to place lumber on the free list.

JNO. J. SAFELY, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT:—Your committee on schools to whom was referred H. F. No. 305, a bill for an act to amend chapter 148 of the acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on schools, to whom was referred H. F. No. 197, A bill for an act making counties responsible for the collection of the school fund interest, and to amend an act for the better protection of the school fund, approved April 8, 1862, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on schools, to whom was referred H. F. No. 175, A bill for an act providing for the organization of independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on schools, to whom was referred H. F. No. 343, A bill for an act to amend chapter 143 of the acts of the Twelfth General Assembly in relation to schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on schools, to whom was referred S. F. No. 189, A bill for an act to amend the school law, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on schools, to whom was referred H. F. No. 347, A bill for an act requiring publication of the receipts and expenditures of independent school districts, and estimates for maintenance of the same, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the Senate, with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on schools, to whom was referred S. F. No. 13, A bill for an act to amend section 109, chapter 1, of the school laws of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

CHARLES BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Havens, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred the resolution instructing the committee to inquire into the expediency of repealing section 796, chapter 45, of the revision of 1860, and substituting therefor county assessors, and to report by bill or otherwise, beg leave to report that they deem it expedient.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred S. F. No. 150, A bill for an act to repeal section 9, chapter 61, laws of the Eleventh General Assembly, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred S. F. No. 165, A bill for an act to provide for the further collection of taxes by township collectors in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 221, A bill for an

act to amend section 2, chapter 100, laws of the Twelfth General Assembly, in relation to road laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Senator Burke, from the committee on incorporations, submitted the following report:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railroad Company, and certain of its acts and contracts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 41, A bill for an act to enable co-operative and mutual loan associations to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. E. BURKE, *Chairman.*

Senator Burke moved to take up the bill and report and consider them now, which was agreed to.

On motion of Senator Burke, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Young—38.

The nays were—

Senators Bemis, Crary, and Wonn—3.

Absent or not voting—

Senators Allen, Atkins, Fitch, Havens, Hurley, McCulloch, McIntyre, McNutt, and Miles—9.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, it being substitute for H. F. No. 17, A bill for an act to amend chapter 8, laws of the 13th General Assembly, relating to independent school districts, with report of committee recommending that it do not pass, it was taken up and considered.

Senator Lowry moved to suspend the rule and read the bill a third time.

Senator Campbell moved to strike out section 2.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Maxwell, McCormack, Merrill, Miles, Read, Richards, Stone, Stuart and Willett—23.

The nays were—

Senators Allen, Claussen, Dague, Fairall, Fitch, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, McKean, Murray, Russell, Shane, Smith, Taylor, Vale, West, Wonn and Young—21.

Absent or not voting—

Senators Atkins, Havens, Hurley, McCulloch, McIntyre, and McNutt—6.

So the motion prevailed.

The question being on the motion to suspend the rule and read the bill a third time, it was agreed to.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Murray, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett and Young—35.

The nays were—

Senators Beardsley, Boomer, Chambers, Crary, Gault, Kephart, Ketcham, Miles, Read, Richards and Wonn—11.

Absent or not voting—

Senators Atkins, McCulloch, McIntyre and McNutt—4.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, it being the consideration of the resolution proposing the appointment of a sifting committee, it was taken up and considered.

Senators Murray and Kephart withdrew their amendment.

Senator Larrabee offered the following substitute for the resolution:

Resolved, That a sifting committee of fifteen of the chairmen of the committees to be selected by the President, of which the Senator from Jones shall be chairman, and that the committee be ordered to classify the bills in such order as in their opinion will best facilitate the business of the session.

The substitute was adopted and passed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 73, A bill for an act relating to taxes levied for bridge purposes.

H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts, practicing as attorneys or solicitors in said courts, and to prohibit their holding the office of justice of the peace.

H. F. No. 204, A bill for an act to amend section 835 of the Revision of 1860, so as to authorize road commissioners to swear their assistants.

H. F. No. 237, A bill for an act to legalize the donation of swamp lands and swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone & Northern Railway Co., and the Iowa, Minnesota & North Pacific Railway Co.

JOHN J. SAFELY, *Chief Clerk.*

The hour for the special order having arrived, it being substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named, with report of committee recommending amendments, and all bills relating to the taxation of railroad property, it was taken up and considered.

Substitute for H. F. No. 279 was first considered.

The amendments reported by the committee were adopted.

On motion of Senator Beardsley the bill was considered by sections.

Senator Beardsley moved to strike out the first section of the bill.

Pending the consideration of which, the President, at 12 o'clock M., declared the Senate adjourned until 2½ o'clock P. M.

2 O'CLOCK AND 30 MINUTES.

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

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry.

BENJ. VAN STEINBURG, *Ass't Clerk.*

The consideration of substitute for S. F. No. 279 was resumed, the question being on Senator Beardsley's motion to strike out the 1st section of the bill.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Dysart, Gault, Kephart, Kinne, Lowry, McCormack, McCulloch, Richards, Shane, and Vale—16.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Crary, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Larrabee, Leavitt, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, West, Willett, Wonn, and Young—32.

Absent or not voting—

Senators McIntyre and McNutt—2.

So the Senate refused to strike out section 1.

There being no amendments offered to section 1, the Secretary read section 2.

Senator Hurley moved to amend the 12th line of section 2, by inserting after the word "cars," the words "or property," which motion prevailed.

Also, in the same line, after the word "operating," insert the words "or repairing," which was agreed to.

Also, in 13th line of same section, strike out the word "average," and insert the word "actual."

Senator Burke moved to amend the 2d section, sixth line, by inserting after the word "detail," the words "and show for the year ending January 1st preceding."

The amendment was adopted.

By leave Senator Hurley, from the committee on revision, reported part one of the new code, which was passed on file.

At 4 o'clock and 40 minutes, on motion of Senator McKean, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
 April 3, 1872. }

Senate convened pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Mabee.

On motion of Senator Howland the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

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 S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa, with the following amendment :

Add to section 1, provided that no money appropriated by the provisions of this act shall be paid as salary to any agent who may receive a commission as agent on the board of immigration, in which the concurrence of the Senate is asked.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll taxes.

S. F. No. 184, A bill for an act concerning acknowledgments of deeds and other instruments in writing executed in foreign countries.

S. F. No. 110, A bill for an act to legalize the levy of certain taxes in townships of Monroe and Jefferson, in the county of Johnson, in the State of Iowa.

S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river.

S. F. No. 50, A bill for an act to enlarge the Iowa institution for the education of the blind, and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments and a printing press for the use of the blind.

S. F. No. 271, A bill for an act to legalize the acts of Geo. E. Maxwell, assessor of the incorporated town of Tama City, Tama county, Iowa.

A. CONVERSE, *Chairman.*

The President announced Senators McKean, Hurley, Murray, Shane, Ireland, Beardsley, West, Havens, Lowry, Campbell, McNutt, Ketcham, Allen, Bemis, and Leavitt, as the sifting committee provided for in a former resolution.

Senator McCulloch asked and obtained leave to record his vote in favor of striking section 1 from substitute for H. F. No. 279, under consideration yesterday.

The President submitted a communication from the Secretary of State in relation to clerk hire.

On motion of Senator Beardsley, the communication was ordered printed, and referred to the committee on ways and means.

The President also submitted a communication from the Governor transmitting the final report of Col. John N. Dewey, commissioner for the State of Iowa to settle and adjust certain claims of the State of Iowa against the general government.

On motion of Senator Fitch the reading was dispensed with, and the message and report was ordered printed, and referred to the committee on ways and means.

The consideration of substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named, was resumed.

The President announced that the consideration of sec. 3 was in order.

Senator Campbell moved to amend the 1st line of sec. 3 by striking out the words "as other property throughout the State is valued," and insert "at not less than \$8,000 per mile, and shall be assessed as other property throughout the State is assessed."

Pending the consideration of which the following message was received from the House :

MESSAGE 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 :

H. F. No. 381, A bill for an act amending section 2823 of the Revision of 1860, &c.

H. F. No. 136, A bill for an act to repeal sections 4149 and 4152 of chapter 162 of the Revision of 1860.

H. F. No. 402, A bill for an act to legalize certain acts of E. C. Mount as auditor of Guthrie county, Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

The consideration of Senator Campbell's motion was resumed.

Senator Willett offered the following substitute:

Strike out the words "as other property throughout the State is valued," and insert, "at its true cash value."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Kephart, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Richards, Shane, Vale, West, and Willett—24.

The nays were—

Senators Allen, Atkins, Burke, Claussen, Dague, Fairall, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Merrill, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—23.

Absent or not voting—

Senators Hurley, McIntyre, and McNutt—3.

So the substitute was adopted.

Senator Willett moved to amend section 3 as follows: Strike out in the 5th line all after the word "consideration" down to and including the word "and" in the 6th line; also strike out the word "other" in 6th line; also strike out the words "said census board" in the 7th line, and insert the word "them." Strike out of the 7th line the words "said railroad property," and insert the words "the same."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Kephart, Lowry, McCormack, McCulloch, Richards, Shane, Taylor, Vale, West, and Willett—22.

The nays were—

Senators Allen, Atkins, Burke, Claussen, Fairall, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Wonn and Young—25.

Absent or not voting—

Senators Hurley, McIntyre and McNutt—3.

So the amendments did not prevail.

Senator Shane offered the following proviso to section 3:

Provided, That all roads and branches of roads operated and run by any one company or corporation in this State, shall for the purposes of this act be deemed one road.

Senator Stuart moved to amend the proviso by striking out the words "road and branches of," and insert "continuous or trunk."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Burke, Campbell, Dysart, Howland, Ketcham, McCormack, Stone and Taylor—10.

The nays were—

Senators Beardsley, Bemis, Boomer, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Ire-

land, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Vale, West, Willett, Wonn, and Young—37.

Absent or not voting—

Senators Harley, McIntyre and McNutt—3.

So the amendment to the amendment was lost.

On the adoption of Senator Shane's *proviso* the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Converse, Dague, Dashiell, Gault, McCormack, McCulloch, Murray, Shane, Smith, and Stuart—12.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Campbell, Chambers, Clausen, Crary, Dysart, Fairall, Fitch, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Merrill, Miles, Read, Richards, Russell, Stone, Taylor, Vale, West, Willett, Wonn and Young—35.

Absent or not voting—

Senators Hurley, McIntyre and McNutt—3.

So the proviso did not prevail.

Senator McCoid moved to reconsider the vote by which the first amendment to section 3 was adopted, which motion did not prevail.

Senator Beardsley moved to amend the 4th line of section 3 by inserting after the word "railroad" the words "but shall not include elevators, stock-yards or other property of similar character owned by any railroad company, but not necessary to their legitimate business."

Pending the consideration of which, at 12 o'clock M. the President declared the Senate adjourned until 2:30 o'clock P. M.

TWO O'CLOCK AND THIRTY MINUTES.

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

Senator Beardsley moved that S. F. No. 4, A bill for an act authorizing the appointment of short-hand reporters in district courts, with report of committee recommending that it do pass, was continued a special order from day to day until disposed of.

The consideration of Substitute for H. F. No. 279, was resumed.

Senator Beardsley withdrew his amendment.

Senator Richards offered the following amendment: Insert

after the word "railroad" in the fourth line of section three "but shall not include elevators, coal or lumber yards or stock yards."

Senator Ketcham moved to amend the amendment by striking out the words "stock yards," which was not agreed to.

On the adoption of the amendment offered by Senator Richards, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Dysart, Fitch, Kephart, Ketcham, Lowry, McCormack, McCulloch, McKean, Miles, Richards, Shane, Taylor, Vale, West, and Willett—22.

The nays were—

Senators Allen, Atkins, Burke, Crary, Dashiell, Fairall, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Maxwell, McCoid, Merrill, Murray, Read, Russell, Smith, Stone, Stuart, Wonn and Young—23.

Absent or not voting—

Senators Dague, Gault, Hurley, McIntyre and McNutt—5.

So the amendment was not agreed to.

Senator Richards moved to amend the third section by striking out of the fourth line all after the word "railroad."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Dysart, Kephart, Lowry, McCormack, McCulloch, Merrill, Richards, Shane, Vale, and West—16.

The nays were—

Senators Allen, Atkins, Burke, Crary, Dashiell, Fairall, Fitch, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Willett, Wonn and Young—28.

Absent or not voting—

Senators Bemis, Dague, Gault, Hurley, McIntyre, and McNutt—6.

So the amendment was lost.

Senator Beardsley moved to amend the 3d section by inserting the following after the word "railroad" in the 4th line:

"But shall not include elevators, stock yards or other property of a similar character owned by a railroad company, and not necessary to their legitimate business.

On the adoption of this amendment, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Dysart, Gault, Kephart, Ketcham, Lowry, McCormack, McCulloch, McKean, Merrill, Read, Richards, Shane, Taylor, Vale, West and Willett—23.

The nays were—

Senators Allen, Atkins, Burke, Crary, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Maxwell, McCoid, Miles, Murray, Russell, Smith, Stone, Stuart, Wonn and Young—24.

Absent or not voting—

Senators Hurley, McIntyre, and McNutt—3.

So the amendment did not prevail.

Senator Richards offered the following proviso to section 3.

Provided, that the valuation of no railroad by the census board shall be less per mile than twice the amount of gross earnings per mile for the year last past.

Senator McCoid moved to amend the amendment by striking out all after the word "*provided*," and inserting the words, "that the valuation by the census board of the property of railroads shall be in the same ratio as that of the property of individuals.

On this question the yeas and nays were demanded, and,

The yeas were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Dague, Dashiell, Fairall, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—29.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Converse, Dy-sart, Fitch, Gault, Kephart, McCormack, McCulloch, Merrill, Richards, Shane, Vale, West and Willett—17.

Absent or not voting—

Senators Chambers, Hurley, McIntyre and McNutt,—4.

So the amendment to the amendment was agreed to.

Senator Beardsley offered the following substitute for section four:

SEC. 4. The census board on or before the 15th of March after such assessment is completed, shall transmit to the board of supervisors of each county through which, or any part of which, any of said roads run, a statement of the assessed value of said property, which statement shall also show the length of main track of said road, and in detail the amount and value of all property of said road situated within each county; and this assessment shall be distributed among the counties for taxation in proportion to the amount of real property of such road in each county.

On the adoption of the substitute the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Gault, Kephart, Lowry, McCormack, McCulloch, McNutt, Richards, Shane, Taylor, Vale, and West—19.

The nays were—

Senators Allen, Atkins, Burke, Dague, Fairall, Fitch, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Willett, Wonn and Young—27.

Absent or not voting—

Senators Bemis, Dysart, Hurley and McIntyre—4.

So the substitute was lost.

Senator Richards offered the following *proviso* to section 4:

“*Provided*, That nothing in this section contained shall relieve any railroad property from special assessments levied by any city.”

On which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Campbell, Chambers, Claussen, Converse, Dysart, Lowry, McCormack, McCulloch, Richards, Shane, Vale and Willett—14.

The nays were—

Senators Allen, Atkins, Burke, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, West, Wonn, and Young—33.

Absent or not voting—

Senators Boomer, Hurley, and McIntyre—3.

So the proviso did not prevail.

Senator Beardsley moved to amend section 5 by inserting the following after the word “statement,” in the second line:

“To cause the same to be placed on the assessment rolls of the county to which they may be sent, and the board of supervisors, shall cause to be levied upon such assessment, the same percentage of taxation that is levied against any other property of the same nature, which amount so levied, shall be collected in the same manner, and be subject to the same penalty as other property, and the taxes so levied and collected under the provision of this act, shall be distributed to the several funds, as the proceeds of all other taxes are now distributed.”

On which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Lowry, McCormack, McCulloch, Miles, Richards, Shane, Stuart, and Vale—21.

The nays were—

Senators Allen, Atkins, Burke, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Merrill, Murray, Read, Russell, Smith, Stone, Taylor, West, Willett, Wonn, and Young—26.

Absent or not voting—

Senators Hurley, McIntyre, and McNutt—3.

So the amendment was lost.

Senator Vale moved to strike out section 9.

On which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Gault, Kephart, Lowry, McCormack, McCulloch, McNutt, Richards, Shane, Vale, West, and Willett—18.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn, and Young—30.

Absent or not voting—

Senators Hurley, and McIntyre—2.

So the Senate refused to strike out the 9th section.

Senator Richards moved to amend section 12 by adding the following proviso thereto:

Provided, also, That nothing in this act contained shall be construed as permitting the census board to value any railroad in this State for the purpose of taxation, at less than twice as much per mile as the gross earnings per mile of the year last past of said road.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Gault, Lowry, McCormack, McCulloch, Merrill, Richards, Shane, Vale, and Willett—15.

The nays were—

Senators Allen, Atkins, Burke, Claussen, Crary, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, West, Wonn, and Young—31.

Absent or not voting—

Senators Dysart, Hurley, McIntyre, and McNutt—4.

So the proviso was lost.

The hour for the special order having arrived, it being the resolution in relation to the election of a President *pro tem.* of the Senate, on motion of Senator Lowry the special order was postponed until 11 o'clock A. M. to-morrow.

The consideration of substitute for H. F. No. 279, was resumed.

Senator Beardsley offered a substitute for the bill.

On the adoption of the substitute the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Dysart, Gault, Kephart, Ketcham, Lowry, McCormack, McCulloch, McNutt, Merrill, Richards, Shane, and Vale—19.

The nays were—

Senators Allen, Atkins, Burke, Crary, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, West, Willett, Wonn, and Young—29.

Absent or not voting—

Senators Hurley and McIntyre—2.

So the Senate refused to adopt the substitute.

Senator Murray moved to suspend the rule and read the bill a third time.

On which the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—45.

The nays were—

Senators Beardsley, Lowry, and Richards—3.

Absent or not voting—

Senators Hurley and McIntyre—2.

So the motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were—

Senators Beardsley, Chambers, Claussen, Converse, Lowry, McCulloch and Richards—7.

Absent or not voting—

Senators Hurley, and McIntyre—2.

So the bill passed and the title was agreed to.

Senator Murray asked and obtained leave to have S. F. No. 234, A bill for an act apportioning the State of Iowa into senatorial districts, returned to the committee on senatorial districts.

By leave, Senator McCoid, from the committee on public lands, introduced S. F. No. 235, A bill for an act to provide for the

disposal of property held by the State, and to legalize sales and conveyances thereof heretofore made.

Read first and second times and passed on file.

The special order, it being the resolution in relation to final adjournment, was taken up and considered.

The question being the motion to reconsider the vote by which the resolution was adopted, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Chambers, Claussen, Converse, Fitch, Gault, Havens, Howland, Kephart, Maxwell, McCoid, McKean, McNutt, Miles, Read, Shane, Stuart, Vale, West, and Wonn—21.

The nays were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Crary, Dague, Dashiell, Dysart, Fairall, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, McCulloch, Merrill, Murray, Richards, Russell, Stone, Taylor, Willett, and Young—26.

Absent or not voting—

Senators Hurley, McIntyre, and Smith—3.

So the motion to reconsider did not prevail.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the speaker of the House:

H. F. No. 41, A bill for an act to enable co-operative and mutual loan associations to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate.

Also, H. F. No. 108, A bill for an act to legalize the organization of the township of Centre, in O'Brien county, Iowa.

Also, S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river.

Also, S. F. 231, A bill for an act to legalize the acts of George E. Maxwell as recorder of the incorporated town of Tama City, Tama county, Iowa.

Also, S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll taxes.

Also, S. F. No. 184, A bill for an act concerning acknowledgment of deeds and other instruments in writing executed in foreign countries.

Also, S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, in the State of Iowa.

Also, S. F. No. 50, A bill for an act to enlarge the Iowa institu-

tion for the education of the blind, and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments, and a printing press for the use of the same.

JOHN J. SAFELY, *Chief Clerk.*

The special order, being the resolution in relation to the consideration of the code, was taken up and considered.

Senator Murray moved to lay the resolution on the table, which motion prevailed.

Senator Fitch, from the committee on roads, submitted the following report:

MR. PRESIDENT:—Your committee on roads, to whom was referred S. F. No. 230, A bill for an act to amend chapter 6, acts of the Fourteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute, and that the substitute do pass.

WILLIAM H. FITCH, *Chairman.*

Senator Boomer moved to take up and consider the substitute reported by the committee, which was agreed to.

On motion of Senator Boomer the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, Miles, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Wonn and Young—34.

The nays were—

Senators Beardsley, Campbell, Chambers, Crary, McCormack, McCulloch, Read, Richards, Stone, and Willett—10.

Absent or not voting—

Senators Hurley, Ketcham, McIntyre, McNutt, Merrill, and Murray—6.

So the bill passed and the title was agreed to.

Senator Fitch, from the committee on roads submitted the following report:

MR. PRESIDENT:—Your committee on roads, to whom was referred S. F. No. 124, A bill for an act providing for the manner in which appropriations may be made, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on county and township organizations.

W. H. FITCH, *Chairman.*

Report adopted.

Also the following :

MR. PRESIDENT—Your committee on roads, to whom was referred resolution in regard to road on farm of agricultural college, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute and recommend that it do pass.

W. H. FITCH, *Chairman.*

Ordered passed on file.

Senator Claussen moved that S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa, with the amendment made by the House, be taken up and considered, which was agreed to.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Crary, Dague, Fitch, Gault, Havens, Howland, Ireland, Kephart, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Read, Richards, Shane, Smith, Taylor, Vale, West, Willett and Young—32.

The nays were—

Senators Chambers, Converse, Dashiell, Dysart, Fairall, Kinne, Miles, Murray and Wonn—9.

Absent or not voting—

Senators Atkins, Hurley, Ketcham, McCoid, McIntyre, McNutt, Russell, Stone, and Stuart—9.

So the Senate concurred in the House amendment.

Senator Maxwell moved to take up and consider the joint resolution in relation to establishing a road on the lands of the agricultural college and farm, which motion prevailed.

On motion of Senator Maxwell the rule was suspended and the joint resolution read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Richards, Russell, Shane, Smith, Taylor, Vale, West, Willett, Wonn, and Young—40.

The nays were none.

Absent or not voting---

Senators Atkins, Campbell, Crary, Hurley, Ketcham, McCoid, McIntyre, Merrill, Stone, and Stuart—10.

So the joint resolution passed and the title was agreed to.

Senator Leavitt, from the committee on charitable institutions, submitted the following report :

MR. PRESIDENT :—Your committee on charitable institutions, to whom was referred joint resolution appointing trustees for the Iowa college for the blind, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be adopted.

J. W. LEAVITT, *Chairman.*

Senator Shane moved that the joint resolution and report of committee be taken up and considered, which was agreed to.

On motion of Senator Shane the rule was suspended and the joint resolution read a third time.

On the question " Shall the joint resolution pass? "

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Crary, Dague, Dysart, Gault, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Murray, Richards, Shane, Taylor, Vale, West, and Willett—29.

The nays were—

Senators Howland, McCoid, Smith and Wonn—4.

Absent or not voting—

Senators Burke, Converse, Dashiell, Fairall, Fitch, Havens, Hurley, Kephart Ketcham, McIntyre, Merrill, Miles, Read, Russell, Stone, Stuart and Young—13.

So the joint resolution passed and the title was agreed to.

At 5 o'clock p. m. the President declared the Senate adjourned.

SENATE CHAMBER, DWS MOINES, IOWA, }
April 4th, 1872. }

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

Prayer by the Rev. Mr. Kephart.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 386, A bill for an act to legalize the organization of the independent district of West Grove in Davis county, Iowa.

H. F. No. 380, A bill for an act to amend article 7, chapter 22, Revision of 1860.

I am also directed to inform you that the House has refused to concur in Senate amendments to substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff, etc.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator West moved to consider the disagreeing votes of the two houses on Senate amendments to substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of freights thereon," which was agreed to.

Senator West moved that the Senate recede from its amendments.

Senator Kephart moved the previous question which was seconded by the Senate.

Senator Fairall moved a call of the Senate, on which the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Burke, Claussen, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn, and Young—24.

The nays were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Vale, West, and Willett—23.

Absent or not voting—

Senators Allen, Hurley, and McIntyre—3.

So the motion prevailed.

On motion of Senator Lowry, Senator Hurley was excused.

The Secretary called the roll and Senator Allen was found absent without leave.

Senator Kephart moved that Senator Allen be excused, on which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Vale, West and Willett—24.

The nays were—

Senators Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid,

Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn, and Young—23.

Absent or not voting—

Senators Allen, Hurley and McIntyre—3.

So Senator Allen was excused.

The question being "Shall the main question be now put?" the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Vale, West, and Willett—24

The nays were—

Senators Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—23.

Absent or not voting—

Senators Allen, Hurley and McIntyre—3.

So the main question was ordered.

The question being "Shall the Senate recede from its amendments?" the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Vale, West and Willett—25.

The nays were—

Senators Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—22.

Absent or not voting—

Senators Allen, Hurley and McIntyre—3.

So the motion to recede prevailed.

Senator Dysart moved to reconsider the vote by which the Senate receded from its amendments.

Senator McCormack moved to lay the motion to reconsider on the table, on which question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Richards, Shane, Vale, West and Willett—23.

The nays were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, Mc-

Coid, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—24.

Absent or not voting—

Senators Hurley, McIntyre, and Miles—3.

So the motion did not prevail.

On the question of reconsidering the vote by which the Senate receded from its amendments, the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, McCoid, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—24.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Kephart, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shane, Vale, West and Willett—24.

Absent or not voting—

Senators Hurley and McIntyre—2.

The vote being a tie, on motion of Senator Murray the President was excused from voting.

So the motion to reconsider did not prevail.

RESOLUTIONS.

Senator Ireland offered the following :

Resolved by the Senate, the House concurring, That the chairmen of the committee on printing in the House and Senate be, and are hereby, appointed a committee to confer with the Sec'y of State to consider the propriety of selling a portion of the old printed matter now in possession of the State, consisting of old pamphlets, reports, documents, &c., and direct him accordingly.

The resolution was adopted.

Senator Lowry offered the following :

Resolved by the Senate, That on and after Friday, April 5, no Senator shall occupy more than ten minutes at one time, in speaking on any question under consideration, nor speak more than twice on any one subject.

On the adoption of this resolution the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McKean, McNutt, Merrill, Miles, Murray, Richards, Russell,

Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were—

Senators Claussen, McCoid, and Read—3.

Absent or not voting—

Senators Hurley, McIntyre, and McCulloch—3.

So the resolution was adopted.

Senator McNutt offered the following:

Resolved by the Senate, the House concurring, That after Monday, April 8th, all general legislation shall cease, and the code only shall be taken up and considered until disposed of.

Senator Campbell moved to amend by striking out all after the word "resolved," and insert the following:

"That on and after April 5th, the afternoon session be devoted exclusively to consideration of the code, when there is any to consider."

The amendment was agreed to, and the resolution as amended, was adopted.

The hour for the special order having arrived, it being the consideration of S. F. No. 4, A bill for an act authorizing the appointment of short-hand reporters in district and circuit courts, it was taken up and considered.

The question being on the adoption of the amendment offered by Senator Burke to section 2, it was adopted.

Senator McNutt moved to fill the blank in the third line of section 2, with the word "five."

Senator Beardsley moved to fill the blank with the word "eight."

Senator Shane proposed "ten."

The Senate refused to insert any of the words proposed.

Senator Stuart moved to fill the blank with the word "two."

Senator Converse moved to amend by striking out "two" and inserting "\$4.75."

Senator West moved to lay the bill on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Boomer, Campbell, Crary, Dashiell, Fitch, Gault, Howland, Ireland, Maxwell, McCormack, McCulloch, McNutt, Miles, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Wonn, and Young—25.

The nays were—

Senators Beardsley, Burke, Claussen, Converse, Dague, Dysart, Kephart, Ketcham, Kinne, Leavitt, Lowry, McKean, Murray, Russell, Stone, and Willett—16.

Absent or not voting—

Senators Allen, Chambers, Fairall, Havens, Hurley, McCoid, McIntyre, and Merrill—9.

So the bill was laid on the table.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked:

H. F. No. 265, A bill for an act to amend the act to provide a State capitol, approved April 13, 1870.

BENJ. VAN STEINBURG, *Ass't Clerk.*

On motion of Senator Howland, H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway, and certain of its acts and contracts, with report of committee recommending that it do pass, was taken up and considered.

Senator Howland moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dyart, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Staart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Bemis, Fairall, Havens, Hurley, McCoid, McCormack, McIntyre, and Read—8.

So the bill passed and the title was agreed to.

Senator Allen moved that H. F. No. 265, A bill for an act to provide for a state capitol, approved April 13, 1870, and making appropriations therefor, be taken up, which motion prevailed and the bill was read first and second time and referred to committee on capitol building.

On motion of Senator Vale, H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry, with report of committee recommending that it do pass was taken up and considered.

Senator Vale moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were --

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dyart, Fairall, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Lar-

abee, Leavitt, Lowry, Maxwell, McCulloch, McNutt, Merrill, Miles, Murray, Richards, Shane, Smith, Stuart, Taylor, Vale, and Wonn—36.

The nays were—

Senators Read and Willett—2.

Absent or not voting—

Senators Allen, Fitch, Havens, Hurley, McCoid, McCormack, McIntyre, McKean, Russell, Stone, West, and Young—12.

So the bill passed and the title was agreed to.

The special order being the election of a President pro tem of the Senate, on motion the Senate proceeded to the election.

Senator Dysart nominated William Larrabee, of Fayette county.

Senator Fairall seconded the nomination.

Those voting for Mr. Larrabee were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—45.

The nays were none.

Absent or not voting—

Senators Havens, Hurley, Larrabee, McIntyre, and Stone—5.

So William Larrabee was declared elected President pro tem of the Senate.

On motion of Senator Shane, H. F. No. 103, A bill for act to amend article 2, of chapter 64 of the revision of 1860, with report of committee recommending that it do pass, was taken up and considered.

Senator Campbell moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Maxwell, McCoid, McCulloch, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Vale, West and Young—29.

The nays were—

Senators Claussen, Crary, Fairall, Fitch, Kinne, Larrabee, Leavitt, Lowry, McCormack, Richards, Russell, Stuart, Willett and Wonn—14.

Absent or not voting—

Senators Havens, Hurley, Ireland, McIntyre, Merrill, Stone, and Taylor—7.

So the bill passed and the title was agreed to.

Senator Taylor was granted leave of absence until Tuesday morning.

By leave Senator Russell introduced S. F. No. 236, A bill for an act apportioning the State of Iowa into representative districts.

Read first and second time and passed on file.

Senator Smith presented a petition from citizens of Ringgold county, asking for the enactment of a law to protect the people of Iowa from charlatanism and imposition in the practice of medicine and surgery.

Referred to committee on medical institutions.

Senator Beardsley presented the following protest against the passage of substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named, which passed the Senate yesterday.

PROTEST AGAINST THE RAILROAD TAX BILL.

We, the undersigned members of the Senate, ask leave to have entered upon the pages of its journal this, our earnest and solemn protest against the passage of substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named, for the following among other reasons:

1. Because of the mode of assessment. This is new, untried, and essentially different from that to which all other property is subject. It places in the hands of four persons the whole duty of valuing \$80,000,000 worth of property—property from which they are removed scores, and in some instances hundreds of miles, and their knowledge of which they must depend wholly upon the statements of its owners or managers. From this assessment there is no appeal, nor any review. Besides placing too much and dangerous power in the hands of a few individuals, this plan of assessment will open the door to corruption; will introduce into the politics of the State vexed and troublesome questions; and will almost inevitably lead to unhappy and deplorable consequences.

2. Because the basis upon which this bill distributes the taxes levied upon railroad property is subversive of the plainest principles of common justice. It releases a large amount of such property from bearing its just proportion of taxation, by transferring it from the cities and towns where it is estimated and where taxes are necessarily heavy to new and sparsely settled districts, where they are comparatively light. While it thus relieves railroad corporations from taxes which they in justice ought to pay, it at the same time takes from one portion of the people of the State and gives to another, without any equivalent, and in open violation of the most fundamental principles of right and justice.

3. Because it proposes to remit to railroad corporations taxes which have been lawfully and equitably levied, which are now in process

of legal collection. And with which the General Assembly has no constitutional nor moral right to interfere.

CHARLES BEARDSLEY,
ROBERT LOWRY,
A. CONVERSE,
B. B. RICHARDS,
E. S. McCULLOCH.

On motion of Senator Fairall, H. F. No. 341, A bill for an act to appropriate money for the State university of Iowa, was taken up and considered.

Senator Beardsley moved to consider the bill by sections, which did not prevail.

Senator Fairall moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Howland, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Vale, Willett, Wonn and Young—42.

The nays were Senator Gault.

Absent or not voting—

Senators Dague, Havens, Hurley, M. Intyre, Murray, Taylor, and West—7.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT:—Your committee on schools to whom was referred S. F. No. 222, A bill for an act to legalize the acts of the independent school district of Grand Junction, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

On motion of Senator Beardsley the bill and report were taken up and considered.

On motion of Senator Beardsley the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCalloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Vale, Willett, Wonn and Young—44.

The nays were none.

Absent or not voting:—

Senators Havens, Hurley, Ireland, McIntyre, Taylor, and West—6.

So the bill passed and the title was agreed to.

On motion of Senator Allen S. F. No. 160, A bill for an act locating, establishing and constructing ditches, drains, and water-courses, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Maxwell moved to amend the third line of section two by striking out the words "one or more" and inserting the words "a majority of."

Senator Fairall moved to make the bill and amendment the special order for to-morrow at 10 o'clock A. M., which was agreed to.

Senator McCoid moved to postpone the consideration of the resolution in relation to abolishment of the death penalty (which had been made a special order for 9:20 A. M. to-morrow) until 10 o'clock A. M. Tuesday next.

Senator McCoid moved to amend by striking out "Tuesday" and inserting "Fourth of July," which was disagreed to.

Pending the consideration of Senator McCoid's amendment, the President *pro tem* declared the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER, DES MOINES, IOWA, }
April 5, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. T. O. Rice.

The journal of yesterday was read.

Senator Fairall offered the following preamble and resolution:
WHEREAS, On the 4th day of April, 1872, the Senate, supposing

it had substitute for S. F. No. 12, and amendments in its possession and acted thereon under such belief; and,

WHEREAS, Said bill was not before or in its possession of this body; therefore,

Resolved, That all actions on the journal relating thereto are annulled and deemed as if no action had been had on said bill.

Senator Beardaley raised the point of order that it was too late to object to the absence of the bill from the secretary's table. The time for the objection was when the question was before the Senate.

The hour for the special order having arrived, it being the resolution in relation to the death penalty, on motion of Senator Shane it was postponed until the subject under discussion was disposed of.

The President decided the point of order raised by Senator Beardaley well taken.

Senator Claussen moved to amend the journal.

The President decided that the motion was not in order.

Senator Fairall offered the following:

Resolved, That the House be requested to return to the Senate substitute for H. F. No. 12.

That the secretary of the Senate be instructed not to return to the House notice of the action of the Senate yesterday in receding from our amendments to their bill, H. F. No. 12, until further action by the Senate.

Senator Campbell moved to postpone the further consideration of the resolution until 9 o'clock and 30 minutes on Wednesday next.

On which the yeas and nays were demanded, and

The yeas were—

Senators Beardaley, Boomer, Campbell, Chambers, Converse, Gault, Kephart, Maxwell, McCormack, McCulloch, McKean, McNutt, Richards, Shane, Vale, West and Willett—17.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Claussen, Crary, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Wonn and Young—29.

Absent or not voting—

Senators Dague, Hurley, McIntyre and Taylor—4.

So the motion to postpone did not prevail.

Senator Boomer moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardaley, Boomer, Campbell, Chambers, Dysart, Gault, Kephart, Kinne, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Richards, Shane, Vale, West, and Willett—19.

The nays were—

Senators Allen, Atkins, Bemis, Burke, Claussen, Converse, Cra-

ry, Dashiell, Fairall, Fitch, Havens, Howland, Ireland, Ketcham, Larrabee, Lowry, McCoid, Merrill, Murray, Read, Russell, Smith, Stone, Stuart, Wonn and Young—26.

Absent or not voting—

Senators Dague, Hurley, Leavitt, McIntyre and Taylor—5.

So the motion did not prevail.

Senator McKean, from the sifting committee, submitted the following report :

MR. PRESIDENT—Your sifting committee, consisting of Senators McKean, Hurley, Murray, Shane, Ireland, Beardsley, West, Havens, Lowry, Campbell, McNutt, Ketcham, Allen, Bemis and Leavitt, have had under consideration the bills on file with the Secretary, and have arranged those on general legislation in three classes and local bills separately, in their order of importance as estimated by the committee, and recommend that they be considered as arranged in their order, until otherwise ordered by the Senate, and that local bills be considered, as heretofore, on special days. A schedule of the arrangement and the several classes is hereto attached, all of which is respectfully submitted.

JOHN McKEAN, *Chairman.*

FIRST CLASS.

1. House File No. 197.
2. Senate File " 125.
3. " " " 186.
4. " " " 151.
5. " " " 166.
6. " " " 137.
7. House File No. 9.
8. Senate File No. 173.
9. Substitute for House File No. 49, and S. F. No. 30.
10. Senate File No. 215.
11. Senate File No. 67, second substitute.
12. House File No. 23.
13. Senate File No. 135.
14. " " " 82.
15. House File No. 169.
16. Senate File No. 216.
17. " " " 226.
18. " " " 196.
19. " " " 210.
20. " " " 138.
21. " " " 52.
22. House File No. 158.
23. Resolution for electing U. S. Senators by vote of people.

24. House File No. 129.
24. " " " 73.
25. " " " 347.
26. " " " 221.
27. " " " 305.
28. Senate File No. 235.
29. House File No. 175.
30. Senate File No. 236.

SECOND CLASS.

1. Senate File No. 118.
2. " " " 41, and House File No. 19.
3. " " " 143.
4. " " " 169.
5. " " " 172.
6. " " " 62 and accompanying papers.
7. " " " 135.
8. " " " 119.
9. " " " 42.
10. House File No. 240.
11. Senate File No. 208.
12. " " " 165.

THIRD CLASS.

1. Senate File No. 141.
2. Senate File No. 132.
3. Senate File No. 81.
4. Senate File No. 96.
5. Memorial of Board of Supervisors.
6. Senate File No. 126.
7. House File No. 116.
8. Senate File No. 181.
9. Senate File No. 148.
10. Senate File No. 179.
11. Petition in regard to secret societies.
12. Senate File No. 177.
13. Air brake resolution.
14. Senate File No. 115.
15. Senate File No. 165, relative to publishing delinquent tax list.
16. Washington monument resolution.
17. Memorial relative to graduated system of taxation.
18. Senate File No. 200.
19. Senate File No. 167.
20. Senate File No. 84.

21. Senate File No. 154.
22. Senate File No. 89.
23. Senate File No. 89.
24. Senate File No. 199.
25. Senate File No. 73.
26. Senate File No. 70.
27. Joint resolution in relation to Lake Superior canal.
28. Senate File No. 134.
29. Senate File No. 164.
30. Senate File No. 153.
31. Senate File No. 130.
32. Senate File No. 198.
33. House File No. 75.
34. Senate File No. 222.
35. House File No. 308.
36. Senate File No. 150.
37. House File No. 343.
38. Senate File No. 13.
39. Resolution in relation to appointing county assessors.
40. Senate File No. 187.

LOCAL BILLS.

1. Senate File No. 165.
2. House File No. 170.
3. House File No. 242, and Senate Files No. 26, 176, and 158.

Senator Dysart offered the following substitute for the resolution:

Resolved, That the Secretary be ordered to report to the House the action of the Senate on substitute for S. F. No. 12.

Senator Claussen moved the previous question.

Senator Dague was excused until Tuesday.

Senator Dysart moved a call of the Senate, on which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dysart, Kinne, McCormack, McCulloch, McKean, McNutt, Richards, Shane, and West—15.

The nays were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Vale, Willett, Wonn, and Young—31.

Absent or not voting—

Senators Dague, Hurley, McIntyre, and Taylor—4.

So the motion was lost.

At 12 o'clock the President declared the Senate adjourned until 2½ o'clock P. M.

TWO O'CLOCK AND THIRTY MINUTES.

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

On motion of Senator West, the consideration of the code was postponed until 2½ o'clock P. M., on Monday next.

Senator Fairall, from the committee on judiciary, submitted the following report:

The judiciary committee, to whom was referred the petition of various citizens of Calhoun county, Iowa, in behalf of certain settlers who have located under the homestead law on lands, now claimed as swamp land, have instructed me to report as follows:

1st. That no State legislation, other than that now on the statute book, can aid the petitioners, and recommend the adoption of the following joint resolution:

Be it resolved by the General Assembly of the State of Iowa, That our Senators in Congress are instructed and our Representatives requested, to use their influence to secure to the settlers on the swamp lands (or lands claimed as such) in the State of Iowa, under the homestead law, title thereto, or if this cannot be done, indemnity, or such other equitable relief as is right in the premises, and that the Secretary of State be directed to send a copy of this resolution to our Senators and Representatives in Congress.

Ordered passed on file.

Senators Fairall and Dysart withdrew their resolutions in relation to substitute for H. F. No. 12.

Senator West offered the following resolution:

Resolved, That the Senate rescind its action on the motion to recede from the Senate amendments to H. F. No. 12.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wenn, and Young—41.

The nays were—

Senators Boomer, Chambers, Dysart, and Havens—4.

Absent or not voting—

Senators Dague, Hurley, McIntyre, Shane, and Taylor—5.

So the resolution was adopted.

Senator Shane was granted leave of absence until Tuesday morning.

Senator West moved that the Senate insist on its amendments to substitute for H. F. No. 12, and ask for a committee of conference.

Senator Fairall raised the point of order that the motion was not in order from the fact that the bill was not in the possession of the Senate.

The President decided the point of order well taken.

Senator Boomer was granted leave of absence.

Senator West moved to request the House of Representatives to return to the Senate substitute for H. F. No. 12, which motion prevailed.

Senator Merrill from the committee on capitol building, submitted the following report:

MR. PRESIDENT—Your committee on State capitol building, to whom was referred H. F. No. 265, A bill for an act to amend an act to provide for a State Capitol, approved April 13th, 1870, and making appropriations therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of section 2, all after the words "provided by law," and that thus amended it do pass.

J. H. MERRILL, *Chairman.*

Ordered passed on file.

On motion of Senator Dysart the resolution in relation to capital punishment was postponed until 11 o'clock A. M. on Wednesday next.

By leave Senator Burke, from the committee on incorporations, introduced S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, the election of its officers and all the acts done and ordinances passed by the council of said town.

Read first and second time and passed on file.

Also, S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa.

Read first and second time and passed on file.

Also, S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances.

Read first and second time and passed on file.

By leave Senator McKean, from the committee on judiciary, introduced S. F. No. 240, A bill for an act to amend chapter 2, of

the acts of the 13th General Assembly, and to authorize the district judge of the 4th judicial district to appoint terms of court in certain counties.

Read first and second time and passed on file.

By leave Senator Fairall introduced S. F. No. 241, A bill for an act to legalize the gifts, grants, sales and conveyances of certain lands located with the script issued to Johnson county, as indemnity for swamp lands, and the acts and the proceedings of the board of supervisors of said county, and of Jephtha Cowgill as agent and trustee of said county, and of the Iowa Northern Central railroad company relating thereto.

Read first and second time and referred to committee on judiciary.

Senator Howland was granted leave of absence.

Senator Larrabee, from the committee on ways and means, introduced S. F. No. 242, A bill for an act amendatory to chapter 45, sections 799 and 800 of article 1, of the revision of 1860.

Read first and second time and passed on file.

Also, S. F. No. 243, A bill for an act in relation to land grant lands and to provide for a record title thereto.

Read first and second time and passed on file.

Senator Leavitt, from the committee on charitable institutions, introduced a joint resolution appointing trustees for the Iowa hospital for the insane at Independence.

Read first and second time, and on motion of Senator Beardsley the rule was suspended and the joint resolution read a third time.

Senator Richards moved to strike the names of Mrs. Prudence A. Appleman from the joint resolution.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Dashiell, Richards, Russell and Stuart—4.

The nays were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dysart, Fairall, Fitch, Gault, Havens, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNntt, Merrill, Miles, Murray, Read, Smith, Stone, Vale, West, Willett and Young—37.

Absent or not voting—

Senators Atkins, Dagne, Howland, Hurley, Kinne, McIntyre, Shane, Taylor and Wonn—9.

So the motion did not prevail.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Ireland, Kephart, Ketcham, Larrabee, Lea-

vitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Smith, Stone, Stuart, Vale, West, Willett and Young—39.

The nays were—

Senators Richards and Russell—2.

Absent or not voting—

Senators Atkins, Dague, Howland, Hurley, Kinne, McIntyre, Shane, Taylor and Wonn—9.

So the joint resolution passed and title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives, in accordance with a request of the Senate, for substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable rates of tariff for the transportation of certain freights thereon, herewith transmit the original bill with the accompanying amendments of the Senate attached thereto.

JNO. J. SAFELY, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Bemis, from committee on public buildings, submitted the following report:

MR. PRESIDENT—Your committee on public buildings, to whom was referred S. F. No. 204, A bill for an act for the extension and improvement of the Iowa State Penitentiary at Fort Madison, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it do pass.

G. W. BEMIS, *Chairman.*

Ordered passed on file.

Senator Merrill, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 228, A bill for an act to establish a board of inspectors of State institutions, and define their duties, and the duty of the Governor under this act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. MERRILL, *for Committee.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on ways and means, to whom

was referred the petition of David Guthrie and others for change of time in making assessments, of Carry Smith and others that poultry be exempt from execution, of R. Hardesty and others that taxes be paid semi-annually, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed.

J. H. MERRILL, *for Committee.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on ways and means, to whom was referred papers in reference to the National Prison Association and International Penitentiary Congress, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that they be indefinitely postponed.

J. H. MERRILL, *for Committee.*

Ordered passed on file.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa.

A. CONVERSE, *Chairman.*

On motion of Senator Fairall, H. F. No. 265, A bill for an act to amend an act to provide a State capitol, approved April 13, 1870, and making appropriations therefor, with report of committee recommending amendments, was taken up and considered.

Senator Leavitt moved the previous question which was seconded and the main question ordered.

On the adoption of the amendments reported by the committee, the yeas and nays were demanded, and

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Dashiell, Dysart, Fairall, Fitch, Havens, Ireland, Kephart, Ketcham, Kinue, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Murray, Read, Russell, Smith, Stone, West, and Young—33.

The nays were—

Senators Boomer, Converse, Crary, Gault, McCormack, Miles, Richards, Vale, Willett, and Wonn—10.

Absent or not voting—

Senators Dague, Howland, Hurley, McIntyre, Stuart, Taylor, and Shane—7.

So the amendment was adopted.

On the question, "Shall the bill be engrossed for a third reading?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Dashiell, Dysart, Fairall, Fitch, Havens, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Murray, Read, Russell, Smith, Stone, Vale, West, and Young—34.

The nays were—

Senators Converse, Crary, Gault, Larrabee, McCormack, Miles, Richards, Willett and Wonn—9.

Absent or not voting—

Senators Dague, Howland, Hurley, McIntyre, Shane, Stuart, and Taylor—7.

So the bill was ordered engrossed.

On motion of Senator Fairall the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Dashiell, Dysart, Fairall, Fitch, Havens, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Murray, Read, Russell, Smith, Stone, Vale, West, and Young—34.

The nays were—

Senators Converse, Crary, Gault, Larrabee, McCormack, Miles, Richards, Willett and Wonn—9.

Absent or not voting—

Senators Dague, Howland, Hurley, McIntyre, Shane, Stuart, and Taylor—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State university of Iowa.

H. F. No. 103, A bill for an act to amend article 2, chapter 64, revision of 1860.

H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry.

H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone and Northern Railway Company, and certain of its and contracts.

S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa.

JOHN J. SAFELY, *Chief Clerk.*

On motion of Senator Campbell, S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains and water courses, was taken up and considered.

The question being on the amendment offered by Senator Maxwell to strike out of the 3d line of the 2d section the words "one or more," and insert "one fourth of the residents," it was adopted.

Senator Ireland moved to amend by striking out the word "benefited" in the 3d line of the 9th section, which was disagreed to.

Senator Fairall moved that the rule be suspended and the bill read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Havens, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, Merrill, Murray, Read, Russell, Smith, Vale, West, Willett, Wonn, and Young—33.

The nays were—

Senators Gault, Ireland, and Stuart—3.

Absent or not voting—

Senators Beardsley, Dague, Fitch, Howland, Hurley, McCoid, McIntyre, McKean, McNutt, Miles, Richards, Shane, Stone, and Taylor—14.

So the bill passed and the title was agreed to.

Senator Lowry offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the General Assembly meet in joint convention, on Thursday, April 11th inst., at 10 o'clock A. M., for the purpose of electing all officers that are yet to be elected by this General Assembly.

Senator McNutt moved to lay the resolution on the table, on which the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Kephart, Maxwell, McCormack, McCulloch, McNutt, Miles, Murray, Richards, Stuart, and West—20.

The nays were—

Senators Allen, Atkins, Boomer, Burke, Fairall, Havens, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Merrill, Russell, Smith, Stone, Vale, Willett, Wonn and Young—19.

Absent or not voting--

Senators Bemis, Dague, Howland, Hurley, Ireland, McCoid, McIntyre, McKean, Read, Shane, and Taylor—11.

So the motion to lay on the table prevailed.

Senator Maxwell, from the special committee submitted the following report :

MR. PRESIDENT—Your special committee to whom was referred S. F. No. 214, A bill for an act defining and limiting the number of trustees of State institutions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows :

Strike out from section 1, in second line, the words "and the Regents of the State University."

Strike out section 2, and insert in lieu thereof : "The Agricultural College and Farm shall be under the management of a board of nine trustees, to consist of one from each congressional district."

Strike out section 3.

Strike out of section 5 the word "three," and insert "five."

Strike out sections 6, 7, and 8.

And that the act when so amended do pass.

GEO. M. MAXWELL, *Chairman.*

Ordered passed on file.

Senator Beardsley, from the special committee on S. F. No. 22, submitted the following report :

MR. PRESIDENT—Your special committee to whom was referred substitute for H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys, and repealing certain laws relating thereto, beg leave to report they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "a" at the end of the fourteenth line, and at the beginning of the fifteen line "gutter or," of the 1st section.

Amend 2d section by inserting in the seventh line, before the word "paving," the word "curbing," and in the eighth line, after the word "paving," insert "graveling." Strike out "sewers and" in the eleventh, and insert "the" before "constructing" in the tenth line. Insert after "paving," in the 28th line, the words "curbing, graveling." Strike out of the 30th line "or sewers." Strike out 2d proviso, being all of 2d section after the word "town" to 50th line.

Amend 3d section by striking out in lines one and two "in the discretion," and insert "the duty;" add in the 5th line "s" to the word "section," and insert after said word "one and." At the end of 3d section add "provided, that all bids for such work may be rejected by such council or board of trustees if thought by them to be exorbitant, and new bids ordered."

Amend section 5: in the 10th line after "service," insert "as near as practicable."

Amend section 6: in 1st line strike out "said taxes," and insert "all taxes levied or assessed in conformity with the provisions of this act."

Amend section 7 by striking out "are" in 6th line, and inserting "is," and in same line strike out "hereby."

And that when thus amended it do pass.

CHAS. BEARDSLEY, *Chairman.*

On motion of Senator Beardsley the bill and report were made the special order for 9:30 to-morrow.

HOUSE MESSAGES.

H. F. No. 136, A bill for an act to repeal section 4149 and 4152 of chapter 162 of the revision of 1860, was taken up, read first and second time and referred to committee on compensation of public officers.

H. F. No. 402, A bill for an act to legalize certain acts of E. C. Mount as auditor of Guthrie county, Iowa, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 386, A bill for an act to legalize the organization of the independent school district of West Grove, in Davis county, Iowa, was taken up, read first and second time and referred to committee on schools.

H. F. No. 330, A bill for an act to amend article 7, chapter 22, of the revision of 1860, was taken up, read first and second time and referred to committee on agriculture.

H. F. No. 302, A bill for an act entitled an act to amend section 498 of the revision of 1860, in relation to special elections, was taken up, read first and second time and referred to committee on elections.

H. F. No. 381, A bill for an act amending section 2823 of the revision of 1860 relating to the proof of service of original notices and fixing fees for such services, was taken up, read first and second time and referred to committee on compensation of public officers.

H. F. No. 336, A bill for an act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of town officers thereof, was taken up, read first and second time and referred to committee on incorporations.

H. F. No. 277, A bill for an act to provide for an allowance to the chief justice of the supreme court for clerk hire, was taken up and read first and second time.

On motion of Senator West the bill was considered now.

On motion of Senator Vale the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Orary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Kephart, Kinne, Leavitt, Maxwell, McCormack, McCulloch, Merrill, Miles, Murray, Richards, Russell, Smith, Stone, Vale, West, Willett and Wonn--33.

The nays were---

Senators Stuart and Young--2.

Absent or not voting---

Senators Bemis, Dague, Howland, Hurley, Ireland, Ketcham, Larrabee, Lowry, McCoid, McIntyre, McKean, McNutt, Read, Shane and Taylor--15.

So the bill passed and the title was agreed to.

At 5 o'clock P. M. the President declared the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 6th, 1872. }

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

Prayer by the Right Rev. Bishop Lee.

Journal of yesterday read, corrected and approved.

The President announced Senators West, Stone and Stuart as the conference committee on the part of the Senate, on the disagreeing votes of the two houses on Senate amendments to substitute for H. F. No. 12.

Miss Ida Stoughton, paper-folder, was granted leave to absence.

PETITIONS.

Senator Ketcham presented a petition from citizens of Millersburg, Iowa, asking for the enactment of a law to protect the people from charlatanism and imposition in the practice of medicine and surgery.

Referred to committee on medical institutions.

Senator Gault presented a similar petition from citizens of Davenport.

Same reference.

Senator Orary presented a petition from citizens protesting against the centralization of power in county seats.

Referred to committee on county and township organizations.

MESSAGE FROM THE HOUSE.

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 with amendments:

S. F. No. 43, A bill for an act to provide for an argument term of the supreme court at Council Bluffs, by striking out publication clause.

Also, I am directed to inform your honorable body that the House has concurred in Senate amendment to substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named.

BENJ. VAN STEINBERG, *Assistant Clerk.*

On motion of Senator McKean the report of the sifting committee was taken up and considered.

Senator Claussen moved that the report be printed, which was disagreed to.

The hour for the special order having arrived, it being substitute for H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys, and repealing certain laws relative thereto, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Claussen moved to amend by striking out "two-thirds" and inserting "a majority," which amendment was disagreed to.

Senator Burke was granted leave of absence until Tuesday morning.

Senator Leavitt moved to amend the 2d section by striking out "four-fifths" and inserting "three-fourths," which was agreed to.

On motion of Senator Beardsley, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn, and Young—38.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fairall, Howland, McCoid, McIntyre, McKean, Murray, Shane, and Taylor—12.

So the bill passed and the title was agreed to.

LOCAL BILLS.

S. F. No. 165, A bill for an act to repeal an act legalizing the organization of an independent school district from portions of Page and Taylor counties, with report of committee recommending that it do pass, was taken up and considered.

Senator Smith moved to suspend the rule and read the bill a third time, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Clauseen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Wonn, and Young—36.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fairall, Howland, Ketcham, McCoid, McIntyre, McKean, Murray, Shane, Taylor, and Willett—14.

So the bill passed and the title was agreed to.

H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county to John Parrott, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Beardsley, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Campbell, Clauseen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, and Wonn—36.

The nays were none.

Absent or not voting—

Senators Bemis, Boomer, Burke, Chambers, Dague, Fairall, Howland, Maxwell, McCoid, McIntyre, Murray, Shane, Taylor, and Young—14.

So the bill passed and the title was agreed to.

Senator Chambers was granted leave of absence on account of sickness.

Substitute for Senate Files Nos. 26, 176, and H. F. No. 252, with report of committee recommending the adoption of a substitute for these bills.

The substitute was numbered 244, and entitled A bill for an act to legalize the official acts of certain notaries public and justices of the peace named herein.

The Senate adopted the substitute.

On motion of Senator Campbell, a publication section was added.

On motion of Senator Hurley, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Clausen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack, McCulloch, McNutt, Merrill, Miles, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, and Wonn—35.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fairall, Howland, Maxwell, McCoid, McIntyre, McKean, Murray, Read, Shane, Taylor, and Young—15.

So the bill passed and the title was agreed to.

Senator Converse from the committee on enrolled bills submitted the following report :

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor, for his approval, the following bills :

S. F. No. 78, An act relating to taxes levied for bridge purposes.

Also, H. F. No. 237, An act to legalize the donation of the swamp lands and swamp land funds of Hamilton county.

Also, H. F. No. 101, An act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts, and to prohibit their holding the office of justice of the peace.

Also, H. F. No. 204, An act to amend section 835 of the revision of 1860.

Also, S. F. No. 50, An act to enlarge the Iowa institution for the education of the blind.

Also, S. F. No. 171, An act to regulate the intersection of railroad tracks near the Mississippi.

Also, H. F. No. 41, An act to enable co-operative and mutual loan associations to raise funds, &c.

Also, H. F. No. 108, An act to legalize the organization of the township of Centre, in O'Brien county, Iowa.

Also, S. F. No. 231, An act to legalize the acts of George E. Maxwell as recorder of Tama City.

Also, S. F. No. 32, An act authorizing municipal corporations to levy poll taxes.

Also, S. F. No. 110, An act to legalize the levy of certain taxes in the townships of Monroe and Jefferson.

Also, S. F. No. 184, An act concerning the acknowledgment of deeds, &c.

Also, S. F. No. 201, An act to encourage and promote immigration, &c.

Also, H. F. No. 341, An act to appropriate money for the maintenance of the state university.

Also, H. F. No. 103, An act to amend article 2 of chapter 64, revision 1860.

Also, H. F. No. 62, An act for the encouragement of horticulture and forestry.

Also, H. F. No. 234, An act to legalize the incorporation of the Des Moines, Boone & Northern railway company, and certain of its acts and contracts.

A. CONVERSE, *Chairman.*

S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Des Moines county, Iowa, the election of its officers, and all the acts done and ordinances passed by the council of said town, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Wonn, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Russell, Smith, Stuart, Vale, West, Willett, and Wonn—34.

The nays were none.

Absent or not voting—

Senators Bemis, Boomer, Burke, Dague, Fairall, Havens, Howland, McCoid, McIntyre, Murray, Read, Shane, Stone, Taylor, and Young—16.

So the bill passed and the title was agreed to.

By leave, Senator Beardsley from the committee on schools, introduced S. F. No. 245, A bill for an act to legalize the election of school directors of the independent school district of Camanche City.

Read first and second times, and on motion of Senator Ireland the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn and Young—38.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fairall, Howland, McCoid, McIntyre, Murray, Read, Shane, and Taylor—12.

So the bill passed and the title was agreed to.

S. F. No. 238, A bill for an act to legalize the ordinances of the City of Waverly, Iowa.

On motion the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Russell, Smith, Stuart, Vale, West, Willett, Wonn and Young—36.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fitch, Howland, Ireland, McCoid, McIntyre, Murray, Read, Shane, Stone, and Taylor—14.

So the bill passed and the title was agreed to.

S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances.

On motion of Senator Smith the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn and Young—38.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fairall, Howland, Ireland, McCoid, McIntyre, Murray, Shane, and Taylor—12.

So the bill passed and the title was agreed to.

The joint resolution in relation to the petition of citizens of Calhoun county in regard to the rights of homestead settlers on swamp lands, was taken up and considered.

Read first and second time, and on motion of Senator Fitch the rule was suspended and the joint resolution read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ire-

land, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn and Young—37.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, Burke, Chambers, Dagne, Fairall, Howland, McCoid, McIntyre, Murray, Shane and Taylor—18.

So the joint resolution passed and the title was agreed to.

Senator Vale offered the following resolution:

Resolved by the Senate, That no member thereof shall obtain leave of absence from and after April 8th, only on account of sickness or sickness in his family, unless two thirds of the members present so agree.

On the adoption of this amendment the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Hurley, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Smith, Stuart, Vale, West, Willett, Wonn and Young—28.

The nays were—

Senators Allen, Atkins, Bemis, Ireland, Kinne, Read, Russell and Stone—8.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dagne, Fairall, Howland, McCoid, McCormack, McIntyre, Murray, Shane and Taylor—12.

So the resolution was adopted.

On motion of Senator McKean S. F. No. 240, A bill for an act to amend chapter two of the acts of the Thirteenth General Assembly and to authorize the district judge of the fourth judicial district to appoint terms of court in certain counties, with report of committee recommending that it do pass, was taken up and considered.

Senator McKean moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn, and Young—37.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, Burke, Chambers, Dague, Fairall, Fitch, Howland, McCoid, McIntyre, Murray, Shane, and Taylor—13.

So the bill passed and the title was agreed to.

Senator Russell moved to take up and consider S. F. No. 236, A bill for an act apportioning the State of Iowa into representative districts, which did not prevail.

Senator Richards moved to take up and consider H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors, with report of committee recommending that it do not pass.

The motion did not prevail.

Senator Lowry was granted leave of absence until Tuesday.

Joint resolution to congress asking that lumber be placed on the list of articles free of import duties, was taken up, read first and second time and referred to committee on federal relations.

REPORTS OF COMMITTEES.

Senator Larrabee, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 220, A bill for an act in relation to jurors' fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred substitute for H. F. No. 42, A bill for an act to amend section No. 781 of the revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Also, the following :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred H. F. No. 90, A bill for an act to amend chapter 29, of the acts of the 9th General Assembly beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred substitute for H. F. No. 238, A bill for an act to pro-

vide for the exemption of land owners to pay taxes on land which they have conveyed to railroad companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred H. F. No. 346, A bill for an act to provide for taking a census of the State in the year 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Campbell, from the committee on military, submitted the following report :

MR. PRESIDENT:—Your committee on military beg leave to report that they have had under consideration the enclosed bill defining the office of Adjutant General, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "one thousand five hundred" and inserting "two thousand" in section one of said bill, and that so amended it do pass.

F. T. CAMPBELL, *Chairman.*

The bill was numbered S. F. No. 246, and entitled A bill for an act defining the office of Adjutant General, Paymaster General and Quarter Master General, fixing the salary of said officer, and providing for the number of employees in the arsenal, and providing postage stamps and stationery for said officer.

The bill and report was ordered passed on file.

Senator Merrill, from the committee on State capitol building, submitted the following report :

MR. PRESIDENT—Your committee on State capitol building, to whom was referred S. F. No. 185, A bill for an act to amend the act to provide a State capitol, approved April 13th, 1870, and making an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

J. H. MERRILL, *Chairman.*

Ordered passed on file.

On motion of Senator McKean, H. F. No. 346, A bill for an act to provide for taking a census of the State in the year 1873, with report of committee recommending that it do pass, was taken up and considered.

Senator McKean moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn, and Young—39.

The nays were none.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dagne, Fairall, Howland, McCoid, McIntyre, Murray, Shane, and Taylor—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill, with amendments:

S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly: strike out in the twentieth line of section one (1), the word "legalized," and insert the following in lieu thereof, "made as legal and binding as if such notice had been given," and respectfully ask the concurrence of the Senate to the same.

JNO. J. SAFELY, *Chief Clerk.*

BILLS ON THIRD READING.

S. F. No. 43, A bill for an act to provide for an argument term of the supreme court at Council Bluffs, was taken up and read a third time.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn, and Young—36.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, Burke, Chambers, Dague, Fairall, Howland, Ireland, McCoid, McIntyre, Miles, Murray, Shane, and Taylor—14.

So the Senate concurred in the House amendments.

S. F. No. 116, A bill for an act in relation to the cancellation of mortgages, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Clausen, Converse, Crary, Dysart, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Richards, Russell, Smith, Stone, Stuart, West, Willett, Wonn and Young—31.

The nays were—

Senators Campbell, Dashiell, Fitch, Kephart, McNutt, Read, and Vale—7.

Absent or not voting—

Senators Boomer, Burke, Chambers, Dague, Fairall, Howland, Ireland, McCoid, McIntyre, Murray, Shane, and Taylor—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

H. F. No. 277, A bill for an act to provide an allowance to the chief justice of the supreme court for clerk hire.

JOHN J. SAFELY, *Chief Clerk.*

S. F. No. 211, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon, was taken up and read a third time.

On motion of Senator Stone the bill was recommitted to the committee on railroads.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Sub. for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation and releasing certain taxes herein named.

JNO. J. SAFELY, *Chief Clerk.*

BILLS ON SECOND READING.

H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to amend an act for the better protection of the school fund, approved April 8th, 1862, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Ketcham the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn and Young—34.

The nays were—

Senator Read—1.

Absent or not voting—

Senators Allen, Boomer, Burke, Chambers, Dagne, Dashiell, Fairall, Howland, Hurley, Ireland, McCoid, McIntyre, Murray, Shane and Taylor—15.

So the bill passed and the title was agreed to.

Senator Converse, from the committee on enrolled bills submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz :

Substitute for H. F. No. 279, An act to tax railroad property, regulating such taxation, and releasing certain taxes therein named.

A. CONVERSE, *Chairman.*

On motion of Senator Campbell, S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the revision of 1860, as amended by chapter 172, of the acts of the Thirteenth General Assembly, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Claussen, Con-

verse, Dysart, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Smith, Stone, Stuart, Vale, West, Willett, Wonn and Young—34.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, Burke, Chambers, Crary, Dagne, Dashiell, Fairall, Howland, Ireland, Leavitt, McCoid, McIntyre, Murray, Shane, and Taylor—16.

So the Senate concurred in the House amendments.

Senator West, from the committee on agriculture, submitted the following report:

MR. PRESIDENT:—Your committee on agriculture, to whom was referred H. F. No. 380, A bill for an act to amend article 7, chapter 22, revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. P. WEST, *Chairman.*

Ordered passed on file.

At 12 o'clock M., the President declared the Senate adjourned until 9 o'clock A. M. on Monday next.

SENATE CHAMBER, DES MOINES, IOWA, }
April 8, 1872. }

Senate convened pursuant to adjournment.

President in the chair.

Prayer by the Rev. Mr. Turnbull.

Journal of Saturday read and approved.

MESSAGE FROM THE HOUSE.

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:

Substitute for H. F. No. 21, A bill for an act making additional appropriation for the Iowa Soldiers' Orphans' Home.

H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases.

I am also directed to inform your honorable body that the House has appointed a committee of conference Messrs. Hall, O'Donnell,

and Tasker, to confer with the Senate committee on substitute for H. F. No. 12.

BENJ. VAN STEINBURG, *Asst Clerk.*

By leave Senator Havens, from the committee on county and township organizations, introduced S. F. No. 247, A bill for an act making valid certain deeds for town lots in the town of Sigourney.

Read first and second time, and on motion of Senator Havens the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardley, Bemis, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West, Willett, and Wonn—30.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—20.

So the bill passed and the title was agreed to.

On motion of Senator Richards, H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors, with report of committee recommending that it do not pass, was taken up and considered.

Senator Ketcham moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Richards, Russell, Stone, Stuart, Vale, West, Willett, and Wonn—29.

The nays were—

Senator Read—1.

Absent or not voting—

Senators Allen, Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—20.

So the bill passed and the title was agreed to.

On motion of Senator Hurley, H. F. No. 347, A bill for an act requiring publication of the receipts and expenditures of independent school districts and estimates for the future maintenance

of the same, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Gault the 1st section was amended by inserting the words "and building" between the words "school" and "purposes."

Senator Beardsley moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurlev, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West, Willett and Wonn—30.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—20.

So the bill passed and the title was agreed to.

S. F. No. 41, A bill for an act amending an act entitled an act to provide for the election of county auditors, and to define their powers and duties, by providing for the appointment of deputies, was indefinitely postponed.

By leave Senator Maxwell introduced S. F. No. 248, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa.

Read first and second time, and on motion of Senator Maxwell the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West, Willett, and Wonn—28.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Hurley, Ireland, Kephart, Lowry, McCoid, McIntyre, McNutt, Murray, Merrill, Shane, Smith, Taylor and Young—22.

So the bill passed and the title was agreed to.

On motion of Senator Dysart S. F. No. 137, A bill for an act to prevent the unlawful driving off of any cattle or other stock from the premises of any citizen of this state, or from their lawful range,

with report of committee recommending that it do pass was taken up and considered.

Senator Dysart moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were---

Senators Beardsley, Bemis, Campbell, Olauseen, Converse, Orary, Dysart, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Richards, Russell, Stone, Stuart, Vale, West, Willett and Wonn---29.

The nays were Senator Read---1.

Absent or not voting---

Senators Allen, Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McOoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor and Young---20

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases, was taken up, read first and second time and on motion of Senator Richards referred to a special committee to be appointed by the President.

The President announced Senators Richards, Beardsley, Lowry, Allen and Leavitt as said special committee.

Substitute for H. F. No. 21, A bill for an act making additional appropriations for Iowa soldiers' orphans' homes, was taken up, read first and second time and referred to committee on soldiers' orphans' homes.

REPORTS OF COMMITTEES.

Senator Havens, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred S. F. No. 157, A bill for an act to amend section 9, chapter 49, of the acts of the Ninth General Assembly, being an act in relation to county seats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Report adopted.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 402, A bill for an act to legalize certain acts of E. C. Moust as auditor of Guthrie county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Hurley, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Campbell, Olausson, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McIntyre, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, Taylor, Vale, West, Willett, and Wonn—31.

The nays were none.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, Merrill, Murray, Shane, Smith, and Young—19.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 125, A bill for an act to protect the credit of counties, municipal corporations and school districts, and to prevent illegitimate speculation in their warrants, with the report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute was adopted.

On motion of Senator Larrabee the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Bemis, Campbell, Olausson, Converse, Crary, Dysart, Fitch, Gault, Havens, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West and Wonn—28.

The nays were—

Senators Beardsley and Willett—2.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Hurley, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor and Young—20.

So the bill passed and the title was agreed to.

S. F. No. 186, A bill for an act fixing the compensation of mem-

bers of the General Assembly and of officers and employees, was taken up and considered.

On motion of Senator Vale, the rule was suspended, and the bill read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West, Willett and Wonn—29.

The nays were—

Senator Read—1.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dagne, Dashiell, Fairall, Howland, Hurley, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor and Young—20.

So the bill passed and the title was agreed to.

S. F. No. 151, A bill for an act to amend chapter 172 of the acts of the Ninth General Assembly, passed April 8, 1862, in relation to schools, with report of committee recommending that it do pass, was taken up and considered.

Senator Willett moved to amend the third line of section 3 by inserting the word " personal " before the word " notice." Also, to strike out of the second and third lines of same section the words " which notice shall be given by mail," which amendments were agreed to.

On motion, the rule was suspended, and the bill was read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Miles, Read, Russell, Stuart, Vale, West, Willett, and Wonn—25.

The nays were—

Senators Fitch and Richards—2.

Absent or not voting—

Senators Allen, Atkins, Boomer, Burke, Chambers, Dagne, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, McKean, McNutt, Merrill, Murray, Shane, Smith, Stone, Taylor, and Young—23.

So the bill passed, and the title amended by adding, " also chapter 57 of the Tenth General Assembly," and as thus amended was agreed to.

S. F. No. 166, A bill for an act to amend chapter 125 of the revision of 1860, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Leavitt, the bill and report was passed on file.

Substitute for H. F. No. 9, A bill for an act to protect the life and health of miners, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator McKean, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Leavitt, Maxwell, McCormack, McCulloch, McNutt, Miles, Read, Stone, West, and Willett—24.

The nays were—

Senators Larrabee, McKean, Richards, Stuart, Vale, and West—6.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Russell, Shane, Smith, Taylor, and Young—20.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator McKean moved to reconsider the vote by which the bill was defeated.

Senator McKean moved to postpone the consideration of the motion to reconsider until Wednesday next at 10 o'clock A. M., which was agreed to.

Substitute for S. F. No. 30 and H. F. No. 49, A bill for an act to repeal chapter 118 of the laws of the Eleventh General Assembly, and to provide a substitute therefor, with report of committee recommending the adoption and passage of the substitute, was taken up and considered.

Senator Campbell moved to make the bills, report, and substitute the special order for Thursday next at 10 o'clock A. M., which was disagreed to.

On motion of Senator McCormack, the bills, report and substitute were passed on file.

S. F. No. 173, A bill for an act to amend chapter 100 of the acts of the Twelfth General Assembly, prescribing the duties of township trustees, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Gault, the bill was referred to the committee on roads.

S. F. No. 215, A bill for an act to amend chapter 148 of the 13th General Assembly, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Vale the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Claussen, Converse, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Russell, Stone, Stuart, Vale, West, and Wonn—26.

The nays were—

Senators Bemis, Campbell, Crary, Richards, and Willett—5.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—20.

So the bill passed and the title was agreed to.

S. F. No. 67, A bill for an act to require indexes to be kept to the register of tax sales, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute was adopted.

On motion of Senator McKean the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McNutt, Stone, Vale, West, and Wonn—20.

The nays were—

Senators Beardsley, Bemis, Campbell, Ketcham, McKean, Miles, Read, Richards, Russell, and Willett—10.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Stuart, Taylor and Young—20.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator McKean moved to reconsider the vote by which the bill was defeated.

On motion of Senator McKean the consideration of the motion was postponed until Wednesday next at 10 o'clock A. M.

H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved March 28, 1864, and legalizing contracts made within the limits of this State, with report of committee recommending that it do pass, was taken up and considered.

Senator Richards moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a time.

On the question "shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Claussen, Converse, Crary,

Dysart, Fitch, Gault, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, West, Willett and Wonn—28.

The nays were—

Senator Campbell—1.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Havens, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, Vale, and Young—21.

So the bill passed and the title was agreed to.

S. F. No. 108, A bill for an act to exempt new townships from taxation in aid of railroads in certain cases, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

The report of the committee was adopted.

S. F. No. 82, A bill for an act relating to the purchase and improvement of agricultural fair grounds, with report of committee recommending the adoption of a substitute, was taken up and considered.

Senator Russell moved to amend the 6th line of section 1, by striking out the word "and" and inserting the word "or," which was agreed to.

Senator Vale moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Kinne, Leavitt, Maxwell, McCulloch, McNutt, Miles, Russell, Stone, Stuart and West—18.

The nays were—

Senators Beardsley, Bemis, Campbell, Ketcham, Larrabee, McCormack, McKean, Read, Richards, Vale and Wonn—11.

Absent or not voting—

Senators Allen, Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, Willett and Young—21.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator Vale moved to reconsider the vote by which the bill was defeated.

On motion of Senator Vale the consideration of the vote was postponed until Thursday next at 11 o'clock A. M.

MESSAGE FROM THE HOUSE.

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, in which the concurrence of the Senate is asked:

Concurrent resolution requesting the Governor to postpone the day for the execution of the prisoner Stanley.

BENJ. VAN STEINBURG, *Asst Clerk.*

On motion of Senator Hurley, the rule requiring the Senate to adjourn at 12 M., was suspended for the day.

Senator Hurley moved to take up and consider Part 1 of the code, which prevailed, and the Senate took up S. F. No. 249, (code series 1) A bill for an act concerning the sovereignty and jurisdiction of the State, and of the legislative department.

Read a first and second time, and on motion of Senator Stone, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Clausen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Stone, Stuart, Vale, West, Willett, and Wonn—28.

The nays were—

Senator Richards—1.

Absent or not voting—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Russell, Shane, Smith, Taylor, and Young—21.

So the bill passed and the title was agreed to.

Also, S. F. No. 250, (code series 2) A bill for an act concerning the executive department.

Read first and second time, and on motion of Senator Vale, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Clausen, Converse, Crary, Dysart, Fitch, Gault, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West, Willett, and Wonn—27.

The nays were—

Senators Bemis, Richards, and Russell—3.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell,

Fairall, Havens, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—20.

So the bill passed and the title was agreed to.

Also, S. F. No. 251, (code series 3), A bill for an act concerning the judicial department.

Read first and second time.

Senator Larrabee moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Miles, Read, Richards, Russell, Stone, Stuart, Vale, West, Willett and Wonn—27.

The nays were—

Senators McNutt, Richards and Russell—3.

Absent or not voting—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor and Young—20.

So the bill passed and the title was agreed to.

Also, S. F. No. 252, (code series No. 4), A bill for an act concerning county, town and city government.

Read first and second time.

Senator Larrabee moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Miles, Read, Stone, Stuart, Vale, West, Willett and Wonn—26.

The nays were—

Senators Fitch and Richards—2.

Absent or not voting—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, McNutt, Merrill, Murray, Russell, Shane, Smith, Taylor and Young—22.

So the bill passed and the title was agreed to.

Also, S. F. No. 253 (code series No. 5), A bill for an act concerning elections.

Read first and second time, and on motion of Senator Larrabee the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Orary, Dysert, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Miles, Stone, Stuart, Vale, West, Willett, and Wonn—26.

The nays were—

Senators McNutt, Read, and Richards—3.

Absent or not voting—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Russell, Shane, Smith, Taylor, and Young—21.

So the bill passed and the title was agreed to.

Also, S. F. No. 254 (code series No. 6), A bill for an act concerning revenue.

Read first and second time.

Senator Larrabee moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Orary, Dysert, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, Miles, Read, Stone, Stuart, Vale, West, Willett, and Wonn—26.

The nays were—

Senators Bemis, McCormack, McNutt, Richards, and Russell—5.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—19.

So the bill passed and the title was agreed to.

Also, S. F. No. 255 (code series No. 7), A bill for an act concerning roads, ferries, and bridges.

Read first and second times.

Senator Larrabee moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Orary, Dysert, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, Miles, Read, Stone, Stuart, Vale, West, Willett, and Wonn—26.

The nays were—

Senators Bemis, McCormack, McNutt, Richards, and Russell—5.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell,

Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—19.

So the bill passed and the title was agreed to.

Also, S. F. No. 256, (code series No. 8.) A bill for an act concerning the militia.

Read first and second time.

Senator Larrabee moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, McNutt, Miles, Read, Stone, Vale, West, Willett, and Wonn—26.

The nays were—

Senators Bemis, McCormack, Richards, Russell, and Stuart—5.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—19.

So the bill passed and the title was agreed to.

Also, S. F. No. 257, (code series No. 9.) A bill for an act concerning corporations.

Read first and second time.

Senator Maxwell moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, Miles, Read, Stone, Stuart, Vale, West, Willett, and Wonn—26.

The nays were—

Senators Bemis, McNutt, Richards, and Russell—4.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McCormack, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—20.

So the bill passed and the title was agreed to.

Also, S. F. No. 258, (code series No. 10.) A bill for an act concerning mill-dams and races, and of drainage.

Read first and second time.

Senator Larrabee moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Larrabee, Leavitt, Maxwell, McCulloch, McKean, McNutt, Miles, Read, Stone, Stuart, Vale, West, Willett, and Wonn—26.

The nays were—

Senators Bemis, Richards, and Russell—3.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Kinne, Lowry, McCoid, McCormack, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—21.

So the bill passed, and the title amended by adding the words "and telegraphs" thereto, was agreed to.

Also S. F. No. 259, (code series No. 11,) A bill for an act concerning the police of the State.

Read first and second times.

Senator Maxwell moved that the rule be suspended and the bill read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, Miles, Stone, Vale, West and Willett—22.

The nays were—

Senators Bemis, McKean, McNutt, Read, Richards, Russell and Stuart—7.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McCormack, McIntyre, Merrill, Murray, Shane, Smith, Taylor, Wonn and Young—21.

So the bill having failed to receive a constitutional majority was lost.

Senator Read moved to reconsider the vote by which the bill was defeated, which motion prevailed.

The question being "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, McNutt, Miles, Read, Stone, Vale, West, Willett and Wonn—26.

The nays were—

Senators Bemis, McCormack, Richards, Russell and Stuart—5.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McIntyre, Merrill, Murray, Shane, Smith, Taylor, and Young—19.

So the bill passed and the title was agreed to.

Also, S. F. No. 260, (code series No. 12,) A bill for an act concerning education.

Read first and second times.

Senator Larrabee moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Campbell, Claussen, Converse, Crary, Dysart, Fitch, Gault, Havens, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, Miles, Read, Stone, Stuart, Vale, West, Willett and Wonn—26.

The nays were—

Senators Bemis, McNutt, Richards and Russell—4.

Absent or not voting—

Senators Atkins, Boomer, Burke, Chambers, Dague, Dashiell, Fairall, Howland, Ireland, Kephart, Lowry, McCoid, McCormack, McIntyre, Merrill, Murray, Shane, Smith, Taylor and Young—20.

So the bill passed and the title was agreed to.

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

SENATE CHAMBER, DES MOINES, IOWA, }
April 9th, 1872. }

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

Prayer by the Rev. Mr. Swope.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 88, A bill for an act to amend section 1088 of the revision of 1860, etc.

H. F. No. 176, A bill for an act to amend section 1317 of chapter 55, of the revision.

H. F. No. 311, A bill for an act to amend section 2796 of the revision of 1860, etc.

H. F. No. 334, A bill for an act to legalize the incorporation of the town of Ackley, Iowa.

H. F. No. 369, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa.

H. F. No. 385, A bill for an act to legalize the acts of the board of supervisors of Hancock county, Iowa.

H. F. No. 391, A bill for an act to legalize the tax in Emmet county, Iowa, for making and repairing bridges.

H. F. No. 403, A bill for an act to legalize the official acts of John L. Robinson a justice of the peace of Holman township, Osceola county, Iowa.

I am also directed to inform your honorable body that the House of Representatives has passed the following bills without amendment :

S. F. No. 240, A bill for an act to amend chapter 2, acts of the 13th General Assembly, etc.

Substitute for S. F. No. 27, A bill for an act to regulate the manufacturing, keeping and sale of certain oils.

S. F. No. 232, A bill for an act to legalize the acts of the independent school district of Grand Junction.

S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases.

S. F. No. 88, A bill for an act to amend chapter 53 of the revision of 1860, etc.

S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, etc.

S. F. No. 245, A bill for an act to legalize the election of the school directors of the independent school district of Camanche city.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Campbell, from the second conference committee on the disagreeing votes of the two houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, submitted the following report :

MR. PRESIDENT :—The second committee of conference on the disagreeing votes of the two houses on the Senate amendments to the House amendments to substitute for S. F. No. 1, having met, after full and free conference, have agreed to, and do report to their respective House, the following :

That the House recede from its disagreement to the Senate

amendments of the first House amendment (being the first proviso of the bill) and adopt the same.

That the Senate amendment to the second House amendment, (being the second proviso of the bill), be stricken out.

F. T. CAMPBELL,
JOHN E. BURKE,
Managers on part of the Senate.

D. D. DAVIDSON,
DANIEL SECOR,
L. L. AINSWORTH,
Managers on part of the House.

On motion of Senator Fairall the report was made the special order for to-morrow at 10 o'clock.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

H. F. No. 346, A bill for an act to provide for taking a census of this state in the year A. D. 1873.

H. F. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to amend an act for the better protection of the school fund, approved April 8, 1862.

H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county, to John Parrott.

H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa.

I am also directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked.

H. F. No. 374, A bill for an act to amend chapter 109 of the acts of the Thirteenth General Assembly.

H. F. No. 413, A bill for an act to repeal chapter 132 of the acts of the Eighth General Assembly.

I am also directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked :

Joint resolution giving certain authority to the state auditor in respect to the credit claimed by the counties of Harrison, How-

ard, Marion, Jasper, Louisa, Bremer and Winnebago for state revenue alleged to have been stolen from said counties.

BENJ. VAN STEINBURG, *Ass't Clerk.*

HOUSE MESSAGES.

The concurrent resolution requesting the governor to postpone the day for the execution of the prisoner Stanley until the General Assembly shall have finally acted upon the bill now pending in regard to abolition of the penalty of death.

On motion of Senator Vale the Senate concurred in the resolution.

H. F. No. 88, A bill for an act to amend section 1083 of the revision of 1860, and to direct the appropriation of fines in certain cases, was taken up, read first and second time and on motion of Senator Fairrell the bill was laid on the table.

Substitute for S. F. No. 176, A bill for an act to amend section 1817 of chapter 55 of the revision, was taken up, read first and second time, and referred to committee on railroads.

H. F. No. 364, A bill for an act to legalize the incorporation of the town of Ackley, Iowa, and the election of officers for said incorporation, was taken up and read first and second time.

On motion of Senator Taylor the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, Wonn and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Chambers, Ireland, McIntyre, Russell, and West—6

So the bill passed and the title was agreed to.

H. F. No. 311, A bill for an act to amend section 2796 of the Revision of 1860, and prescribing place of bringing suit in certain cases and for changes of venue therein, was taken up and read first and second times.

Senator McNutt moved to indefinitely postpone the bill.

Senator McKean moved to refer to the committee on judiciary, which was agreed to.

H. F. 369, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa, was taken up, read

first and second times, and on motion of Senator Howland the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—45.

The nays were none.

Absent or not voting—

Senators Allen, Chambers, Ireland, McIntyre, and Russell—5.

So the bill passed and the title was agreed to.

H. F. No. 385, A bill for an act to legalize the acts of the board of supervisors of Hancock, Iowa, authorizing the county recorder to make new indexes to deed records, was taken up and read first and second times.

On motion of Senator Howland the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Chambers, Ireland, McIntyre and Russell—4.

So the bill passed and the title was agreed to.

H. F. No. 391, A bill for an act to legalize the tax in Emmet county, Iowa, for making and repairing bridges, was taken up, read first and second time, and referred to committee on roads.

H. F. No. 408, A bill for an act to legalize the acts of John L. Robinson, a justice of the peace of Holman township, Osceola county, Iowa, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 374, A bill for an act to amend chapter 109, of the acts of the 13th General Assembly, providing for the appointment of a steward for the Iowa Hospital for the Insane, was taken up, read first and second time, and referred to committee on charitable institutions.

H. F. No. 413, A bill for an act to repeal chapter 182 of the acts

of the 8th General Assembly, was taken up, read first and second time, and referred to committee on judiciary.

Joint resolution giving certain authority to the Auditor of State in respect to the credits claimed by the counties of Harrison, Howard, Marion, Jasper, Louisa, and Bremer, for State revenue alleged to be stolen from said counties, was taken up and read first and second time.

Senator McCormack moved to suspend the rule and read the bill a third time.

Senator Young moved to amend the joint resolution by adding the following proviso thereto:

Provided further, That hereafter all counties suffering such losses may submit such proof to the Auditor of State, and he shall have the same power in reference thereto as in the cases herein named.

On the adoption of this proviso the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Crary, Dysart, Larrabee, McNutt, Richards, Shane, Smith, Taylor, Vale, Wonn, and Young—12.

The nays were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Murray, Read, Stone, Stuart, and Willett—32.

Absent or not voting—

Senators Chambers, Ireland, McIntyre, McKean, Russell, and West—6.

So the proviso was lost.

Senator McCormack's motion to suspend the rule and read the bill a third time was agreed to.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Kephart, Kinne, Lowry, Maxwell, McCoid, McCormack, McCulloch, Miles, Murray, Read, Smith, Stuart, Taylor, Vale, and Willett—30.

The nays were—

Senators Beardsley, Crary, Dysart, Gault, Ketcham, Larrabee, Leavitt, McNutt, Merrill, Richards, Shane, West, and Young—13.

Absent or not voting—

Senators Chambers, Ireland, McIntyre, McKean, Russell, Stone, and Wonn—7.

So the joint resolution passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Murray, from the committee on federal relations, submitted the following report :

MR. PRESIDENT :—Your committee on federal relations, to whom was referred joint resolution asking congress to place lumber on the free list, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

B. F. MURRAY, *Chairman.*

Senator Murray moved that the rule be suspended, and the joint resolution read a third time.

On the question " Shall the joint resolution pass ? "

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Campbell, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Murray, Read, Richards, Smith, Stone, Stuart, West, Wonn, and Young—36.

The nays were—

Senators Beardsley, Shane, Taylor, Vale, and Willett—5.

Absent or not voting—

Senators Burke, Chambers, Havens, Hurley, Ireland, McIntyre, McKean, Miles, and Russell—9.

So the joint resolution passed and the title was agreed to.

Senator Richards, from the special committee on H. F. No. 237, submitted the following report :

MR. PRESIDENT :—The special committee to whom was referred H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases, have had the same under consideration, and have unanimously instructed me to report the same back to the Senate with the recommendation that it do pass.

B. B. RICHARDS, *Chairman.*

Senator Richards moved to suspend the rule and read the bill a third time, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Allen, Atkins, Beardsley, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane,

Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Bemis, Chambers, Dashiell, Ireland, McIntyre, and Russell—6.

So the bill passed and the title was agreed to.

Senator Burke, from the committee on incorporations, submitted the following report :

MR. PRESIDENT:—Your committee on incorporations, to whom was referred H. F. No. 336, A bill for an act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of officers thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN E. BURKE, *Chairman.*

On motion of Senator Burke, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Chambers, Ireland, McIntyre, McKean, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Fairall, H. F. No. 403, A bill for an act to legalize the official acts of John L. Robinson, a justice of the peace of Holman township, Osceola county, Iowa, with report of committee recommending that it do pass, was taken up and considered

Senator Claussen moved to amend by striking out the word "official," wherever it occurs in the bill and title, and inserting the word "ministerial," which was agreed to.

Senator Fairall moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Chambers, Ireland, McIntyre, Merrill, Murray, Read, and Russell—8.

So the bill passed and the title was agreed to.

Senator West, from the conference committee, on the disagreeing votes of the two houses on the Senate amendment to substitute for H. F. No. 12, submitted the following report :

To the President of the Senate:

The committee of conference on the disagreeing votes of the two houses upon Senate amendments to substitute for H. F. No. 12, having met, and after full and free conference have instructed me to report that said conference committee has failed to agree.

April 9th, 1872.

JOHN P. WEST,
JNO. Y. STONE,
L. W. STEWART,

Managers on the part of the Senate.

B. J. HALL,
FRED. O'DONNELL,
JOHN TASKER,

Managers on the part of the House.

Senator Stone moved to amend the rule of the Senate so that it should require at least twenty-six votes to recede from an amendment, which motion prevailed.

Senator Dysart moved that the Senate recede from its amendments to sub. for H. F. No. 12.

Senator McCulloch moved a call of the Senate.

The motion prevailed and the secretary called the roll with the following result:

All Senators present or absent with leave.

Further proceedings under the call were dispensed with.

On the question "Shall the Senate recede from the amendments?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Converse, Dague, Dysart, Gault, Kephart, Ketcham, Kinne, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Shane, Vale, West and Willett—23.

The nays were—

Senators Allen, Atkins, Bemis, Claussen, Crary, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Larrabee, Leavitt, Lowry, McCoid, Merrill, Murray, Smith, Stone, Stuart, Taylor, Wonn and Young—23.

Absent or not voting—

Senators Chambers, Ireland, McIntyre and Russell—4.

So the Senate refused to recede from its amendments to sub. for H. F. No. 12.

Senator West moved to ask for a second committee of conference, on the disagreeing votes of the two houses on the Senate amendments to sub. for H. F. No. 12, which motion prevailed.

By leave, Senator McCoid presented a petition from Freeman Wright and 81 other citizens of Jefferson county asking for the passage of S. F. No. 224.

Referred to conference committee on sub. for H. F. No. 12.

BILLS ON SECOND READING.

H. F. No. 169, A bill for an act to amend chapter 98, of the acts of the 12th General Assembly, in relation to indebtedness of school districts, was taken up and considered.

On motion of Senator Vale, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Murray, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were—

Senator Richards.

Absent or not voting—

Senators Chambers, Ireland, McIntyre, McKean, McNutt, Reed, and Russell—7.

So the bill passed and the title was agreed to.

S. F. No. 216, A bill for an act providing that district circuit judges shall fix the time for holding courts in their respective districts, with report of committee recommending same, was taken up and considered.

Senator Claussen moved to suspend the rule, and read the bill a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Beardsley, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Havens, Hur-

ley, Kephart, Ketcham, Kinne, Leavitt, Lowry, McCormack, Merrill, Murray, Read, Shane, Smith, Stone, Taylor, and Willett—28.

The nays were—

Senators Fitch, Gault, Larrabee, Maxwell, McCoid, McCulloch, Miles, Richards, Stuart, Vale, West, Wonn and Young—13.

Absent or not voting—

Senators Bemis, Boomer, Chambers, Howland, Ireland, McIntyre, McKean, McNutt, and Russell—9.

So the bill passed and the title was agreed to.

S. F. No. 226, A bill for an act to repeal section 827 of the revision of 1860, with report of committee recommending that it do pass, was taken up and considered.

Senator Howland moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Atkins, Bemis, Boomer, Burke, Campbell, Clauseen, Converse, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Shane, Smith, Vale, West, and Willett—28.

The nays were—

Senators Crary, Fairall, Gault, Hurley, Larrabee, McCoid, McCormack, Miles, Murray, Richards, Stuart, Taylor, Wonn, and Young—14.

Absent or not voting—

Senators Beardsley, Chambers, Ireland, Ketcham, McIntyre, Read, Russell, and Stone—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 joint resolutions, in which the concurrence of the Senate is asked:

Joint resolution authorizing the Secretary of State to furnish the board of immigration necessary stationery, paper, and postage for the discharge of their duties.

Also, joint resolution authorizing the Auditor of State to issue warrants on the Treasurer of State for money due on stationery account.

Also, concurrent resolution authorizing the Auditor of State to issue warrant on the Treasurer of State for money due the reporters for undrawn stationery.

Also, that the House has concurred in the Senate amendment to H. F. No. 265, An act providing for state capitol.

Also, the amendment to H. F. No. 347, An act requiring publication of receipts and expenses of independent school districts, &c.

BENJ. VAN STEINBURG, *Ass't Clerk.*

On motion of Senator Miles, House messages were taken up:

The House concurrent resolution in relation to the stationery accounts of members and reporters, was taken up, and on motion of Senator Miles the Senate concurred in the resolution.

House concurrent resolution in relation to stationary for the secretary of the board of immigration, was taken up, and on motion of Senator Shane referred to committee on ways and means.

House concurrent resolution in relation to members being paid cash in lieu of stationery, was taken up and concurred in.

S. F. No. 196, A bill for an act to prohibit appropriations, gifts or donations of public money or property for ecclesiastical or sectarian purposes, with report of committee recommending that it do pass, was taken up and considered.

Senator Larrabee moved to suspend the rule and read the bill a third time.

On the question "Shall the bill pass?"

The yeas were--

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn and Young--42.

The nays were--

Senator Richards--1.

Absent or not voting--

Senators Chambers, Fairall, Ireland, McIntyre, Miles, Russell, and Stewart--7.

So the bill passed.

Senator Richards moved to amend the title by striking out all after the word "money," and inserting "to any institution, school, association or object under ecclesiastical or sectarian control."

The amendment was lost.

The title was then agreed to.

S. F. No. 210, A bill for an act to protect the people of Iowa from charlatanism in the practice of medicine and surgery, with the report of the committee recommending amendments, was taken up and considered.

Senator West moved to indefinitely postpone the bill, on which the yeas and nays were demanded, and

The yeas were--

Senators Claussen, Converse, Crary, Dague, Dysart, Havens,

Hurley, Kephart, Kinne, Larrabee, McCoid, Read, West and Willett--14.

The nays were--

Senators Allen, Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Dashiell, Fairall, Gault, Howland, Ketcham, Lowry, McCormack, McKean, McNutt, Merrill, Miles, Murray, Richards, Shane, Smith, Stuart, Taylor, Vale, Wonn and Young--27.

Absent or not voting--

Senators Chambers, Fitch, Ireland, Leavitt, Maxwell, McCulloch, McIntyre, Russell and Stone--9.

So the motion was disagreed to.

On motion of Senator Miles the further consideration of the bill and report was postponed until Thursday next at 10 o'clock A. M.

At 11:58, on motion of Senator Beardsley the Senate adjourned until 2½ o'clock P. M.

TWO O'CLOCK AND 30 MINUTES.

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

Senators Lowry, Kephart, Shane, and Dashiell asked and obtained leave to have their votes recorded in favor of S. F. Nos. 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, and 260.

Senator McCoid asked and obtained leave to record his vote against said S. F.'s.

The consideration of the code was postponed until 2½ o'clock P. M. to-morrow.

Senator West moved to reconsider the vote by which the bills composing part 1 of the code were passed yesterday.

Senator Larrabee moved to lay the motion on the table.

On this question the yeas and nays were demanded, and

The yeas were--

Senators Allen, Atkins, Beardsley, Boomer, Campbell, Clausen, Converse, Crary, Dague, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McKean, Read, Stone, Vale, and Willett--20.

The nays were--

Senators Bemis, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stuart, Taylor, West, Wonn, and Young--25.

Absent or not voting--

Senators Burke, Chambers, Fairall, Ireland, and McIntyre--5.

So the motion to lay on the table did not prevail.

Senator Larrabee moved that the Senate go into committee of the whole for the purpose of considering the code, which motion prevailed, and the President called Senator Larrabee to the chair. At 4:15 the committee rose and the President resumed the chair.

Senator Larrabee, chairman of the committee of the whole Senate, submitted the following report :

MR. PRESIDENT:—The committee of the whole Senate have had under consideration the code, and have instructed me to report the same back to the Senate.

On motion of Senator Beardsley the report was adopted.

Senator Converse from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 277, An act to provide for an allowance to the chief justice of the supreme court for clerk hire.

Also, H. F. No. 267, An act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa.

Also, H. F. No. 170, An act relinquishing an escheat in Des Moines county to John Parrott.

Also, H. F. No. 197, An act making counties responsible for the collection and payment of school fund interest, etc.

Also, H. F. No. 346, An act to provide for taking a census of this State in the year A. D. 1878.

A. CONVERSE, *Chairman.*

Also the following :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

S. F. No. 43, A bill for an act to provide for an argument term of the supreme court at Council Bluffs.

S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52, of the acts of the Revision of 1860, as amended by chapter 172 acts of the 13th General Assembly.

A. CONVERSE, *Chairman.*

The consideration of Senator West's motion was resumed.

Senator Read moved to postpone the further consideration of the motion until Thursday next.

Senator West withdrew his motion to reconsider.

Senator Maxwell offered the following resolution :

Resolved, That in the opinion of the Senate, the code cannot be properly considered at this session ; and therefore it is our duty to close the general legislation and recommit the code to commissioners under a law to be passed by this General Assembly.

Senator Beardsley moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Boomer, Campbell, Converse, Crary, Dague, Dashiell, Fitch, Gault, Hurley, Kephart, Larrabee, Leavitt, Lowry, McCulloch, McKean, Miles, Read, Shane, Smith, Vale, and West—28.

The nays were —

Senators Bemis, Burke, Claussen, Dysart, Fairall, Havens, Howland, Ketcham, Kinne, Maxwell, McCoid, McCormack, McNutt, Merrill, Murray, Richards, Russell, Stone, Stuart, Taylor, Willett Wonn and Young—23.

Absent or not voting—

Senators Allen, Chambers, Ireland, and McIntyre—4.

The vote being a tie the President voted "nay."

So the motion to lay on the table did not prevail.

The hour for adjournment having arrived, on motion of Senator Maxwell it was postponed fifteen minutes.

Senator Murray offered the following substitute for the resolution:

Resolved by the Senate, the House concurring, That this General Assembly will adjourn on the 16th day of April 1872, to meet in adjourned session on the second Monday of January 1873, and at such adjourned session nothing but the revision of the statutes shall be considered, and to make the necessary appropriations for defraying the expenses of said session and of publication of code. *Provided,* That no mileage shall be allowed any member attending such adjourned session.

Senator West moved to amend by striking out "second Monday in January, 1873," and inserting "November 19th, 1872," which was disagreed to.

Senator Larrabee moved to amend by striking out "January," and inserting "February," which was agreed to.

On the adoption of the substitute as amended, the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Burke, Claussen, Fairall, Havens, Howland, Ketcham, Kinne, Leavitt, Maxwell, McCoid, McCormack, McKean, McNutt, Murray, Richards, Russell, Stone, Taylor, Willett, Wonn, and Young—22.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Converse, Crary, Dague, Dysart, Fitch, Gault, Hurley, Kephart, Larrabee, Lowry, McCulloch, Merrill, Miles, Shane, Smith, Stuart, Vale, and West—22.

Absent or not voting—

Senators Allen, Chambers, Dashiell, Ireland, McIntyre, and Read—6.

The vote being a tie, the President voted "yea."

So the substitute was adopted.

On the adoption of the resolution as amended by the substitute, the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Burke, Claussen, Fairall, Havens, Howland, Ketcham, Kinne, Maxwell, McCoid, Murray, Richards, Russell, Stone, Taylor, Willett, Wonn, and Young—18.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Converse, Orary, Dague, Dycart, Fitch, Gault, Hurley, Kephart, Larrabee, Leavitt, Lowry, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Shane, Smith, Stuart, Vale, and West—26.

Absent or not voting—

Senators Allen, Chambers, Dashiell, Ireland, McIntyre, and Read—6.

So the resolution was lost.

The President announced Senators Vale, Ketcham, and McCulloch, as the second conference on the part of the Senate on the disagreeing votes of the two houses on Senate amendments to substitute for H. F. No. 12.

On motion of Senator Beardsley the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 10, 1872. }

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

Prayer by the Rev. Mr. Turnbull.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 80, A bill for an act to abolish the penalty of death.

Also, H. F. No. 188, A bill for an act to amend chapter 175 of the acts of the Thirteenth General Assembly.

Also, H. F. No. 192, A bill for an act to amend section 711 of the revision of 1860.

Also, H. F. No. 208, A bill for an act to restore territory set off for school purposes.

Also, H. F. No. 211, A bill for an act to amend section 2, chapter 89, of the laws of the Thirteenth General Assembly, etc.

Also, H. F. No. 407, A bill for an act to legalize the acts of E. M. Brink, county auditor of Cedar county, Iowa.

Also, H. F. No. 417, A bill for an act to provide that taxes voted in aid of railroads shall not become delinquent until the roads are constructed to the points named in the election notice.

Also, the House has concurred in Senate amendment to substitute for H. F. No. 22, A bill for an act amending chapter 65 of the Thirteenth General Assembly, entitled streets and allies.

I am also directed to inform your honorable body that the House of Representatives has passed without amendment :

S. F. No. 98, A bill for an act to amend section 3305 of the revision, exempting sewing machines from execution.

Also, S. F. No. 189, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa.

Also, S. F. No. 247, A bill for an act making valid certain deeds for town lots in the town of Sigourney.

Also; the House has amended :

S. F. No. 190, A bill for an act making appropriations for the agricultural college and farm, in which the concurrence of the Senate is asked. Amendments noted in the bill.

BENJ. VAN STEINBERG, *Assistant Clerk.*

PETITIONS.

Senator Fairall presented a petition from Rev. Stowrs Howe in relation to a claim for pay as chaplain of a past General Assembly. Referred to committee on ways and means.

INTRODUCTION OF BILLS.

By leave, Senator Havens, from committee on county and township organizations, introduced S. F. No. 261, A bill for an act to legalize the acts of the board of supervisors of Poweshiek county, Iowa, relative to the purchase of a poor farm.

Read a first and second time, and, on motion of Senator Dysart, the rule was suspended, and the bill read a third time.

On the question, " Shall the bill pass ?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Burke, Chambers, Clausen, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane,

Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were—

Senator Campbell.

Absent or not voting—

Senators Allen, Boomer, Hurley, Ireland, and McIntyre—5.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, it being the consideration of the report of the second conference committee on the Senate amendments to House amendments to sub. for S. F. No. 1, it was taken up and considered.

Senator Howland moved to postpone the further consideration of the report until Friday next at 9 o'clock A. M.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Claussen, Dashiell, Havens, Howland, Leavitt, Murray, Russell and Smith—9.

The nays were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dague, Dysart, Fitch, Gault, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Shane, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—35.

Absent or not voting—

Senators Allen, Bemis, Fairall, Hurley, Ireland, and McIntyre—6.

So the motion was lost.

Senator Stewart moved the previous question which the Senate refused to second.

By leave the report was withdrawn.

The hour for the special order having arrived, it being the consideration of the resolution in relation to the abolition of the death penalty, it was taken up.

Senator Shane moved to substitute the consideration of H. F. No. 80, A bill for an act to abolish the penalty of death, for the resolution.

Objected to by five or more Senators.

Senator Shane moved that the resolution be adopted.

Senator Murray moved the previous question, which was seconded by the Senate.

On the question "Shall the resolution be adopted?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Leavitt, McCormack, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, and Young—32.

The nays were—

Senators Burke, Orary, Fairall, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McNutt, Richards, Russell, West and Wonn—14.

Absent or not voting—

Senators Allen, Ireland, McIntyre and McKean—4.

So the resolution was adopted.

Senator Stone moved to suspend the rule by which the objections of five Senators prevented a bill from being taken up out of its regular order.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Benia, Chambers, Claassen, Converse, Dagus, Dashiell, Dysart, Fitch, Havens, Howland, Kephart, Ketcham, Leavitt, McCormack, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, and Young—26.

The nays were—

Senators Allen, Beardsley, Boomer, Burke, Campbell, Orary, Fairall, Gault, Hurley, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McNutt, Merrill, Richards, Russell, West and Wonn—21.

Absent or not voting—

Senators Ireland, McIntyre, and McKean—3.

So the motion not having received a two-thirds majority was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House :

H. F. No. 402, A bill for an act to legalize certain acts of E. C. Mount as auditor of Guthrie county.

H. F. No. 19, A bill for an act authorizing the appointment of deputy auditors.

S. F. No. 43, A bill for an act to provide an argument term of the supreme court at Council Bluffs.

S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

JOHN J. SAFELY, *Chief Clerk.*

[Senator Shane moved to take up and consider S. F. Nos. 120 and 190, A bill for an act making appropriations for the agricultural college.

Objected to by five or more Senators.

Substitute for H. F. No. 9, A bill for an act for the protection of the life and health of miners, with report of committee recommending its passage.

The question was on reconsidering the vote by which the bill was lost.

The motion to reconsider prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Allen, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Dagne, Dashiell, Dysart, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Lowry, McCoid, McNutt, Merrill, Murray, Read, Shane, Smith, Stone, West, Willett and Young—30.

The nays were—

Senators Atkins, Crary, Fairall, Gault, Larrabee, Maxwell, McCormack, McCulloch, Miles, Richards, Stuart, Taylor, Vale, and Wonn—14.

Absent or not voting—

Senators Fitch, Ireland, Leavitt, McIntyre, McKean, and Russell—6.

So the bill passed and the title was agreed to.

Substitute for S. F. No. 67, A bill for an act to require indexes to be kept to the register of tax sales, was taken up.

The question was on the motion to reconsider the vote by which the bill was lost.

The motion to reconsider prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Burke, Chambers, Clausen, Converse, Crary, Dagne, Dashiell, Dysart, Gault, Howland, Hurley, Kephart, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Murray, Smith, Stone, Taylor, Vale, and West—26.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Fairall, Fitch, Havens, Ketcham, McCoid, Miles, Read, Richards, Russell, Shane, Willett, Wonn and Young—18.

Absent or not voting—

Senators Allen, Ireland, Kinne, McIntyre, McNutt, and Stuart—6.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 80, A bill for an act to abolish the penalty of death, was taken up and read first and second time.

Senator McCoid moved to refer to the committee on judiciary.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Allen, Boomer, Burke, Orary, Fairall, Fitch, Gault, Howland, Hurley, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McNutt, Richards, Russell, West, and Wonn—19.

The nays were—

Senators Atkins, Beardaley, Bemis, Campbell, Chambers, Clausen, Converse, Dague, Dashiell, Dysart, Havens, Ketcham, Leavitt, McCormack, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, and Young—26.

Absent or not voting—

Senators Ireland, Kephart, Kinne, McIntyre, and McKean—5.

So the motion did not prevail.

Senator McCoid moved to postpone the further consideration of the bill until to-morrow, at 9:30 A. M., which was disagreed to.

On motion of Senator Dysart, the bill was taken up and considered by sections.

Senator Shane moved to amend the first section by adding the following proviso thereto :

Provided, That no pardon for any offense heretofore punishable with death be granted by the Governor, except by and with the consent of the General Assembly.

Senator McNutt moved to suspend the ten minute rule during the consideration of this bill, which was disagreed to.

Senator Allen was granted leave of absence for one week.

Senator Shane moved that the bill and proviso be made the special order for 2½ o'clock this afternoon.

Senator McNutt moved to strike out "2½ o'clock this afternoon," and insert "9½ o'clock A. M., to-morrow."

The amendment was disagreed to.

Senator Shane's motion was then adopted.

REPORTS OF COMMITTEES.

Senator McNutt, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred S. F. No. 91, A bill for an act to amend section 1, chapter 23, laws of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

SAM. McNUTT, *Chairman.*

Ordered passed on file.

Senator McCoid, from the committee on public lands, submitted the following report:

MR. PRESIDENT—Your committee on public lands, to whom was referred H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock county to B. L. Patch, beg leave

to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

M. A. McCOID, *Chairman.*

Ordered passed on file.

By leave Senator McCoid presented a petition from T. M. Gobble and 81 other citizens of Jefferson county, asking for the passage of S. F. No. 224.

Referred to committee of conference on the disagreeing votes of the two houses on Senate amendments to substitute for H. F. No. 12.

At 12 o'clock *m.* the President declared the Senate adjourned until 2½ o'clock *p. m.*

TWO O'CLOCK AND THIRTY MINUTES.

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

Senator Lowry, from the committee on railroads, submitted the following report:

MR. PRESIDENT—Your committee on railroads, introduce the accompanying bill, for an act to repeal the laws authorizing taxation in aid of railroads, and have instructed me to report the same to the Senate with the recommendation that it do pass.

ROBERT LOWRY, *Chairman.*

The bill was numbered S. F. No. 202, read first and second time and passed on file.

Senator Murray, from the committee on railroads, submitted the following minority report:

MR. PRESIDENT—The undersigned members of the railroad committee, to whom was referred H. F. No. 107, A bill for an act to enable townships and cities, which have voted a tax to aid in construction of railroads, to transfer said tax, and recommend that it do pass.

B. F. MURRAY,
JOSEPH DYSART,
E. T. SMITH,
J. P. WEST.

Ordered passed on file.

Senator Lowry, from the committee on railroads, submitted the following report:

MR. PRESIDENT:—Your committee on railroads, to whom was

referred H. F. No. 197, A bill for an act authorizing townships which have heretofore voted a tax to aid in the construction of a railroad, to transfer and use said tax to aid in the construction of another railroad, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Senator Converse, from the committee on enrolled bills submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 19, An act authorizing the appointment of deputy county auditors.

H. F. No. 26, An act to amend chapter 86, of the acts of the 10th General Assembly.

H. F. No. 265, An act to amend an act to provide a State capitol.

H. F. No. 402, An act to legalize certain acts of E. C. Mount, as auditor of Guthrie county.

S. F. No. 43, An act to provide for an argument term of the supreme court at Council Bluffs.

S. F. No. 156, An act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the Revision of 1860, etc.*

A. CONVERSE, *Chairman.*

The question being on the adoption of Senator Shane's amendment to section 1 of H. F. No. 89, on this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Deque, Dysart, Fitch, Howland, Kephart, Ketcham, Leavitt, McCormack, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, Willett, and Young—24.

The nays were—

Senators Burke, Converse, Crary, Gault, Havens, Kinne, Larabee, Lowry, Maxwell, McCulloch, McNutt, Miles, Richards, Rustell, Stone, West, and Wonn—17.

Absent or not voting—

Senators Allen, Dashiell, Fairall, Hurley, Ireland, McCoid, McIntyre, McKean, and Merrill—9.

So the amendment was adopted.

Senator Claussen moved to reconsider the vote by which the amendment was adopted.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Crary, Dague, Dashiell, Dysart, Gault, Havens, Howland, Kephart, Kinne, Lowry, McCormack, McCulloch, Merrill, Miles, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, and Vale—31.

The nays were—

Senators Ketcham, Larrabee, Leavitt, Maxwell, McNutt, Murray, West, Willett, Wonn and Young—10.

Absent or not voting—

Senators Allen, Converse, Fairall, Fitch, Hurley, Ireland, McCoid, McIntyre, and McKean—9.

So the motion to reconsider prevailed.

By leave Senator Shane withdrew his amendment.

Senator Larrabee offered a substitute for the bill.

Senator Shane moved the previous question, which the Senate refused to second.

Senator McCoid moved to amend the substitute by adding the number "4188" before the number "4192" where it occurs in the title and first section of the substitute.

The amendment prevailed.

Senator Dysart moved the previous question, which was seconded by the Senate, and the main question ordered.

On the adoption of Senator Larrabee's substitute, the yeas and nays were demanded, and,

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Converse, Crary, Dague, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Richards, Russell, West, Willett, and Wonn—25.

The nays were—

Senators Beardsley, Bemis, Chambers, Clausen, Dashiell, Dysart, Havens, Kephart, Ketcham, McCormack, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, and Young—20.

Absent or not voting—

Senators Allen, Hurley, Ireland, Leavitt, and McIntyre—5.

So the substitute was adopted.

On the question, "Shall the bill be engrossed for a third reading?" the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Richards, Shane, Stone, Stuart, Vale, Wonn and Young—32.

The nays were—

Senators Bemis, Chambers, Claussen, Havens, Ketcham, McKean, Miles, Murray, Read, Smith, Taylor, West, and Willett—18.

Absent or not voting—

Senators Alien, Hurley, Ireland, McIntyre and Russell—5.

So the bill was ordered engrossed.

On motion of Senator Larrabee the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardaley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Howland, Kephart, Ketcham, Larrabee, Leavitt, McCoid, McCormack, McCulloch, Merrill, Murray, Shane, Smith, Stone, Stuart, Taylor, Vale and Young—29.

The nays were—

Senators Atkins, Bemis, Burke, Fitch, Havens, Kiane, Lowry, Maxwell, McKean, McNutt, Miles, Read, Richards, Russell, West, Willett and Wonn—17.

Absent or not voting—

Senators Alien, Hurley, Ireland and McIntyre—4.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I herewith present for your signature the following resolutions which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House:

Joint resolution asking Congress to remove import duties from lumber.

Concurrent resolution requesting the Governor to postpone the execution of the prisoner Stanley.

JNO. J. SAFELY, *Chief Clerk.*

The following message was also received from the House :

MR. PRESIDENT :—I am directed by the House of Representatives to request the return from the Senate of H. F. No. 107.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Campbell, from the second committee of conference on the disagreeing votes of the two houses on Senate amendments to substitute for S. F. No. 1, submitted the following report :

The second committee of conference on the disagreeing votes of

the two houses upon Senate amendments to the House amendments to substitute for S. F. No. 1, having met, after full and free conference have agreed to and do report to their respective houses the following :

“That the House recede from its disagreement to the Senate amendment, of the first House amendment, (being the second proviso in the bill) and adopt the same. That the Senate amendment to the second House amendment, (being the third proviso in the bill) be stricken out.

F. T. CAMPBELL,

JOHN E. BURKE,

Managers on part of the Senate.

D. D. DAVISSON,

DAVID SECOR,

L. L. AINSWORTH,

Managers on part of the House.

On the adoption of the report,

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Gault, Kephart, Ketcham, Larabee, Lowry, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Richards, Shams, Stone, Stuart, Taylor, Vale, West, Willett and Young—80.

The nays were—

Senators Atkins, Claussen, Dashiell, Fairall, Fitch, Havens, Howland, Leavitt, Maxwell, Murray, Read, Russell, Smith and Wonn—14.

Absent or not voting—

Senators Allen, Crary, Harley, Ireland, Kinne, and McIntyre—6.

So the report was adopted.

REPORTS OF COMMITTEES.

Senator Converse, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following, viz:

Joint resolution asking Congress to place lumber upon the free list.

Also, concurrent resolution requesting the Governor to postpone the execution of the prisoner Stanley.

A. CONVERSE, *Chairman.*

Also the following :

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw County, Iowa.

S. F. No. 96, A bill for an act to amend section 3,305 of the revision of 1869, exempting sewing machines from execution.

S. F. No. 247, A bill for an act making valid certain deeds for town lots in Sigourney.

S. F. No. 136, A bill for an act to provide for surveying lands and lots in certain cases.

S. F. No. 245, A bill for an act to legalize the election of school directors of the independent school district of Camanche City.

S. F. No. 88, A bill for an act to amend chapter 53 of the revision of 1860, etc.

S. F. No. 27, A bill for an act to regulate the manufacturing, keeping and sale of certain oils.

S. F. No. 240, A bill for an act to amend chapter 2, acts of the 18th General Assembly, and to authorize the district judge of the 4th judicial district to appoint terms of court in certain cases.

S. F. No. 232, A bill for an act to legalize the acts of the independent district of Grand Junction, Iowa.

S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, etc.

S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

A. CONVERSE, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT :—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the speaker of the House.

H. F. No. 385, A bill for an act to legalize the acts of the board of supervisors of Hancock county, Iowa, authorizing the county recorder to make new indexes to deed records.

H. F. No. 169, A bill for an act to amend chapter 98 of the acts of the Twelfth General Assembly in relation to indebtedness of school districts.

H. F. No. 369, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa.

H. F. No. 364, A bill for an act to legalize the incorporation of

the town of Ackley, Iowa, and the election of officers of said incorporation.

S. F. No. 98, A bill for an act to amend section 3305 of the Revision of 1860, exempting sewing machines from execution.

S. F. No. 247, A bill for an act making valid certain deeds for town lots in the town of Sigourney.

S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, in Chickasaw county, Iowa, the levy of taxes to pay the same, and the acts of said board of directors in contracting for and in causing the erection of a school house in said independent school district.

H. F. No. 336, A bill for an act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of officers thereof.

H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases.

H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys, repealing certain laws relative thereto.

H. F. No. 347, A bill for an act requiring publication of the receipts and expenditures of independent school districts, and estimates for the future maintenance of the same.

S. F. No. 245, A bill for an act to legalize the election of school directors of the independent school district of Camanche city.

S. F. No. 186, A bill for an act to provide for surveying lands or lots in certain cases.

S. F. No. 218, A bill for an act legalizing the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

Also, Joint resolution giving certain authority to the state auditor in respect to the credits claimed by the counties of Harrison, Howard, Marion, Jasper, Louisa, Bremer, and Winnebago, for State revenue alleged to be stolen from said counties.

JNO. J. SAFELY, *Chief Clerk.*

On motion of Senator Howland the Secretary was directed to return to the House H. F. No. 107.

On motion of Senator McKean S. F. No. 190, A bill for an act making appropriations for the agricultural college, was taken up and considered.

Senator McKean moved to amend the House amendment by inserting the word "farm" between the words "other" and "improvements," which was agreed to.

Senator McKean moved to concur in the House amendments as amended by the Senate.

On this question

The yeas were—

Senators Beardsley, Boomer, Burke, Chambers, Clausen, Converse, Dague, Dashiell, Dycart, Fairall, Fitch, Gault, Howland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McOul-loch, McKean, McNutt, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale and West—33.

The nays were—

Senators Atkins, Campbell, Orary, Havens, McCormack, Read, Wonn and Young—8.

Absent or not voting—

Senators Allen, Bemis, Hurley, Ireland, Kinne, McCoid, McIntyre, Stone and Willett—9.

So the Senate concurred in the House amendments as amended. Senator Fitch, from the committee on roads, submitted the following report :

MR. PRESIDENT:—Your committee on roads, to whom was referred H. F. No. 391, A bill for an act to legalize the tax in Emmett county, Iowa, for making and repairing bridges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WILLIAM H. FITCH, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on roads, to whom was referred S. F. No. 173, A bill for an act to amend chapter 100, acts of the Twelfth General Assembly, prescribing the duties of township trustees and road supervisors, beg leave to report that they have had the same under consideration, and a majority of the same have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. H. FITCH, *Chairman.*

Ordered passed on file.

Senator Lowry, from the committee on railroads, submitted the following report :

MR. PRESIDENT:—Your committee on railroads, to whom was referred H. F. No. 176, A bill for an act to amend section 1317, of chapter 55 of the revision, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the committee on judiciary.

ROBERT LOWRY, *Chairman.*

Report adopted.

Senator Beardsley, from the committee on schools, submitted the following report :

MR. PRESIDENT:—Your committee on schools, to whom was referred H. F. No. 386, A bill for an act to legalize the organization

of the independent school district of West Grove, Davis county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

CHAS. BEARDSLEY, *Chairman*.

Ordered passed on file.

On motion of Senator Maxwell, at 4:45 the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 11, 1872. }

Senate convened pursuant to adjournment, and was called to order by the President *pro tem*.

Prayer by the Rev. Dr. Murphy.

The reading of the journal was proceeded with, when, on motion of Senator Beardsley, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

H. F. No. 65, A bill for an act apportioning the State of Iowa into representative districts and declaring the ratio of representation.

H. F. No. 148, A bill for an act to amend chapter 95, acts of the 12th General Assembly.

H. F. No. 226, A bill for an act in relation to land grant lands, and to provide for a record title thereto.

H. F. No. 333, A bill for an act to determine the weight per bushel of certain fruits named herein.

H. F. No. 420, A bill for an act to legalize the incorporation of the town of Sharon, Mahaska county, Iowa, and the acts of the officers thereof.

H. F. No. 422, A bill for act to provide against increased taxation for State purposes.

H. F. No. 423, A bill for an act legalizing the articles of incorporation of the Burlington & Southwestern Railway Co.

Also, the House has passed without amendment S. F. No. 197, A bill for an act making further appropriations for the hospital for the insane at Mt. Pleasant.

Amendments noted in bill.

BENJ. VAN STEINBURG, *Ass't Clerk*.

PETITIONS AND MEMORIALS.

Senator McCulloch presented a petition from the faculty of the college of physicians and surgeons at Keokuk, asking that the buildings and grounds of that institution be exempt from taxation for State and county purposes.

Referred to committee on ways and means.

Senator Bemis presented a petition from citizens of Madison and Buffalo townships, Buchanan county, asking for the enactment of a law to authorize them to organize an independent school district.

Referred to committee on schools.

Senator Leavitt presented a petition from citizens of Black Hawk and Grundy counties, asking for the repeal of certain school laws.

Referred to committee on schools.

INTRODUCTION OF BILLS.

By leave Senator Fairall introduced S. F. No. 263, A bill for an act to remove the disabilities of Mordecai Cropper, and restore to him the rights of citizenship.

Read first and second time, and on motion of Senator Fairall the rule was suspended and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Woun, and Young—49.

The nays were—

Senator Cray—1.

Absent or not voting—

Senators Allen, Ireland, Ketcham, Kinne, McIntyre, and McKean—6.

So the bill passed and the title was agreed to.

Senator Fitch, from the committee on roads, introduced S. F. No. 264, A bill for an act to amend section 1, chapter 6, acts of the Fourteenth General Assembly, relative to bridges.

Read first and second time, and on motion of Senator Fitch the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Claussen, Converse, Cray, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens,

Howland, Kephart, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, McNutt, Merrill, Miles, Murray, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Wonn and Young—37.

The nays were—

Senators Beardsley, Campbell, Chambers, McCormack, McCulloch, Read and Willett—7.

Absent or not voting—

Senators Allen, Hurley, Ireland, Ketcham, Kinne, and McIntyre—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for signature the following bills which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House :

S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, the election of its officers and all the acts done, and ordinances passed by the council of said town.

S. F. No. 232, A bill for an act to legalize the acts of the independent school district of Grand Junction, Iowa.

S. F. No. 27, A bill for an act to regulate the manufacturing, keeping and sale of certain oils.

S. F. No. 240, A bill for an act to amend chapter 2 of the acts of the Thirteenth General Assembly, and to authorize the district judge of the fourth judicial district to appoint terms of court in certain counties.

S. F. No. 88, A bill for an act to amend chapter 53 of the revision of 1860 so as to permit corporations in this state, of an academic character, the members of which shall consist of the lay members and pastors of churches, delegates to any synod, conference, or council, holding its annual meetings alternately in this and one or more adjoining states, to hold meetings of the corporation for the election of officers and the transaction of business in any adjoining state.

JNO. J. SAFELY, *Chief Clerk.*

Senator Dashiell moved to reconsider the vote by which substitute for H. F. No. 80, A bill for an act amendatory of sections 4188 and 4192 of the revision of 1860, was passed yesterday.

Senator McCoid moved to lay the motion on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Burke, Converse, Crary, Fairall, Fitch, Gault,

Howland, Hurley, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Richards, Russell, West, Willett and Wonn—21.

The nays were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Clausen, Dague, Dashiell, Dysart, Havens, Kephart, Leavitt, McCormack, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, and Young—24.

Absent or not voting—

Senators Allen, Ireland, Ketcham, Kinne, and McIntyre—5.

So the motion did not prevail.

Senator McCoid moved a call of the Senate, which was sustained.

The Secretary called the roll, and Senators Ketcham and Kinne were found absent without leave.

Senator Russell moved that further proceedings under the call be suspended, which was disagreed to.

The Sergeant-at-Arms presented Senator Ketcham at the bar of the Senate, when, on motion of Senator Fairall, Senator Ketcham was excused.

Senator Murray moved that further proceedings under the call be dispersed with, which motion prevailed.

Senator Kephart moved the previous question, which was seconded by the Senate, and the main question ordered.

The question being on Senator Dashiell's motion to reconsider, the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Chambers, Clausen, Dashiell, Dysart, Havens, Kephart, Ketcham, Leavitt, McCormack, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, and Young—23.

The nays were—

Senators Boomer, Burke, Campbell, Converse, Crary, Fairall, Fitch, Gault, Howland, Hurley, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Richards, Russell, West, Willett, and Wonn—22.

Absent or not voting—

Senators Allen, Dague, Ireland, Kinne, and McIntyre—5.

So the motion prevailed.

Senator Shane moved to reconsider the vote by which the bill was ordered engrossed for a third reading.

Senator McCoid moved to lay the motion on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Burke, Converse, Crary, Fairall, Fitch, Gault, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Richards, Russell, West, and Wonn—20.

The nays were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Claus-

sen, Dague, Dashiell, Dysart, Havens, Kephart, Ketcham, Leavitt, McCormack, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, and Young—25.

Absent or not voting—

Senators Allen, Howland, Hurley, Ireland, and McIntyre—5.

So the motion did not prevail.

The question being on Senator Shane's motion to reconsider, the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Chamters, Clausen, Dashiell, Dysart, Havens, Kephart, Ketcham, Leavitt, McCormack, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, and Young—24.

The nays were—

Senators Boomer, Burke, Converse, Crary, Dague, Fitch, Gault, Howland, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Richards, Russell, West, and Wonn—21.

Absent or not voting—

Senators Allen, Fairall, Hurley, Ireland, and McIntyre—5.

So the motion prevailed.

Senator McKean obtained the floor and proceeded to discuss the bill when Senator Fairall raised the point of order that the bill could not be considered provided five or more Senators objected.

The President declared the point of order well taken.

Senator Stone raised the point of order that the bill was in the same position now that it was when under consideration yesterday, and that therefore it was not in the power of five Senators to prevent its consideration.

Senator McCoid raised the point of order that the motion to reconsider was a privileged question, and therefore could not be objected to.

Senator Campbell raised the point of order that points of order raised by Senators Stone and McCoid were not well taken from the fact that the chair had already decided that the objections of five or more Senators could bar the consideration of the bill.

The President decided Senator Campbell's point of order well taken.

Senator Campbell moved to reconsider the vote by which the substitute was adopted yesterday.

Pending which the hour for the special order arrived, it being S. F. No. 210, A bill for an act to protect the people of Iowa from charlatanism and imposition in the practice of medicine and surgery, with report of committee recommending amendments, on motion of Senator Taylor it was postponed 20 minutes.

The consideration of substitute for H. F. No. 80 was resumed.

The question was on the motion to reconsider the vote by which the substitute was adopted.

Senator Lowry moved the previous question, which was seconded by the Senate and the main question ordered.

On the question of reconsidering the vote by which the substitute was adopted,

The yeas were—

Senators Atkins, Beardsley, Bemis, Chambers, Claussen, Dashiell, Dyeart, Havens, Kephart, Ketcham, Leavitt, McCormack, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale and Young—22.

The nays were—

Senators Boomer, Burke, Campbell, Converse, Crary, Dague, Fairall, Fitch, Gault, Howland, Hurley, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Richards, Russell, West, Willett, and Wonn—25.

Absent or not voting—

Senators Allen, Ireland and McIntyre—3.

So the motion did not prevail.

Senator Fitch, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 98, An act to amend section 3305 of the Revision of 1860.

S. F. No. 247, An act making valid certain deeds for town lots in the town of Sigourney.

S. F. No. 189, An act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, &c.

S. F. No. 245, An act to legalize the election of school directors of the independent school district of Camanche city.

S. F. No. 136, An act to provide for surveying lands and lots in certain cases.

S. F. No. 212, An act legalizing the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

Also, Joint resolution giving certain authority to the state auditor in respect to the credits claimed by the counties of Harrison, Howard, Marion, Jasper, Louisa and Bremer, &c.

H. F. No. 336, An act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of officers thereof.

H. F. No. 327, An act requiring cities to pay damages in certain cases.

WM. M. FITCH, *for Committee.*

The hour for the special order having arrived, it being S. F. No. 210, A bill for an act to protect the people of Iowa from charlatan-

ism and imposition in the practice of medicine and surgery, with report of committee recommending amendments, it was taken up and considered.

The amendments recommended by the committee were adopted.

Senator Miles moved that the rule be suspended and the bill read a third time.

Senator Murray moved to amend the 8d line of the 9th section by striking out the words "in the third degree," which was agreed to.

On motion of Senator Fairall the third line of 5th section was amended by striking out the word "and" and inserting the word "or."

Senator Miles' motion was then agreed to.

On the question, "Shall the bill pass?"

The yeas were--

Senators Atkins, Boomer, Burke, Chambers, Dashiell, Fairall, Gault, Howland, Kinne, Leavitt, Maxwell, McNutt, Miles, Richards, Smith, Stone, Stuart, Taylor, Vale, Wonn and Young--21.

The nays were--

Senators Beardsley, Campbell, Claussen, Converse, Crary, Dagne, Dysart, Havens, Kephart, Larrabee, Lowry, McCoid, McCormack, McCulloch, Murray, Read, and West--17.

Absent or not voting--

Senators Allen, Bemis, Fitch, Hurley, Ireland, Ketcham, McIntyre, McKean, Merrill, Russell, Shane and Willett--12.

So the bill having failed to receive a constitutional number of votes was declared lost.

The special order, being S. F. No. 82, A bill for an act relating to the purchase or improvement of agricultural fair grounds, was taken up.

The question was on the motion to reconsider the vote by which the bill was lost, which motion was agreed to.

On the question, "Shall the bill pass?"

The yeas were--

Senators Atkins, Boomer, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Leavitt, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young--35.

The nays were--

Senators Beardsley, Barke, Campbell, Ketcham, Larrabee, Lowry, McCormack, Read, Richards, and Stone--10.

Absent or not voting--

Senators Allen, Bemis, Ireland, McIntyre, and Miles--5.

So the bill passed and the title was agreed to.

On motion of Senator Chambers, H. F. No. 407, A bill for an act to legalize the acts of E. C. Brink, county auditor of Cedar county, Iowa, was taken up and considered.

Read first and second time.

Senator Chambers moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Boomer, Ireland, McIntyre, McKean, Stone, and Willett—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary, with amendment: Strike out the last proviso in section 8, in which the concurrence of the Senate is asked.

BENJ. VAN STEINBURG, *Ass't. Clerk.*

On motion of Senator Howland, H. F. No 391, A bill for an act to legalize the tax in Emmet county, Iowa, for making and repairing bridges, with report of committee recommending that it do pass, was taken up and considered.

Senator Howland moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Chambers, Clausen, Converse, Dagne, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Murray, Richards, Russell, Smith, Stuart, Taylor, Vale, Willett, and Wonn—34.

The nays were—

Senators Campbell, Crary, Kephart, Shane, West, and Young—6.

Absent or not voting—

Senators Allen, Burke, Dysart, Ireland, Lowry, McIntyre, Merrill, Miles, Read, and Stone—10.

So the bill passed and the title was agreed to.

Senator McKean moved to take up S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary, which was agreed to.

On the question " Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Claussen, Crary, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Stone, Stuart, Taylor, West, Willett, Wonn, and Young—38.

The nays were—

Senators Beardsley, Campbell, Converse, Dague, Havens, McCormack, Smith, and Vale—8.

Absent or not voting—

Senators Allen, Gault, Ireland, and McIntyre—4.

So the Senate concurred in House amendments.

On motion of Senator West, S. F. No. 197, A bill for an act making appropriations for the hospital for the insane at Mt. Pleasant, was taken up.

On the question " Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Chambers, Dashiell, Ireland, Ketcham, and McIntyre—7.

So the Senate concurred in the House amendments.

On motion of Senator Beardsley, H. F. No. 423, A bill for an act legalizing the amended articles of the incorporation of the Burlington & Southwestern railway company was taken up and read first and second times.

Senator Beardsley moved that the rule be suspended and the bill be read a third time, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Dysart, Fitch, Gault, Havens, Howland, Hurley, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Dashiell, Fairall, Ireland, Ketcham, McIntyre, and McKean—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 joint resolution in which the concurrence of the Senate is asked :

Joint resolution relative to an adjournment of the General Assembly.

BENJ. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Murray, the House joint resolution in relation to adjournment was taken up and read first and second time.

Senator Murray offered the following amendment :

That Senators Hurley, Havens, and Fairall, and Representatives Pratt, Hall, and Evans are hereby constituted a committee to examine the report of the commissioners upon the revision of the statutes during the recess, and shall have the same powers and discharge the same duties as the commissioners now possess or do exercise under the law, and shall receive the same pay as a member of the General Assembly during the time actually employed in the discharge of the duties required under this resolution.

Senator Dysart raised the point of order that the amendment was not germane to the subject, and therefore could not be considered.

The President *pro tem* submitted the point of order to the Senate for decision, and it decided the point of order well taken.

Senator Murray moved to amend the first paragraph of the joint resolution by striking out "23" and inserting "16."

Senator Campbell moved to amend the amendment by striking out "16" and inserting "19," which was disagreed to.

On the adoption of the amendment offered by Senator Murray, the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Boomer, Converse, Orary, Fairall, Hurley, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Murray, Russell, Shane, Stone, Taylor, and Young—21.

The nays were—

Senators Campbell, Chambers, Claussen, Dague, Dashiell, Dysart, Gault, Havens, Howland, Ketcham, Kinne, McCoid, McNutt, Miles, Read, Richards, Smith, Stuart, Vale, West, Willett, and Wonn—22.

Absent or not voting—

Senators Allen, Beardsley, Burke, Fitch, Ireland, Kephart, and McIntyre—7.

So the amendment was lost.

Senator Leavitt moved to amend by striking out "28" and inserting "18."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Converse, Orary, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, Merrill, Murray, Russell, Shane, Smith, Stone, Taylor and Young—29.

The nays were—

Senators Chambers, Claussen, Dague, Gault, Kephart, McCoid, McNutt, Miles, Read, Richards, Stuart, Vale, West, Willett, and Wonn—15.

Absent or not voting—

Senators Allen, Dashiell, Ireland, McCulloch, McIntyre, and McKean—6.

So the motion prevailed.

Senator Campbell moved to strike out of the joint resolution all after "12 M."

Senator Campbell moved to postpone the further consideration of the resolution until 9 o'clock A. M. to-morrow, pending which the hour for adjournment arrived, and the President *pro tem* declared the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER, DES MOINES, IOWA, }
 April 12, 1872. }

Senate met pursuant to adjournment, President in the chair.
 Prayer by the Rev. C. M. Walters.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 107, A bill for an act to enable townships incorporated, towns and cities which have heretofore or may hereafter vote a tax in aid of the construction of a railroad, etc.

H. F. No. 111, A bill for an act in relation to the State Library, and the duties of State Librarian.

H. F. No. 257, A bill for an act to devote the public square in Algona to court house purposes.

H. F. No. 296, A bill for an act to promote water power improvements.

H. F. No. 413, A bill for an act to repeal chapter 132 of the acts of the Eighth General Assembly.

H. F. No. 425, A bill for an act to change the time of holding the circuit court in Monroe county, Iowa.

Also the House has passed without amendment S. F. No. 75, A bill for an act pertaining to the division of civil townships.

S. F. No. 264, A bill for an act to amend chapter 6, acts of the Fourteenth General Assembly.

Also the House has concurred in the Senate amendment to the House amendment to S. F. No. 190 an act making an appropriation for the agricultural college and farm.

BENJ. VAN STEINBURG, *Asst. Clerk.*

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 197, A bill for an act making further appropriations for the hospital for the insane at Mt. Pleasant.

S. F. No. 122, A bill for an act to permanently locate and provide for the erection and construction of an additional Penitentiary.

A. CONVERSE, *Chairman.*

On motion of Senator Murray the House joint resolution was taken up and considered.

The question was on Senator Campbell's motion to strike out all after "12 M."

Senator Fairall moved to reconsider the vote by which "23" was stricken out and "18" inserted.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Chambers, Claussen, Crary, Dague, Dashiell, Fairall, Gault, Havens, Howland, Ketcham, Kinne, Maxwell, McCoid, McCormack, McCulloch, McNutt, Read, Richards, Russell, Stone, Stuart, Taylor, Vale, Willett, Wonn, Young—27.

The nays were—

Senators Beardsley, Boomer, Campbell, Converse, Dysart, Fitch, Hurley, Larrabee, Lowry, Merrill, Miles, Murray, Shane—13.

Absent or not voting—

Senators Allen, Bemis, Burke, Ireland, Kephart, Leavitt, McIntyre, McKean, Smith, West—10.

So the motion to reconsider prevailed.

The question recurring on the motion to strike out "23" and insert "18," the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Campbell, Converse, Crary, Dysart, Fitch, Hurley, Larrabee, Murray, Richards, Shane, and Smith—12.

The nays were—

Senators Atkins, Boomer, Chambers, Claussen, Dague, Dashiell, Fairall, Gault, Havens, Howland, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Read, Russell, Stone, Stuart, Taylor, Vale, Willett, Wonn, and Young—29.

Absent or not voting—

Senators Allen, Burke, Ireland, Kephart, McIntyre, McKean, Miles, and West—9.

So the motion did not prevail.

On the motion to strike out all after "12 M.," the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Gault, Kephart, Lowry, McCormack, Merrill, Miles, Richards, Shane, Smith, Vale, and Wonn—19.

The nays were—

Senators Atkins, Bemis, Claussen, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McNutt, Murray, Read, Russell, Stone, Stuart, Taylor, Willett, and Young—24.

Absent or not voting—

Senators Allen, Burke, Ireland, McCullough, McIntyre, McKean, and West—7.

So the motion was lost.

Senator Richards moved to strike out "23d" and all after thereafter, and insert "22d."

On this question the yeas and nays were demanded, and
The yeas were—

Senators Boomer, Campbell, Converse, Crary, Dashiell, Dysart, Gault, Kephart, Lowry, McCoid, McCormack, Merrill, Richards, Shane, Stuart, and Wonn—16.

The nays were—

Senators Atkins, Beardsley, Bemis, Chambers, Claussen, Dague, Fairall, Fitch, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McNutt, Miles, Murray, Read, Russell, Smith, Stone, Taylor, Vale, West, Willett, and Young—29.

Absent or not voting—

Senators Allen, Burke, Ireland, McIntyre, and McKean—5.

So the amendment did not prevail.

Senator Beardsley offered the following substitute for the resolution:

Resolved, That after Thursday, April 18th, the Senate will consider no bills of general or local character, except the legislative appropriation bill, but will devote its time exclusively, from that date until the day of final adjournment, to the consideration and completion of the work on the new code.

Senator McCoid moved to amend the substitute, by adding the following proviso thereto:

Provided, That the printing of the code when completed, shall be let to the lowest bidder.

On the adoption of this proviso the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Converse, Crary, Dashiell, Fairall, Gault, Kinne, Lowry, McCoid, McCulloch, Murray, Richards, Russell, Stuart, Wonn and Young—17.

The nays were—

Senators Beardsley, Campbell, Chambers, Claussen, Dague, Dysart, Fitch, Havens, Howland, Hurley, Kephart, Ketcham, Larrabee, Leavitt, Maxwell, McCormack, McKean, McNutt, Merrill, Miles, Read, Shane, Smith, Stone, Taylor, Vale, West and Willett—28.

Absent or not voting—

Senators Allen, Bemis, Burke, Ireland and McIntyre—5.

So the proviso was not adopted.

Senator West moved to amend by striking out "18" and inserting "20," which was agreed to.

On the adoption of the substitute the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse, Dague, Fitch, Gault, Hurley, Kephart, McCulloch, Merrill, Miles, Shane, Smith, Vale, West and Wonn—18.

The nays were—

Senators Atkins, Bemis, Claussen, Crary, Dashiell, Dysart, Fairall, Havens, Howland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, McNutt, Murray, Read, Richards, Russell, Stone, Stuart, Taylor, Willett and Young—28.

Absent or not voting—

Senators Allen, Burke, Ireland and McIntyre—4.

So the substitute was lost.

Senator Read moved the previous question which was seconded by the Senate and the main question ordered.

On the question "Shall the joint resolution be engrossed for a third reading?"

The yeas were—

Senators Atkins, Bemis, Claussen, Fairall, Havens, Howland, Hurley, Ketcham, Kinne, Leavitt, Maxwell, McCoid, McKean, McNutt, Murray, Read, Russell, Stone, Stuart, Taylor, Willett and Young—22.

The nays were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Kephart, Larrabee, Lowry, McCormack, McCulloch, Merrill, Miles, Richards, Shane, Smith, Vale, West and Wonn—24.

Absent or not voting—

Senators Allen, Burke, Ireland and McIntyre—4.

So the joint resolution was lost on engrossment.

Senator Converse from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 197, An act making further appropriation for the Hospital for the Insane at Mt. Pleasant.

S. F. 122, An act to permanently locate and provide for the erection and control of an additional penitentiary.

Substitute for H. F. No. 9, An act for the protection of the life and health of miners.

A. CONVERSE, *Chairman.*

On motion of Senator Stuart H. F. No. 90, a bill for an act to amend chapter 29 of the acts of the 9th General Assembly, with report of committee recommending that it do pass, was taken up and considered.

Senator Fairall moved that the rule be suspended and the bill be read a third time now, which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Gault, Havens, Howland, Hurley, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young.—38.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Dashiell, Fitch, Ireland, Kephart, Ketchum, Kinne, McCoid, McIntyre, McKean, and Russell.—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional Penitentiary.

S. F. No. 197, A bill for an act making further appropriation for the Hospital for the Insane at Mt. Pleasant, Iowa.

H. F. No. 9, A bill for an act for the protection of the life and health of miners.

I am also directed to inform your honorable body that the House of Representatives has concurred in the report of the conference committee to substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act, &c.

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

H. F. No. 39, A bill for an act to provide for the preservation of fish in the waters in the State of Iowa.

BENJ. VAN STEINBERG, *Asst. Clerk.*

Senator Claussen, from the committee on Orphan's Home submitted the following report :

MR. PRESIDENT—Your committee on Orphan's Home to whom was referred Substitute for H. F. No. 21, A bill for an act making additional appropriation for Iowa Soldiers' Orphan's Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. R. CLAUSSEN, *Chairman.*

Senator Claussen moved that the bill and report be taken up and considered, which motion prevailed.

On motion of Senator Clausen the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Ireland, Kephart, McIntyre, McKean and Russell—8.

So the the bill passed and the title was agreed to.

On motion of Senator Shane, House messages were taken up.

H. F. No. 188, "A bill for an act to amend chapter 175 of the 13th General Assembly," was taken up and referred to the committee on county and township organizations.

H. F. No. 193, "A bill for an act to amend section 711 of the Revision of 1860," was taken up, read first and second times and referred to committee on ways and means.

H. F. No. 208, "A bill for an act to restore territory set off for school purposes," was taken up, read first and second time and referred to committee on schools.

H. F. No. 417, "A bill for an act to provide that taxes voted in aid of railroads shall not become delinquent until the roads are constructed to the points named in the election notice," was taken up, read first and second times and referred to committee on railroads.

H. F. No. 211, "A bill for an act to amend section 2, chapter 89, of the laws of the 13th General Assembly, in relation to township boards of equalization," was taken up, read first and second times, and referred to committee on county and township organizations.

H. F. No. 420, "A bill for an act to legalize the incorporation of the town of Sharon, Mahaska county, Iowa, and the acts of the officers thereof," was taken up and read first and second times.

On motion of Senator Young the rule was suspended and the bill read a third time.

On the question "shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Mer-

rill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Ireland, Kephart, Kinne, McIntyre, McKean, and Stone—8.

So the bill passed and the title was agreed to.

H. F. No. 422, A bill for an act to provide against increased taxation for State purposes, was taken up, read first and second time, and referred to committee on ways and means.

H. F. No. 226, A bill for an act in relation to land grant lands, and to provide for a record title thereto, was taken up, read first and second time, and referred to committee on public lands.

H. F. No. 296, A bill for an act to promote water power improvement, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, being an act for the relief of needy persons, was taken up, read first and second times, and on motion of Senator Shane, referred to the committee on county and township organizations.

H. F. No. 111, A bill for an act in relation to the State library, and the duties of State Librarian, was taken up, read first and second time, and referred to Committee on State Library.

H. F. No. 257, A bill for an act to devote the public square in Algona, to court house purposes, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 413, A bill for an act to repeal chapter 132, of the acts of the Eighth General Assembly, was taken up, read first and second time, and on motion of Senator West was referred to the committee on judiciary.

H. F. No. 107, A bill for an act to enable townships, incorporated towns, and cities, which have heretofore or may hereafter, vote a tax in aid of the construction of a railroad, under the provisions of chapter 102, of the acts of the Thirteenth General Assembly of the State of Iowa, to transfer and use such tax in aid of the construction of such other railroads within such township, city, or town for which the same was voted, as the inhabitants of the township, city, or town voting the same may desire, was taken up and read first and second times.

Senator Murray moved that the bill pass on file.

Senator Lowry moved that the bill be referred to the committee on railroads, which was disagreed to.

Senator Murray's motion was then adopted.

H. F. No. 425, A bill for an act to change the time of holding court in Monroe county, was taken up and read first and second time.

On motion of Senator Read the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCownack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Burke, Ireland, Kephart, Ketcham, McIntyre, McKean—8.

So the bill passed and the title was agreed to.

H. F. No. 333, "A bill for an act to determine the weight per bushel of certain undried fruits named therein," was taken up and read first and second times.

On motion of Senator Vale the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Havens, Howland, Hurley, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, Young—37.

The nays were—

Senators Fitch, Gault, Richards, Russell, Stone—5.

Absent or not voting—

Senators Allen, Burke, Ireland, Kephart, Ketcham, McIntyre, McKean, Murray—8.

So the bill passed and the title was agreed to.

H. F. No. 39, "A bill for an act to provide for the protection of fish in the waters of the State of Iowa," was taken up and read first and second times.

Senator Taylor moved that the rule be suspended and the bill read a third time.

Senator Ketcham offered the following amendment:

"*Provided*, That the owner of every dam across any stream in this State shall build a good and sufficient shute or crossway over such dam."

Senator Larrabee moved to amend the proviso by adding thereto the following:

"And a mill tax shall be voted in each county where the dams are for the maintenance of such shutes."

The amendment to the amendment and the amendment were disagreed to.

Senator McCulloch moved to refer the bill to the committee on agriculture, which did not prevail.

Senator Taylor's motion to suspend the rule and read the bill a third time, was adopted, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dugue, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Kephart, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McKean, McNntt, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, West, Willett, Wonn—35.

The nays were—

Senators Claussen, Dashiell, Gault, Ketcham, Lowry, McCulloch, Richards, Vale, Young—9.

Absent or not voting—

Senators Allen, Burke, Ireland, Kinne, McIntyre, Shane—6.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Hurley from the committee on judiciary, submitted the following report :

MR. PRESIDENT--Your committee on judiciary to whom was referred H. F. No. 311, a bill for an act to amend section 2796 of Revision of 1860, and prescribing place of bringing suit in certain cases or for change of venue therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Report adopted.

Also the following :

MR. PRESIDENT--Your committee on judiciary, to whom was referred H. F. No. 513, a bill for an act to repeal chapter 132 of the acts of the 8th General Assembly, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT--Your committee on judiciary, to whom was referred S. F. 241, a bill for an act to legalize the gifts, grants, sales and conveyances of certain lands located with the script issued to Johnson county as indemnity for swamp lands and the acts and

proceedings of the board of supervisors of said county, and of Jephtha Cowgill as agent and trustee of said county, and of the Iowa Northern Central railroad company relative thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—The judiciary committee to whom was referred S. F. No. 77, a bill for an act to amend chapter 3275 of the Revision of 1860, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the following substitute, with the recommendation that the latter do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Senator McNutt from the committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred a petition of the faculty of the college of physicians and surgeons at Keokuk, praying for exemption from taxation of the college grounds and buildings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

SAMUEL McNUTT, *for Committee.*

Report adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 391, A bill for an act to legalize the tax in Emmet county, Iowa, &c.

H. F. No. 423, A bill for an act legalizing the amended articles of the incorporation of the Burlington and Southwestern railway company.

H. F. No. 407, A bill for an act to legalize the acts of E. M. Brink.

BENJ. VAN STEINBURG, *Asst. Clerk.*

Senator Burke was granted leave of absence until Tuesday.

Senator McNutt was granted leave of absence until 4 P. M. on Monday next.

On motion of Senator Fairall, S. F. No. 241, A bill for an act to legalize the gifts, grants, sales and conveyances of certain lands located with scrip issued to Johnson county as indemnity lands, with report of committee recommending that it do pass, was taken up and considered.

Senator Fairall moved that the rule be suspended and the bill read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Burke, Ireland, McIntyre, McKean and Richards—7.

So the bill passed and the title was agreed to.

On motion of Senator West H. F. No. 880, A bill for an act to amend article 7, chapter 29 of the revision of 1860, with report of committee recommending that it do pass, was taken up and considered.

Senator West moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bemis, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Havens, Howland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McNutt, Merrill, Murray, Read, Shane, Stuart, Taylor, Vale, West, Willett and Young—80.

The nays were—

Senators Atkins, Beardsley, Dashiell, Gault, Larrabee, McCormack, McCulloch, Miles, Richards, Russell, Smith, Stone and Wonn—13.

Absent or not voting—

Senators Allen, Boomer, Burke, Hurley, Ireland, McIntyre, McKean—7

So the bill passed and the title was agreed to.

Senator McNutt, from the committee on ways and means, introduced S. F. No. 265, A bill for an act to amend chapters 138 and 173, of the 12th General Assembly, to regulate insurance companies.

Read first and second time, and on motion of Senator Fairall, was laid on the table and ordered printed.

By leave Senator Willett offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That in view of the fact that the State can procure printing paper by contract much cheaper than the board of immigration, and in view of the further fact that the fund provided for the promotion of immigration is somewhat limited, that the Secretary of State be and he hereby directed to furnish paper sufficient to print an edition of 20,000 copies of a pamphlet, of not exceeding 150 pages, setting forth the manufacturing resources and advantages of the State, to be circulated by the said board in the United States.

On the adoption of this resolution the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Claassen, Dague, Fairall, Fitch, Howland, Hurley, Kephart, Kinne, Larrabee, Leavitt, Lowry, McCoid, Merrill, Read, Stone, Stuart, Taylor, Vale, Willett, Wonn and Young --22.

The nays were—

Senators Beardsley, Campbell, Chambers, Converse, Crary, Dashiell, Dysart, Gault, Havens, Ketcham, Maxwell, McCormack, Miles, Murray, Richards, Russell, Shane, Smith, and West--19.

Absent or not voting—

Senators Allen, Bemis, Boomer, Burke, Ireland, McCulloch, McIntyre, McKean, and McNutt--9.

So the resolution was adopted.

Senator Larrabee moved to reconsider the vote by which the House joint resolution in relation to adjournment was lost on engrossment.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Bemis, Claassen, Crary, Dague, Dysart, Fairall, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McNutt, Merrill, Murray, Read, Russell, Stone, Stuart, Taylor, Willett, Wonn, and Young--28.

The nays were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse, Dashiell, Fitch, Gault, McCormack, McCulloch, Miles, Richards, Shane, Smith, Vale, and West--16.

Absent or not voting--

Senators Allen, Burke, Ireland, and McIntyre--4.

So the motion prevailed.

Senator Larrabee moved to amend by striking out all after the word "will" and insert the words "adjourn *sine die* at noon on the 16th day of this month."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Campbell, Converse, Crary, Gault, Kephart, Kinne, Larrabee, Lowry, McCoid, McCormack, Merrill, Richards, Shane, and Smith—16.

The nays were—

Senators Beardsley, Bemis, Chambers, Claussen, Dagne, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ketcham, Leavitt, Maxwell, McCulloch, McKean, McNutt, Miles, Murray, Read, Russell, Stone, Stuart, Taylor, Vale, West, Willet, Wonn, and Young—30.

Absent or not voting—

Senators Allen, Burke, Ireland, and McIntyre—3.

So the amendment was lost.

Senator Stone moved to suspend the rule and read the joint resolution a third time now, which prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Bemis, Claussen, Crary, Fairall, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McKean, McNutt, Merrill, Murray, Read, Russell, Stone, Stuart, Taylor, Willett, Wonn and Young—26.

The nays were—

Senators Beardsley, Boomer, Campbell, Chambers, Converse, Dagne, Dashiell, Dysart, Fitch, Gault, Kephart, Lowry, McCormack, McCulloch, Miles, Richards, Shane, Smith, Vale, and West—20.

Absent or not voting—

Senators Allen, Burke, Ireland, and McIntyre—4.

So the joint resolution passed and the title was agreed to.

At 12 o'clock *m.*, the President declared the Senate adjourned until 2½ o'clock *p. m.*

TWO O'CLOCK AND 30 MINUTES.

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

By leave Senator Taylor introduced S. F. No. 266, A bill for an act to authorize the governor to settle with Soule, Kretzinger & Co., for the building of two shops in the Iowa penitentiary at Fort Madison, and making appropriation therefor.

Read first and second time and referred to committee on ways and means.

MESSAGE FROM THE HOUSE.

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 bill in which the concurrence of the Senate is asked:

H. F. No. 289, A bill for an act to provide for the publication of such laws as the census board may designate in newspapers, and prohibiting such publication, at public expense, of the new code and certain local laws.

JOHN J. SAFELY, *Chief Clerk.*

Senator Hurley moved, when the Senate adjourn it be until 9 o'clock A. M. Tuesday next, on which the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Taylor, Willett and Wonn--25.

The nays were—

Senators Beardsley, Campbell, Chambers, Claussen, Converse, Dysart, Howland, Lowry, Maxwell, McCormack, McCulloch, Richards, Shane, Vale, West and Young--16.

Absent or not voting—

Senators Allen, Bemis, Boomer, Burke, Ireland, McCoid, McIntyre, McNutt and Stuart--9.

So the motion prevailed.

Senator Bemis was granted leave of absence until Tuesday next.

Senator Dashiell was granted leave of absence for the day.

Senator Shane moved that the Senate adjourn, on which the yeas and nays were demanded, and

The yeas were—

Senators Dashiell, Havens, Kinne, Shane, Smith and Young--6.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Richards, Russell, Stone, Stuart, Taylor, Vale, West, Willett and Wonn--26.

Absent or not voting—

Senators Allen, Bemis, Burke, Ireland, Ketcham, McCoid, McIntyre, and McNutt--8.

So the motion did not prevail.

Senator Kephart, from the committee on suppression of intemperance, submitted the following report:

MR. PRESIDENT:—Your committee on suppression of intemperance, to whom was referred S. F. No. 213, A bill for an act amendatory of the acts now in force for the suppression of intemperance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on suppression of intemperance, to whom was referred S. F. No. 217, A bill for an act to prevent the sale or giving away of intoxicating liquors to certain classes of persons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on suppression of intemperance, to whom was referred S. F. No. 87, A bill for an act for the better suppression of intemperance and to prevent the formation of drinking clubs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

HOUSE MESSAGES.

H. F. No. 289, A bill for an act to provide for the publication of such laws as the census board may designate in newspapers, and prohibiting such publication, at public expense, of the new code and certain local laws.

Read first and second time and referred to committee on printing.

By leave, Senator Beardsley introduced S. F. No. 267, A bill for an act forming an independent school district of territory in Jefferson and Keokuk counties, Iowa.

Read first and second times, and referred to committee on judiciary.

Senator Havens, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred H. F. No. 257, A bill for an act to devote the public square in Algona to court house purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Senator Howland moved that the bill and report of committee be taken up and considered, which was agreed to.

Senator Howland moved to suspend the rule, and read the bill a third time.

Senator Fairall moved to amend the first section of the bill by adding the following proviso :

Provided, That the corporate authorities of the town of Algona assent thereto by ordinance.

The proviso was adopted.

Senator McCoid offered the following proviso :

Provided, further, That this act shall not be so construed as to vacate such public square.

The proviso was agreed to.

Senator Howland's motion to suspend the rule and read the bill a third time prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Fairall, Fitch, Havens, Howland, Kinne, Leavitt, McCoid, Miles, Murray, Smith, Stone, Vale, Willett, Wonn, and Young—16.

The nays were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dysart, Gault, Kephart, Lowry, Maxwell, McCormack, McCulloch, McKean, Richards, Shane, Taylor, and West—19.

Absent or not voting—

Senators Allen, Bemis, Burke, Dague, Dashiell, Hurley, Ireland, Ketcham, Larrabee, McIntyre, McNutt, Merrill, Read, Russell, and Stuart—15.

So the bill having failed to receive a constitutional majority, was declared lost.

REPORTS OF COMMITTEES.

Senator Converse from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following and find the same correctly enrolled :

Joint resolution fixing the time of adjournment of this session, and the time of the convening of the adjourned session.

A. CONVERSE, *Chairman*.

Senator Atkins, from the committee on senatorial districts, submitted the following report:

MR. PRESIDENT—Your committee on senatorial districts, to whom

was referred S. F. No. 234, A bill for an act apportioning the State of Iowa into senatorial districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that some amendments be made which are noted in the bill returned herewith, and that it do pass.

CHAS. ATKINS, *Chairman.*

Ordered passed on file.

Senator Chambers, from the committee on compensation of public officers, submitted the following report:

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred S. F. Nos. 37 and 55, Bills for acts amendatory of section 1, chapter 155, of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed.

J. C. CHAMBERS, *Chairman.*

Report adopted.

Also the following:

MR. PRESIDENT—Your committee on compensation of public officers, to whom was referred H. F. No. 381, A bill for an act amending section 2823 of the Revision of 1860, relating to the proof of service of original notices, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. C. CHAMBERS, *Chairman.*

Report adopted.

Also the following:

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred H. F. No. 306, A bill for an act relating to the payment of the managers and officers of the State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. C. CHAMBERS, *Chairman.*

Report adopted.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval, the following bills, viz:

S. F. No. 240, An act to amend chapter 21 of the acts of the Thirteenth General Assembly.

S. F. No. 237, An act to legalize the incorporation of the town of Drakeville.

S. F. No. 232, An act to legalize the acts of the independent school district of Grand Junction, Iowa.

H. F. No. 364, An act to legalize the incorporation of the town of Ackley, Iowa.

H. F. No. 385, An act to legalize the acts of the board of supervisors of Hancock county.

H. F. No. 169, An act to amend chapter 98 of the acts of the Twelfth General Assembly in relation to indebtedness of school districts.

S. F. No. 88, An act to amend chapter 53 of the revision of 1860.

S. F. No. 27, An act to regulate the manufacturing and sale of certain oils.

H. F. No. 347, An act requiring the publication of the receipts and disbursements of the funds of independent school districts.

H. F. No. 22, An act to authorize and regulate the improvement of streets and alleys.

H. F. No. 423, An act legalizing the articles of incorporation of the B. & S. W. R. R.

H. F. No. 369, An act to legalize the incorporation of the town of Clear Lake.

H. F. No. 407, An act to legalize the acts of E. M. Brink.

H. F. No. 391, An act to legalize the tax in Emmet county.

Joint resolution in relation to an adjournment of the General Assembly.

A. CONVERSE, *Chairman.*

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 222, A bill for an act regulating the election of township trustees, and fixing the fees thereof.

H. F. No. 387, A bill for an act to legalize the action of the board of supervisors of Emmet county in funding outstanding warrants and judgments on warrants, and issuing bonds therefor.

H. F. No. 389, A bill for an act making further appropriations for the Deaf and Dumb Asylum, and for the maintenance of the institution.

Also, that the House has passed S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas to the students therein, with the following amendment, in which the concurrence of the Senate is respectfully asked: "Strike out the publication clause."

Also, that the House has passed without amendment, S. F. No. 228, A bill for an act dividing the State into nine congressional districts.

Also, I herewith present for your signature the following joint resolution, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Joint resolution relative to adjournment.

JNO. J. SAFELY, *Chief Clerk.*

HOUSE MESSAGES.

H. F. No. 222, A bill for an act regulating the election of township trustees and fixing the fees thereof, was taken up, read first and second time and referred to committee on county and township organizations.

H. F. No. 287, A bill for an act to legalize the action of the board of supervisors of Emmet county in funding outstanding warrants, and judgments on warrants and issuing bonds therefor, was taken up read first and second time, and referred to committee on judiciary.

H. F. No. 289, A bill for an act making appropriations for the deaf and dumb asylum, and for the maintenance of the institution, was taken up, and read first and second time.

Senator Stone moved to suspend the rule and read the bill a third time.

Senator Maxwell moved to refer the bill to the committee on charitable institutions, with instructions to report an amendment providing an additional appropriation to establish work shops, which motion was disagreed to.

Senator Stone's motion to suspend the rule and read the bill a third time prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Campbell, Chambers, Claussen, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Harley, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Vale, Willett, Wonn and Young—37.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Boomer, Burke, Converse, Dashiell, Ireland, Ketcham, McIntyre, McNatt, Merrill, Taylor and West—13.

So the bill passed and the title was agreed to.

At 3 o'clock and 45 minutes, on motion of Senator Dysart the Senate adjourned until 9 o'clock A. M. on Tuesday next.

SENATE CHAMBER, DES MOINES, IOWA, }
 April 16th, 1872. }

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

Prayer by the Rev. Mr. Swope.

The reading of the Journal was proceeded with, when on motion of Senator Stone, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

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 :

H. F. No. 428, A bill for an act to reorganize the State Historical Society.

H. F. No. 288, A bill for an act to provide for paying the claim of D. E. Lyons, for foreclosing a certain school fund mortgage in behalf of the State.

H. F. No. 427, A bill for an act making appropriations for the payment of the mileage of the 14th General Assembly.

H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58, of the laws of the 14th General Assembly.

H. F. No. 127, A bill for an act in relation to the reorganization of townships.

H. F. No. 199, A bill for an act for the protection of inn-keepers.

H. F. No. 201, A bill for an act to amend section 4481 of the Revision of 1860.

H. F. No. 303, A bill for an act to authorize county surveyors to issue subpoenas for witnesses.

H. F. No. 250, A bill for an act to amend section 3807 of the Revision of 1860.

H. F. No. 388, A bill for an act relating to the change of the boundary lines of civil townships.

H. F. No. 379, A bill to legalize and confirm the sale and conveyance of the swamp lands of Pocahontas county, Iowa, which are now patented to said county.

H. F. No. 375, A bill for an act to amend section 3, chapter 160, laws of 12th General Assembly.

S. F. No. 366, A bill for an act to authorize clerks of district and circuit courts to satisfy mortgages foreclosed in said courts upon payment of the decree and judgment rendered thereon.

H. F. No. 359, A bill for an act authorizing cities, incorporated towns and villages to construct, or cause to be constructed, water works.

H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors.

H. F. No. 430, A bill for an act to amend section 187, chapter 14 of the revision of 1860.

H. F. No. 431, A bill for an act to provide for taking testimony on applications for pardon.

H. F. No. 268, A bill for an act to provide for the compilation of the revenue laws and for the publication and distribution of the same.

H. F. No. 312, A bill for an act to allow all appeals to the supreme court from the counties of Hardin and Franklin to be taken to Des Moines instead of Dubuque.

H. F. No. 152, A bill for an act to amend section 3782 of the revision of 1860, in relation to the vacation and modification of injunctions.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases.

H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county.

H. F. No. 251, A bill for an act to amend section 3040 of the revision of 1860.

H. F. No. 194, A bill for an act to amend section 40 of chapter 138 of the laws of the Twelfth General Assembly to regulate insurance companies.

H. F. No. 205, A bill for an act to amend section 799 of the revision of 1860, and to change the time of making semi-annual payments to the state treasurer by county treasurers.

H. F. No. 239, A bill for an act to amend section 748 and 759 of the revision of 1860, in relation to revenue.

H. F. No. 357, A bill for an act providing for return of poll books to the county auditor.

H. F. No. 365, A bill for an act to amend section 3555 of the revision of 1860.

Also, that the House has passed without amendment :

S. F. No. 175, A bill for an act in relation to county records, and to repeal section 2258 of the revision of 1860, and enact a substitute therefor.

S. F. No. 161, A bill for an act to furnish transportation to discharged convicts.

S. F. No. 12, A bill for an act to legalize the official acts of H. B. Hendershott, a notary public.

S. F. No. 261, A bill for an act to legalize the acts of the board of supervisors of Poweshiek county, Iowa, relative to the purchase of a poor farm.

S. F. No. 224, A bill for an act to legalize the official acts of certain notaries public, and a justice of the peace named herein.

Also that the House has passed S. F. No. 46, A bill for an act creating the 13th judicial district, with the following amendments, in which the concurrence of the Senate is respectfully asked :

Strike out the word "Fremont" in the second section.

Insert after the word "Monona," in the third section, the word "Harrison."

Strike out the words "and Cass" and insert the word "and" before the word "Dallas" in the 4th section.

Strike out the 5th section.

Strike out in the 7th line of the 6th section the words "in each of said circuits."

Strike out the word "and" and insert the words "and eleventh" after the word "fifth" in the 4th line of sec. 7.

Strike out the word "and" and insert the words "and eleventh" in the 15th line of sec. 7.

Also that the House has passed without amendment :

S. F. No. 196, A bill for an act to prohibit appropriations, gifts, or donations of public money or property for ecclesiastical or sectarian purposes.

S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860, so as to limit the venue in actions upon negotiable paper to a county wherein one of the makers shall reside.

S. F. No. 97, A bill for an act making corporations, and persons owning and operating railroads, liable for the willful wrongs of their agents and employees.

Also that the House has passed Substitute for S. F. No. 47, A bill for an act requiring that conditional sales of personal property be executed, acknowledged and recorded like mortgages of personal property to be of any validity against bona fide purchasers, executions and attaching creditors, with the following amendments, in which the concurrence of the Senate is asked : Strike out all of the enacting claim, and insert the following :

Sec. 1. That no sale, contract or lease, wherein the transfer of title or ownership of personal property is made to depend upon any condition, shall be valid against any creditor or purchaser of the vendee or lessee in actual possession, obtained in pursuance thereof, without notice, unless the same be in writing, executed by the vendee or lessee, acknowledged and recorded the same as chattel mortgages.

Also that the House has concurred in the Senate amendments to H. F. No. 403, A bill for an act to legalize the ministerial acts of John L. Robinson, a justice of the peace of Holman township, Osceola county, Iowa.

Also that the House of Representatives has passed the following bill without amendment :

S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa.

I am also directed to inform your honorable body that the House of Representatives has passed the following resolutions of the Senate:

Joint resolution in relation to establishing a highway on the agricultural college farm.

Joint resolution in relation to settlers on swamp lands or lands claimed as such.

Joint resolution appointing trustees for the Iowa hospital for the insane at Independence.

Concurrent resolution concerning the disposition of certain documents and printed matter in possession of the State.

I also herewith present for your signature the following bills, which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House:

H. F. No. 39, A bill for an act to provide for the preservation of fish in waters of the State of Iowa.

H. F. No. 425, A bill for an act to change the time of holding the fourth term of the circuit court in Monroe county, for the year 1872.

H. F. No. 333, A bill for an act to determine the weights of certain undried fruits named therein.

H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly.

H. F. No. 330, A bill for an act to amend article 7, chapter 22, of the revision of 1860.

H. F. No. 420, A bill for an act to legalize the incorporation of the town of Sharon, Mahaska county, Iowa, and the acts of the officers thereof.

H. F. No. 389, A bill for an act making further appropriations for the deaf and dumb asylum, and for the maintenance of the institution.

H. F. No. 21, A bill for an act making additional appropriations for the Iowa soldiers' orphans' home.

H. F. No. 403, A bill for an act to legalize the ministerial acts of Jno. L. Robinson, a justice of the peace of the Hoiman township, Osceola county, Iowa.

JOHN J. SAFELY, *Chief Clerk.*

PETITIONS.

By Senator Merrill: From John Wilcox and 123 other citizens asking for the abolition of the death penalty.

Referred to committee on judiciary.

By Senator McCoid : From Henry Brown and 57 other citizens of Jefferson county, asking for the passage of S. F. No. 224.

Referred to committee of conference on S. F. No. 12.

INTRODUCTION OF BILLS.

Senator Havens, from the committee on county and township organizations, introduced S. F. No. 268, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines and Minnesota railroad through Polk county, Iowa, as fixed in the contract of donation of the swamp lands of Polk county to the D. M. & M. R. R. Co.

Read first and second times, and on motion of Senator Fairall the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—87.

The nays were—

Senators Boomer, Campbell, Gault, McCormack, Richards and Shane—6.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre and Russell—7.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Fitch, from the committee on enrolled bills submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 420, A bill for an act to legalize the incorporation of Sharon, Iowa.

Also, H. F. No. 425, A bill for an act to change the time of holding circuit court in the county of Monroe, Iowa.

Also, H. F. No. 333, A bill for an act establishing the weights of certain fruits.

Also, H. F. No. 39, A bill for an act to provide for the preservation of fish in the waters of this State.

Also, H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly.

Also, H. F. No. 830, A bill for an act to amend article 7, of chapter 22, of the revision of 1860.

Also, H. F. No. 403, A bill for an act to legalize the ministerial acts of John L. Robinson, of Holman township, Osceola county, Iowa.

Also, H. F. No. 389, A bill for an act making appropriations to the deaf and dumb asylum.

Also, substitute for H. F. No. 21, A bill for an act making appropriations to the orphans' homes.

WM. H. FITCH, *for the Committee.*

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following Senate bills and find the same correctly enrolled:

S. F. No. 196, A bill for an act to prohibit appropriations, gifts, or donations of public money or property for ecclesiastical or sectarian purposes.

Also, S. F. No. 244, A bill for an act to legalize the official acts of certain notaries public, and a justice of the peace named herein.

Also, S. F. No. 190, A bill for an act making appropriations for the agricultural college and farm.

Also, S. F. No. 23, A bill for an act dividing the State into nine congressional districts.

Also, S. F. No. 75, A bill for an act pertaining to the division of civil townships.

Also, S. F. No. 264, A bill for an act to amend section 1, chapter 6, acts of the Fourteenth General Assembly, relative to bridges.

Also, S. F. No. 175, A bill for an act relative to county records, and to repeal section 2258 of revision of 1860, and enact a substitute therefor.

Also, S. F. No. 161, A bill for an act to furnish transportation to discharged convicts.

Also, S. F. No. 12, A bill for an act to legalize the official acts of H. B. Hendershott, a notary public.

Also, S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, &c.

WM. H. FITCH, *for Committee.*

Senator Willett offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That J. N. Edwards, the assistant postmaster, is hereby instructed to remain one week after the adjournment of the General Assembly to forward any mail that may come into his hands belonging to the members of 14th General Assembly, and that he be allowed his regular per diem therefor.

The resolution was adopted.

Senator Lowry offered the following concurrent resolution:

Be it resolved by the General Assembly of the State of Iowa,
That the Secretary of State is hereby instructed to forward all books and documents to which the members of the 14th General Assembly may be entitled, after adjournment, to their respective addresses at the expense of the State.

The resolution was adopted.

HOUSE MESSAGES.

H. F. No. 359, A bill for an act authorizing cities, incorporated towns, and villages to construct, or cause to be constructed, water works, was taken up, read first and second time, and referred to the special committee of which Senator Richards is chairman.

H. F. No. 366, A bill for an act to authorize clerks of the district and circuit courts to satisfy mortgages foreclosed in said courts, upon payment of the decree and judgment rendered thereon, was taken up and read first and second time.

On motion of Senator Shane the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—40.

The nays were—

Senators Richards and Stuart—2.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre, Merrill, and Russell—8.

So the bill passed and the title was agreed to.

H. F. No. 375, A bill for an act entitled an act to amend section 3, chapter 160, laws of the Twelfth General Assembly, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 379, A bill for an act to legalize and confirm the sale and conveyance of the swamp lands of Pocahontas county, Iowa, which are now patented to said county, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 288, A bill for an act to provide for paying the claim of D. E. Lyon for foreclosing a certain school fund mortgage in behalf of the State, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 383, A bill for an act relating to the change of the

boundary lines of civil townships, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 301, A bill for an act to amend section 4481 of the revision of 1860, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 250, A bill for an act to amend section 3307 of the revision of 1860, was taken up, read first and second time, and referred to committee on judiciary.

Substitute for H. F. No. 303, A bill for an act to authorize county surveyors to issue subpoenas for witnesses, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 199, A bill for an act for the protection of inn-keepers, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 127, A bill for an act in relation to the re-organization of townships, was taken up, read first and second time, and referred to committee on county and township organizations.

Substitute for H. F. No. 268, A bill for an act to provide for the compilation of the revenue laws, and for the publication and distribution of the same, was taken up, read first and second time, and referred to committee on ways and means.

H. F. No. 312, A bill for an act to allow all appeals to the supreme court from the counties of Hardin and Franklin to be taken to Des Moines instead of Dubuque, was taken up, and read first and second time.

On motion of Senator Taylor, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wenn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Boomer, Dashiell, Kephart, Ketcham, McIntyre and Russell—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 163, A bill for an act to protect the insane.

H. F. No. 291, A bill for an act to repeal a part of section 1, of chapter 23 of the 9th General Assembly.

H. F. No. 264, A bill for an act in relation to the equalization of assessments.

H. F. No. 167, A bill for an act to amend section 2366, of the Revision of 1860, relating to the estates of decedents.

H. F. No. 394, A bill for act concerning the transfer and conveyance of real estate by counties.

H. F. No. 415, A bill for an act to authorize the sale of certain lands donated to the State for the use of the Iowa Soldiers Orphan's Home.

Also that the House has passed the following bill without amendment:

S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

JNO. J. SAFELY, *Chief Clerk.*

Also the following:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 161, A bill for an act to furnish transportation to discharged convicts.

S. F. No. 12, A bill for an act to legalize the official acts of H. B. Hendershott a notary public.

S. F. No. 190, A bill for an act making appropriations for the agricultural college and farm.

S. F. No. 175, A bill for an act in relation to county records and to repeal section 2258, of the Revision of 1860.

S. F. No. 244, A bill for an act to legalize the official acts of certain notaries public and justice of the peace named herein.

S. F. No. 264, A bill for an act to amend section 1, chapter 6, acts of the 14th General Assembly in relation to bridges.

S. F. No. 196, A bill for an act to prohibit appropriations gifts or donations of public money or property for ecclesiastical or sectarian purposes.

S. F. No. 75, A bill for an act pertaining to the division of civil townships.

S. F. No. 23, A bill for an act dividing the State into nine congressional districts.

S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, etc.

BENJ. VAN STEINBURG, *Ass't Clerk.*

H. F. No. 428, A bill for an act to reorganize the State Historical

Society, was taken up, read first and second time and referred to committee on state university.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 251, A bill for an act to amend section 3040 of the revision of 1860, was taken up, read first and second time and referred to committee on judiciary.

H. F. No. 194, A bill for an act to amend section 40 of chapter 188 of the 12th General Assembly, to regulate insurance companies, was taken up, read first and second time, and referred to committee on ways and means.

H. F. No. 365, A bill for an act to amend section 3555 of the Revision of 1860, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1860, in relation to the vacation and modification of injunctions, was taken up, read first and second time, and referred to committee on judiciary.

H. F. 357, A bill for an act providing for return of poll books to the county auditor, was taken up and considered.

Senator McKean moved to strike out the word "fourteenth" in the enacting clause.

Prevailed.

Senator Shane moved to strike out the words "such sum as the county supervisors may allow," and insert "per diem and mileage as allowed by law to grand jurors."

Motion prevailed.

Senator Dysart moved to strike out "annual" and insert "general."

Motion prevailed.

Senator Beardsley moved to strike out "five" and insert "two."

Motion prevailed.

Senator McKean moved to suspend the rule and read the bill a third time now.

Motion prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Wonn—41.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Hurley, Kephart, Ketcham, McIntyre, Russell, and Young—9.

So the bill passed and the title was agreed to.

H. F. No. 289, A bill for an act to amend sections 748 and 759 of the Revision of 1860, in relation to revenue, was taken up, read first and second time, and referred to committee on ways and means.

Substitute for H. F. No. 205, A bill for an act to amend section 799 of the Revision of 1860, and to change the time of making semi-annual payments to the state treasurer by county treasurers, was taken up, read first and second time, and referred to committee on ways and means.

H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county, was taken up and read first and second time.

On motion of Senator Dague the rule was suspended and bill read a third time.

On the question " Shall the bill pass? "

The yeas were—

Senators Atkins, Beardaley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shaue, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Hurley, Kephart, Ketcham, McIntyre, and Russell—8.

So the bill passed and the title was agreed to.

H. F. No. 431, A bill for an act to provide for taking testimony on applications for pardon, was taken up, read first and second times, and referred to committee on judiciary.

H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the 14th General Assembly, was taken up, read first and second times, and referred to committee on ways and means.

H. F. No. 430, A bill for an act to amend section 187, chapter 14, of the revision of 1860, was taken up, read first and second times, and referred to committee on State university.

H. F. No. 427, A bill for an act making appropriations for the payment of the mileage of the members of the 14th General Assembly, was taken up and read first and second times.

On motion of Senator Larrabee, the rule was suspended and the bill read a third time.

On the question, " Shall the bill pass? "

The yeas were—

Senators Atkins, Beardaley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry,

Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Howland, Kephart, Ketcham, McIntyre, Merrill, Murray, and Russell—10.

So the bill passed and the title was agreed to.

H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors, was taken up, read first and second time, and referred to committee on roads.

H. F. No. 168, A bill for an act to protect the insane, was taken up, read first and second time, and referred to committee on charitable institutions.

H. F. No. 394, A bill for an act concerning the transfer and conveyance of real-estate by counties, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 415, A bill for an act to authorize the sale of certain lands donated to the State for the use of the Iowa soldiers' orphans' homes, was taken up, read first and second time, and referred to committee on soldiers' orphans' homes.

H. F. No. 167, A bill for an act to amend section 2866 of the revision of 1860, relating to estates of decedents, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 291, A bill for an act to repeal a part of section 1, of chapter 23, of the acts of the Ninth General Assembly, was taken up, read first and second time, and referred to committee on elections.

Substitute for H. F. No. 264, A bill for an act in relation to the equalization of assessments, was taken up, and read first and second time.

On motion of Senator Fitch, the bill was referred to committee on ways and means.

BILLS ON THIRD READING.

S. F. No. 147, A bill for an act to empower the board of trustees of the agricultural college to grant diplomas to the students therein, with the House amendments, was taken up and considered.

On the question "Shall the Senate concur in the House amendment?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Clauseen, Converse, Cravy, Dagus, Dytart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Yeung—43.

The nays were none.

Absent or not voting----

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre, Russell and Stone—8.

So the Senate concurred in the House amendment.

Substitute for S. F. No. 47, A bill for an act requiring that conditional sales of personal property be executed, acknowledged and recorded like mortgages of personal property to be of any validity as against bona fide purchasers, executions and attaching creditors, with the House amendments was taken up and considered.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Boomer, Clausen, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett and Young—30.

The nays were—

Senators Beardsley, Burke, Campbell, Chambers, Converse, Cray, McKean, McNutt, Miles, Richards and Wonn—11.

Absent or not voting—

Senators Allen, Bemis, Dague, Dashiell, Kephart, Ketcham, McIntyre, Russell and Stone—9.

So the Senate concurred in the House amendments.

S. F. No. 46, A bill for an act creating the 18th judicial district with House amendments was taken up and considered.

On the question "Shall the Senate concur in the House amendment?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Cray, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Bemis, Dashiell, Kephart, Ketcham, McCormack, McIntyre and Russell—9.

So the Senate concurred in the House amendment.

BILLS ON SECOND READING.

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies, and other incorporated bodies, for violation of the criminal laws of this State, was taken up and considered.

Senator Larrabee moved to amend by striking out third and fourth line in section four.

Motion prevailed.

Senator Larrabee moved to amend by striking out section nine.

Motion agreed to.

Senator Wonn moved to suspend the 11th rule, and read the bill the third time now.

Senator Fairall moved to refer the bill to the committee on judiciary.

Motion prevailed.

S. F. No. 52, A bill for an act to amend chapter 175 of the laws of the Thirteenth General Assembly, entitled an act providing additional fees for sheriffs, constables, and others in certain cases, with the report of the committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Senator Campbell moved to suspend the 11th rule, and read the bill the third time now.

Motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dysart, Fairall, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Smith, Stone, and Young—30.

The nays were—

Senators Boomer, Fitch, Gault, Richards, Shane, Stuart, Taylor, Vale, West, Willett, and Wonn—11.

Absent or not voting—

Senators Allen, Atkins, Bemis, Dashiell, Kephart, Ketcham, McIntyre, McNutt, and Russell—9.

So the bill passed and the title was agreed to.

H. F. No. 158, A bill for an act to amend section 2, chapter 177, acts of the Thirteenth General Assembly, was taken up and considered, with report of committee that it do pass.

Senator Lowry moved to suspend the 11th rule, and read the bill the third time now.

Motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Chambers, Clausen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kinne, Leavitt, Lowry, McCoid, McCormack, McKean, McNutt, Merrill, Murray, Smith, West, Willett, and Young—29.

The nays were—

Senators Campbell, Hurley, Larrabee, Maxwell, McCulloch,

Miles, Read, Richards, Shane, Stone, Stuart, Taylor, Vale, and Wonn—14.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre, and Russell—7.

Senator Richards moved to amend the title by adding, "and providing an easy way to confiscate non-residents land."

Motion did not prevail.

So the bill passed and the title was agreed to.

Joint resolution in relation to amendments to the constitution of the United States was taken up and considered.

Senator Murray moved to suspend the 11th rule, and read the joint resolution the third time now.

Senator McKean moved to indefinitely postpone the resolution.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Burke, Campbell, Claussen, Orary, Fairall, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, McNutt, Miles, Read, Stone, Willett, Wonn, and Young—21.

The nays were—

Senators Atkins, Beardsley, Boomer, Chambers, Converse, Dague, Dysart, Fitch, Gault, Howland, Lowry, Maxwell, McCulloch, Merrill, Murray, Richards, Shane, Smith, Stuart, Vale, and West—21.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre, Russell, and Taylor—8.

The vote being a tie, the President voted nay.

So the motion to indefinitely postpone did not prevail.

Senator Beardsley moved to postpone the further consideration of the resolution until Friday morning.

Senator Larrabee moved to amend by postponing ten days.

On this motion the yeas and nays were demanded, and

The yeas were—

Senators Burke, Campbell, Claussen, Orary, Fairall, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, McNutt, Miles, Read, Stone, Willett and Young--20.

The nays were—

Senators Atkins, Beardsley, Boomer, Chambers, Converse, Dague, Dysart, Fitch, Gault, Howland, Lowry, Maxwell, McCulloch, Merrill, Murray, Richards, Shane, Smith, Stuart, Vale, West and Wonn—22.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre, Russell and Taylor,—8.

So the motion did not prevail.

The question then recurring on Senator Beardaley's motion the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardaley, Boomer, Chambers, Clausen, Converse, Dague, Dysart, Gault, Howland, Hurley, Ireland, Lowry, Maxwell, McCulloch, Merrill, Murray, Richards, Shane, Smith, Stuart, Vale and West—28.

The nays were—

Senators Burke, Campbell, Crary, Fairall, Fitch, Havens, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, McNutt, Miles, Read, Willett, Wonn and Young—18.

Absent or not voting—

Senators Allen, Bemis, Dashiell, Kephart, Ketcham, McIntyre, Russell, Stone and Taylor—9.

So the motion to postpone prevailed.

Senator Richards moved to reconsider the vote by which H. F. No. 257, A bill for an act to allow the use of the public square in Algona for court house purposes, was lost.

The motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Boomer, Fairall, Fitch, Havens, Howland, Ireland, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Stone, Stuart, Vale and Wonn—22.

The nays were—

Senators Beardaley, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dysart, Gault, Lowry, McKean, Read, Shane, Smith, Vale and Wonn—16.

Absent or not voting—

Senators Allen, Bemis, Dague, Dashiell, Hurley, Kephart, Ketcham, Murray, McIntyre, Richards, Russell and Taylor—12.

So the bill having failed to receive a constitutional majority was lost.

At 12 o'clock M. the President declared the Senate adjourned until 2½ o'clock this afternoon.

TWO O'CLOCK AND THIRTY MINUTES.

Senate met pursuant to adjournment.

President in the chair.

The President submitted a communication from the Governor.

BILLS ON SECOND READING.

H. F. No. 129, A bill for an act to amend section 3, chapter 158

of the laws of the 13th General Assembly, was taken up and considered.

On motion of Senator Shane the rule was suspended and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Gault, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Shane, Smith, Stuart, Vale, West, Willett, and Young—37.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Boomer, Fairall, Fitch, Hurley, Kephart, McIntyre, Murray, Russell, Stone, Taylor, and Wonn—13.

So the bill passed and the title was agreed to.

H. F. No. 73, A bill for an act to amend section 2, chapter 173, laws of the 9th General Assembly, in regard to township assessors, was taken up and considered.

On motion of Senator McCoid the publication clause was stricken out.

On motion of Senator Young the rule was suspended and bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Chambers, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Vale, West, Willett, Wonn, and Young—31.

The nays were—

Senators Claussen, Converse, Crary, Gault, Ireland, Ketcham, Kinne, and Richards—8.

Absent or not voting—

Senators Allen, Bemis, Boomer, Fairall, Hurley, Kephart, McIntyre, McKean, Russell, Stone, and Taylor—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

A message from the Governor, by the hands of Capt. W. H. Fleming, was received and laid on the President's table.

On motion of Senator Leavitt the sergeant-at-arm was excused.

On motion of Senator Larrabee the door-keeper was instructed to act as sergeant-at-arms.

On motion of Senator Shane the Senate went into executive session.

At 3:15 the Senate came out of executive session.

By leave Senator McNutt, from the committee on elections, submitted the following report:

MR. PRESIDENT:—Your committee on elections, to whom was referred H. F. No. 291, A bill for an act to repeal a part of section 1, of chapter 23, of the 9th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SAMUEL McNUTT, *Chairman.*

On motion the bill and report were taken up and considered.

On motion of Senator Maxwell the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Richards, Shane, Smith, Stuart, Vale, West, Willett, Wonn, and Young—41.

The nays were—

Senator Read—1.

Absent or not voting—

Senators Allen, Bemis, Hurley, Kephart, McIntyre, Russell, Stone, and Taylor—8.

So the bill passed and the title was agreed to.

H. F. No. 221, A bill for an act to amend section 2 of chapter 100, of the laws of the 12th General Assembly, in relation to road laws was taken up and considered.

On motion of Senator Dysart the bill was indefinitely postponed.

H. F. No. 305, A bill for an act to amend chapter 148 of the acts of the 9th General Assembly, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Miles the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young—38.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Havens, Hurley, Kephart, M. Intyre, McKean, Russell, Stone and Taylor—12.

So the bill passed and the title was agreed to.

S. F. No. 235, A bill for an act to dispose of property held by the State and to legalize the sales and conveyances thereof heretofore made, was taken up and considered.

On motion of Senator McCoid the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardale, Boomer, Campbell, Chambers, Claussen, Converse, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, Merrill, Miles, Richards, Smith, Stuart, Vale, Willett, Wonn and Young—34.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Hurley, Kephart, McCormack, McIntyre, McNutt, Murray, Read, Russell, Shane, Stone, Taylor and West—16.

So the bill passed and the title was agreed to.

H. F. No. 175, A bill for an act providing for the organization of independent school districts, with report of committee recommending its indefinite postponement, was taken up and considered.

The question being on the adoption of the report of the committee, pending which the following message was received from the House :

MESSAGE FROM THE HOUSE.

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

H. F. No. 485, A bill for an act making appropriation for the payment of the salaries of the state and judicial officers, &c.

BENJ. VAN STEINBURG, *Assistant Clerk.*

The consideration of H. F. No. 175 was resumed.

The question being on the adoption of the report of the committee recommending that the bill be indefinitely postponed, pending which Senator West moved that the hour for adjournment be postponed 30 minutes, or until the bill under consideration is disposed of, which was agreed to.

The question being on adopting the report of the committee, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Chambers, Claussen, Dysart, Fitch, Howland, Lowry, McNutt, Miles, Smith, Stuart, Vale, and Young—15.

The nays were—

Senators Atkins, Burke, Campbell, Converse, Crary, Dague, Dashiell, Fairall, Gault, Havens, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Murray, Read, Richards, Shane, West, Willett, Wonn, and Young—27.

Absent or not voting—

Senators Allen, Hurley, Kephart, McIntyre, Russell, Stone, and Taylor—8.

So the report of the committee was not adopted.

Senator McNutt offered the following amendment :

Sec. 7. School shall be taught in all the districts during at least ten (10) months in each year, and said schools shall be supported by a general tax on the property of the township.

Senator Shane moved to amend the amendment by striking out the word "township," and inserting "county."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Campbell, Converse, Dashiell, Fitch, Havens, Kinne, Murray, Shane, Stuart, West, Willett, and Young—12.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Crary, Dague, Dysart, Fairall, Gault, Howland, Ireland, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Smith, Vale, and Wonn—31.

Absent or not voting—

Senators Allen, Hurley, Kephart, McIntyre, Stone, Taylor, and Russell—7.

So the amendment did not prevail.

Senator Dysart moved to amend by striking out "ten" and inserting "six."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Ketcham, Kinne, Leavitt, Lowry, McKean, Merrill, Miles, Murray, Read, Smith, Stuart, Vale, West, and Willett—27.

The nays were—

Senators Atkins, Crary, Fairall, Howland, Ireland, Larrabee, Maxwell, McCoid, McCormack, McCulloch, McNutt, Richards, Shane, Wonn, and Young—15.

Absent or not voting—

Senators Allen, Bemis, Hurley, Kephart, McIntyre, Russell, Stone, and Taylor—8.

So the amendment was adopted.

The hour for adjournment having arrived, on motion of Senator Wonn, it was postponed ten minutes.

Senator Wonn moved the previous question, which was seconded by the Senate, and the main question ordered.

On the adoption of Senator McNutt's amendment as amended, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Chambers, Claussen, Dague, Dysart, Fitch, Howland, McNutt, Miles, Smith, Stuart, Vale, and Young—15.

The nays were—

Senators Atkins, Burke, Campbell, Converse, Crary, Dashiell, Fairall, Gault, Havens, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Murray, Read, Richards, Shane, West, Willett, and Wonn—28.

Absent or not voting—

Senators Allen, Hurley, Kephart, McIntyre, Russell, Stone, and Taylor—7.

So the amendment was lost.

On the question, "Shall the bill be engrossed for a third reading?" the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Burke, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, Merrill, Murray, Read, Richards, Shane, Smith, West, Willett, and Wonn—30.

The nays were—

Senators Beardsley, Bemis, Boomer, Chambers, Claussen, Fitch, Lowry, McKean, McNutt, Miles, Stuart, Vale, and Young—13.

Absent or not voting—

Senators Allen, Hurley, Kephart, McIntyre, Russell, Stone, and Taylor—7.

So the bill was ordered engrossed.

On motion of Senator Kinne the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Burke, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, Merrill, Murray, Read, Richards, Shane, Smith, Stuart, West, Willett, and Wonn—30.

The nays were—

Senators Beardsley, Bemis, Boomer, Chambers, Claassen, Fitch, Howland, McKean, McNutt, Miles, Vale, and Young—12.

Absent or not voting—

Senators Allen, Hurley, Kephart, Lowry, McIntyre, Russell, Stone, and Taylor—8.

So the bill passed and the title was agreed to.

Senator Larrabee moved to reconsider the vote by which the bill (H. F. No. 175) passed.

Senator Murray moved to lay the motion to reconsider on the table, which was agreed to.

On motion of Senator Larrabee, H. F. No. 435, A bill for an act making appropriations for the payment of salaries of state and judicial officers, interest on State bonds, and for other state purposes herein named, was taken up and referred to committee on ways and means.

At 6 o'clock P. M. the President declared the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 17, 1872. }

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

Prayer by the Rev. Mr. Gary.

On motion of Senator Vale the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representative has passed the following bill, without amendment :

S. F. No. 262, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines and Minnesota railroad through Polk county, Iowa, as fixed in the contract of donation of the swamp lands of Polk county to the D. M. R. R. Co.

Also that the House has passed the following :

Substitute for S. F. No. 84, A bill for an act to amend an act entitled an act to protect game, passed April 7th, 1868, in which the concurrence of the Senate is respectfully asked.

Also that the House has concurred in the resolution of the Senate relative to the assistant post master.

Also the resolution of the Senate relative to the per diem of the post master, assistant post master and mail carrier.

JNO. J. SAFELY, *Chief Clerk.*

Senator Converse from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following bills and joint resolutions and find the same correctly enrolled :

S. F. No. 46, A bill for an act creating the 13th judicial district and providing for the election of district and circuit judges, and district attorney, etc.

S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa.

S. F. No. 147, A bill for an act to empower the board of trustees of the agricultural college to grant diplomas, etc.

S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860.

S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the the willful wrongs of agents and employees.

A. CONVERSE, *Chairman.*

Also the following :

Joint resolution in relation to establishing a highway on the agricultural college farm.

Also, one appointing trustees for the Iowa hospital for the insane at Independence.

Also, one in relation to settlers on swamp lands.

A. CONVERSE, *Chairman.*

PETITIONS.

By Senator Taylor : From Society of Friends at Marietta, asking for the abolition of capital punishment.

Ordered passed on file.

INTRODUCTION OF BILLS.

Senator Dague, from the committee on printing, introduced S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the regular session of the 14th General Assembly.

Read first and second times and passed on file.

Senator McNutt, from the committee on ways and means, intro-

duced S. F. No. 270, A bill for an act to amend chapter 101 of the laws of the 14th General Assembly in relation to an additional penitentiary, and to provide for the general support of the convicts therein.

Read first and second times, and on motion of Senator McKean the bill was considered.

On motion of Senator Campbell, the first section was amended by adding before the word "on" the words "as needed."

On motion of Senator Maxwell the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—45.

The nays were none.

Absent or not voting—

Senators Allen, Converse, Dashiell, Ketcham, and McIntyre—5.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Russell, from the committee on representative districts, submitted the following report:

MR. PRESIDENT:—Your committee on representative districts, to whom was referred substitute for H. F. No. 65, A bill for an act apportioning the State of Iowa into representative districts, and declaring the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that S. F. No. 236 be adopted as a substitute and that the substitute do pass.

RUSSELL, *Chairman.*

On motion of Senator Russell, the bill, substitute and report were taken up and considered.

The substitute was adopted.

On motion of Senator Dysart the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Gault, Havens, Harley, Ireland, Kephart, Larrabee, Leavitt, Lowry, Maxwell,

McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—39.

The nays were—

Senators Burke, Converse, Fairall, Fitch, and Howland—5.

Absent or not voting—

Senators Allen, Ketcham, Kinne, McIntyre, McKean, and Stuart—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill and joint resolution, in which the concurrence of the Senate is asked:

H. F. No. 298, A bill for an act regulating railroads.

Also, joint resolution instructing the capitol commissioners to place a motto on the corner stone of the new capitol.

BENJ. VAN STEINBURG, *Ass't Clerk.*

HOUSE MESSAGES.

The joint resolution instructing the capitol commissioners to place a motto on the corner stone of the new capitol, was taken up, and read first and second time.

Senator McNutt moved to refer to the committee on public buildings.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Converse, Crary, Dague, Dysart, Larrabee, Leavitt, McNutt, Shane, Vale, and West—10.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Lowry, Maxwell, McCoid, McCulloch, McKean, Merrill, Miles, Murray, Read, Richards, Russell, Smith, Stone, Stuart, Taylor, Willett, Wonn, and Young—35.

Absent or not voting—

Senators Allen, Dashiell, Ireland, McCormack, and McIntyre—5.

So the motion did not prevail.

Senator Shane moved that the joint resolution be indefinitely postponed.

Senator Larrabee moved that the joint resolution be laid on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Howland, Ireland, Kephart, Ketcham, Larrabee, Leavitt, Lowry, Maxwell, McNutt, Merrill, Miles, Murray, Read, Shane, Stone, Vale, West, Willett and Young—28.

The nays were—

Senators Atkins, Beardsley, Boomer, Fairall, Fitch, Gault, Havens, Hurley, Kinne, McCoid, McCormack, McCulloch, McKean, Richards, Russell, Smith, Stuart, Taylor, and Wonn—19.

Absent or not voting—

Senators Allen, Dashiell, and McIntyre—3.

So the joint resolution was laid on the table.

H. F. No. 298, A bill for an act regulating railroads, was taken up and read first and second times.

Senator Murray moved to refer to committee on railroads.

Senator Stone moved to amend by striking out the word "railroads" and inserting "judiciary."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Howland, McCoid, Smith, Stone, Wonn, and Young—7.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Stuart, Taylor, Vale, West and Willett—41.

Absent or not voting—

Senators Allen and McIntyre—2.

So the motion was not agreed to.

Senator Richards moved to amend by adding "and that the committee report to-morrow morning."

Senator Howland moved to amend the amendment by striking out "to-morrow morning" and inserting "24th of April."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins and Howland—2.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—45.

Absent or not voting—

Senators Allen, McCoid and McIntyre—3.

So the motion was lost.

On the adoption of Senator Richards' motion to instruct the committee to report to-morrow morning, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Ireland, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Stuart, Taylor, Vale, West, Willett and Young—39.

The nays were—

Senators Howland, Hurley, Leavitt, Murray, Smith, Stone and Wonn—7.

Absent or not voting—

Senators Allen, Atkins, McIntyre, and McKean—4.

So the motion prevailed.

The motion to refer to railroad committee as amended was then agreed to.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 403, An act to legalize the ministerial acts of John L. Robinson, a justice of the peace.

H. F. No. 420, An act to legalize the incorporation of the town of Sharon.

H. F. No. 90, An act to amend chapter 29 of the acts of the 9th General Assembly.

H. F. No. 330, An act to amend chapter 22 of the Revision of 1860.

H. F. No. 425, An act to change the time of holding the fourth term of the circuit court of Monroe county.

H. F. No. 333, An act to determine the weight per bushel of certain fruits.

H. F. No. 39, An act to provide for the preservation of fish.

S. F. No. 190, An act making appropriations for the Agricultural College.

S. F. No. 12, An act to legalize the official acts of H. B. Hendershott, a notary public.

S. F. No. 261, An act to legalize the acts of the board of supervisors of Poweshiek county.

H. F. No. 21, An act making additional appropriation for Iowa soldiers' orphans' homes.

H. F. No. 389, An act making further appropriations for the deaf and dumb asylum.

S. F. No. 1, An act to repeal an act entitled an act, etc.

S. F. No. 23, An act dividing the State into nine congressional districts.

S. F. No. 175, An act in relation to county records and to repeal section 2258 of the Revision.

S. F. No. 196, An act to prohibit appropriations of public money for sectarian purposes.

S. F. No. 161, An act to furnish transportation to discharged convicts.

S. F. No. 75, An act pertaining to the division of civil townships.

S. F. No. 264, An act to amend section 1, chapter 6, acts of the 14th General Assembly.

S. F. No. 244, An act to legalize the official acts of certain notaries public.

A. CONVERSE, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolutions, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa.

S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas to the students therein.

S. F. No. 111, A bill for an act to amend section 2800 of the revision of 1860, &c.

S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

S. F. No. 46, A bill for an act creating the thirteenth judicial district, &c.

Joint resolution in relation to establishing a highway on the Agricultural College farm.

Joint resolution appointing trustees for the Iowa Hospital for the Insane at Independence.

BENJ. VAN STEINBURG, *Ass't Clerk.*

REPORTS OF COMMITTEES.

Senator McNutt, from the committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom

was referred H. F. No. 205, A bill for an act to amend section 799 of the revision of 1860, and to change the time of making semi-annual payments to the State Treasurer by county treasurers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

SAMUEL McNUTT, *for Committee.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on ways and means, to whom was referred substitute for H. F. No. 268, A bill for an act to provide for the compilation of the revenue laws, and for the publication and the distribution of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

SAMUEL McNUTT, *for Committee.*

On motion of Senator Young the report was adopted.

Also the following:

MR. PRESIDENT—Your committee on ways and means to whom was referred H. F. No. 194, A bill for an act to amend section 40, of chapter 188 of the 12th General Assembly to regulate insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SAMUEL McNUTT, *for Committee.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred H. F. No. 239, A bill for an act to amend section 748 and section 759 of the revision of 1860, in relation to revenue, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

SAMUEL McNUTT, *for Committee.*

On motion of Senator McNutt the report was adopted.

Also the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred H. F. No. 193, A bill for an act to amend section 711 of the revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

SAMUEL McNUTT, *for Committee.*

On motion of Senator McNutt the report was adopted.

Also, the following :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 53 of the laws of the Fourteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SAMUEL McNUTT, *for Committee.*

On motion of Senator West the bill and report was taken up and considered.

Senator Richards moved to amend by adding the word "hereafter" before the word "issued," in the first section, which was agreed to.

On motion of Senator West the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—45.

The nays were none.

Absent or not voting—

Senators Allen, Fitch, McIntyre, Merrill and Russell—5.

So the bill passed and on motion of Senator West the title was amended by inserting the word "hereafter" before the word "issued," and thus amended agreed to.

Senator McNutt, from the committee on ways and means, submitted the following report :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred H. F. No. 435, A bill for an act making appropriations for the payment of the salaries of the state and judicial officers, interest on the state bonds, and for other state purposes therein mentioned, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SAMUEL McNUTT, *for Committee.*

On motion of Senator Larrabee, the bill and report were taken up and considered.

On motion of Senator Larrabee, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, West, Willett, Wonu, and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Boomer, Chambers, Crary, McIntyre, and Vale—7.

So the bill passed and the title was agreed to.

Senator McNutt, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred a resolution in regard to the expenses incurred in organizing the county of Crocker, and bill of items of said expenses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that said expenses are provided for in the special appropriation bill, and that said resolution and bill of items require no further action.

SAMUEL McNUTT, *for Committee.*

On motion of Senator Maxwell, the resolution was indefinitely postponed.

Senator McNutt, from the committee on ways and means, submitted the following report:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred the petition and claim of the Rev. S. Storrs Howe for chaplain services in 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the claim be not allowed.

SAMUEL McNUTT, *for Committee.*

On motion of Senator Beardsley the petition was indefinitely postponed.

Also, the following:

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 266, A bill for an act to authorize the Governor to settle with Soule, Kretsinger & Co., for the building of two shops in the Iowa Penitentiary at Ft. Madison, and making

appropriation therefor, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended in the first section by striking out the words "three thousand" and insert "two thousand;" and amend the 2d section by striking out the word "cost" in the fourth line and insert the word "value;" and strike out the words "said amount" in the seventh line and insert "the amount justly due them;" and so amended, that the bill do pass.

SAMUEL McNUTT, *for Committee.*

On motion of Senator Larrabee the bill and report was taken up and considered.

On motion of Senator McCulloch the amendments reported by the committee were adopted.

Senator Lowry moved the previous question, which was seconded by the Senate, and the main question ordered.

The question being "Shall the bill be ordered engrossed for a third reading, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Claussen, Crary, Dashiell, Dysart, Fitch, Gault, Howland, Hurley, Larrabee, Leavitt, Maxwell, McCoid, McCulloch, Merrill, Russell, Stone, Stuart, Taylor, Vale, Wonn, and Young—23.

The nays were—

Senators Atkins, Boomer, Burke, Campbell, Converse, Dague, Fairall, Havens, Ireland, Kephart, Ketcham, Kinne, Lowry, McCormack, McNutt, Miles, Murray, Read, Richards, Shane, Smith, West, and Willett—23.

Absent or not voting—

Senators Allen, Chambers, McIntyre, and McKean—4.

The vote being a tie the President voted yea.

So the bill was ordered engrossed.

On motion of Senator Campbell the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Claussen, Crary, Dysart, Gault, Howland, Hurley, Ketcham, Leavitt, Maxwell, McCoid, McCulloch, Russell, Stone, Stuart, Taylor, Vale, Wonn, and Young—19.

The nays were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Converse, Dague, Dashiell, Fairall, Fitch, Havens, Ireland, Kephart, Kinne, Larrabee, Lowry, McCormack, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, West, and Willett—27.

Absent or not voting—

Senators Allen, Chambers, McIntyre, and McKean—4.

So the bill having failed to receive a constitutional number of votes was declared lost.

Senator Hurley, from the committee on judiciary, submitted the following report :

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H.F. No. 296, A bill for an act to promote water-power improvements, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows :

Add at the end of section 2, the following words:

“*Provided*, That the powers conferred in this section must be exercised in cities and towns with the consent and under the control of the city councils or trustees of said municipal corporations.”

Sec. 5, 5th line, strike out “ten” and insert “two.”

At the end of section 5 add the following words:

“*Provided*, also, that said water-works and canals be completed within five years from the time when said corporation has been organized,” and when thus amended that the bill do pass.

JAMES S. HURLEY, *Chairman*.

Ordered passed on file.

On motion of Senator Claussen the bill and report was taken up and considered.

On motion of Senator Lowry the rule was suspended and the bill read a third time.

On the question “Shall the bill pass?”

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Chambers, Fitch, McIntyre Miles and Wonn—7.

So the bill passed and the title was agreed to.

Senator McKean, from the sifting committee, submitted the following report :

MR. PRESIDENT:—Your sifting committee beg leave to report that they have arranged the bills on file into first, second and third classes as shown by the annexed schedule, and recommend that they be taken up and considered in the order arranged.

All of which is respectfully submitted.

JOHN McKEAN, *Chairman*.

FIRST CLASS.

1. Senate File No. 228.
2. Senate File No. 230.
3. Senate File No. 214.
4. House File No. 238.
5. House File No. 42.
6. Senate File No. 173.
7. Senate File No. 91.
8. Senate File No. 262.
9. Senate File No. 246.
10. Senate File No. 243.
11. Senate File No. 241.
12. Senate File No. 204.
13. House File No. 413.

SECOND CLASS.

1. Senate File No. 71.

THIRD CLASS.

1. Senate File No. 217.
2. Senate File No. 87.
3. Senate File No. 220.
4. House File No. 386.
5. Senate File No. 185.
6. Senate File No. 262.
7. Senate File No. 213.
8. Papers in relation to National Prison Association.
9. Miscellaneous petitions and papers.

At 12 o'clock m. the President declared the Senate adjourned until 2:30 o'clock p. m.

TWO O'CLOCK AND 30 MINUTES.

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

MESSAGE FROM THE HOUSE.

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 bill, with amendments, in which the concurrence of the Senate is asked:

S. F. No. 241, A bill for an act to legalize the gifts, grants, sales, and conveyances of certain lands donated to Johnson county as indemnity lands, &c. The amendments are attached to the bill.

JOHN J. SAFELY, *Chief Clerk.*

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 413, A bill for an act to repeal chapter 132 of the acts of the Eighth General Assembly, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 176, A bill for an act to amend section 1317 of chapter 55 of the revision, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 288, A bill for an act to provide for paying the claim of D. E. Lyon for foreclosing a certain school fund mortgage in behalf of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendment, to-wit: Strike out the word "two" in the seventh line, and insert "one," and thus amended, that the same do pass.

JAMES. S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT :—Your committee on judiciary, to whom was referred H. F. No. 201, A bill for an act to amend section 4481, of the revision of 1860, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 250, A bill for an act to amend section 3307, of the revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 199, A bill for an act for the protection of innkeepers, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 375. A bill for an act to amend section 3, chapter 160, laws of the 12th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to committee on compensation of public officers.

JAMES S. HURLEY, *Chairman.*

Report adopted.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 387, A bill for an act to legalize the action of the board of supervisors of Emmet county in funding outstanding county warrants and judgments on warrants, and issuing bonds therefor, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 167, A bill for an act to amend section 2366 of the Revision of 1860, relating to estates of decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 394, A bill for an act concerning the transfer and conveyance of real estate by counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 431, A bill for an act to provide for taking testimony on applications for pardons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1860 in relation to the vacation and modification of injunctions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 365, A bill for an act to amend section 3555 of the revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 251, A bill for an act to amend section 8040 of the Revision of 1860, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 267, A bill for an act to form an independent school district of territory in Jefferson and Keokuk counties Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute with the recommendation that the substitute be adopted and do pass.

JAMES S. HURLEY, *Chairman.*

Substitute read first and second times and passed on file.

Also the following :

MR. PRESIDENT:—Your committee on judiciary, beg leave to report that they have had under consideration, a bill for an act providing for the revision and amendment of the statutes by a commission, and providing for a publication thereof, and a majority thereof have instructed me to report the following with the recommendation that the same do pass.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your committee on judiciary, have instructed me to report the following bill, being an act to amend section 3249 of the revision of 1860, relative to sales on execution, and recommend its passage.

JAMES S. HURLEY, *Chairman.*

The bill was read first and second times and passed on file.

Also the following :

MR. PRESIDENT:—Your committee on judiciary, to whom was referred the resolution and petition herewith returned, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying bill without recommendation.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 138, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, to-wit: Strike out 3d and 4th lines of section 4. Insert after "taking" in the third line of section 5, the word "effect." Strike out section 8, and add the following:

"In prosecutions under this act, the arraignment of the defendant shall not be required," and thus amended, that it do pass.

JAMES S. HURLEY, Chairman.

Ordered passed on file.

Senator Ireland from the committee on State university, submitted the following report:

MR. PRESIDENT:—Your committee on State university, to whom was referred H. F. No. 430. A bill for an act to amend section 187, chapter 14, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. IRELAND, Chairman.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on State university, to whom was referred H. F. No. 421, A bill for an act to reorganize the State Historical Society, and make appropriations therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. IRELAND, Chairman.

Ordered passed on file.

Senator Claussen, from the committee on soldiers' orphans' homes, submitted the following report:

MR. PRESIDENT:—Your committee on orphans' homes, to whom was referred H. F. No. 415, A bill for an act to authorize the sale of certain land donated to the State for the use of the Iowa soldiers' orphans' homes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

H. R. CLAUSSEN, Chairman.

Ordered passed on file.

By leave Senator Burke offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That both houses will meet in joint convention on Thursday, the 18th inst., at 3

o'clock P. M., for the purpose of electing all the officers who are to be elected by the 14th General Assembly.

The resolution was adopted.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 219, A bill for an act to pay John Garraty for legal services performed for the State of Iowa, &c.

H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the 14th General Assembly, &c.

H. F. No. 409, A bill for an act to legalize the acts of the Logau Town Company, Iowa.

H. F. No. 437, A bill for an act to amend chapter 92, acts of the 11th General Assembly.

H. F. No. 438, A bill for an act to permanently locate the Iowa Reform School, etc.

H. A. COPELAND, *2d Assistant Clerk.*

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following resolution without amendment:

Joint resolution of the Senate appointing trustees for the Iowa college for the blind.

JNO. J. SAFELY, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Vale, from the committee of conference on the disagreeing votes of the two houses on the Senate amendment to H. F. No. 12, submitted the following report:

The second committee of conference on the disagreeing votes of the two houses upon the Senate amendments to substitute for H. F. No. 12 having met, after full and free conference, have agreed to report, and do report to their respective houses as follows:

That in place of the Senate amendments the following be adopted as a substitute, viz:

SEC. 17. On the taking effect of this act the Governor shall appoint three commissioners, whose successors shall be elected at the general election in 1872, and every two years thereafter, whose duty it shall be to see that this law is faithfully executed; and it shall be their further duty to see that each road affected by the provisions of this bill shall first operate under the rates herein prescribed a sufficient length of time that the same may be fairly

tried; after which time the commissioners shall hear all complaints made by the people, or an officer or officers of any railroad company, as to the necessity for changing or varying any of said rates, and if after a full hearing of the case they shall be convinced that the specific rates of which complaint is made are unjust or unfair to the railroad company, or to the people, they may change the same to what shall be fair and just in such particular case, provided they shall in no case change any rates or charges so that the same shall be greater than the rates herein prescribed.

SEC. 18. Any such change made by said commissioners shall be as valid and legal as if the same had been established by law; and they shall have full power and authority, and it is hereby made their duty, to examine into the management, operation and affairs of all railroad companies in this State, or any partly within and partly without this State, and they shall have the use of all legal means and process necessary for that purpose, the result of which examination shall be included in the report hereinafter provided for.

SEC. 19. Said commissioners shall each receive for his services the sum of twelve hundred dollars a year, payable quarterly, and in addition thereto the sum of five cents as mileage for every mile actually traveled. Before entering upon the discharge of their duties each of said commissioners shall take the usual oath of office, and they shall hold their offices until their successors are elected and qualified, unless removed by the Governor for incompetency or corruption in office. Their sessions may be held at such places as they may deem proper, taking into consideration the convenience of all parties concerned. Before they hold any meeting as above provided, they shall give at least ten days notice by publication in three newspapers, one at the capital, and the other two at such places as they may select, changing the same according to the locality interested; which notice shall state the time and place at which such meeting shall be held.

SEC. 20. The violation of any regulation or order of said commission, made in pursuance of the provisions of this act, shall be visited by the punishment and penalties prescribed in section 11 of this act.

SEC. 21. Said commissioners shall make to the General Assembly a full report of all their acts and doings in pursuance of this act, which report shall be printed and published at least three months previous to each regular meeting of the General Assembly; and each change, modification or revision, made in pursuance of the provisions of this act, shall be printed, signed by the chairman of said commission, and conspicuously posted up by the railroad company at each depot and station along the line of its road or roads affected thereby.

SEC. 22. Any of said commissioners, appointed or elected under the provisions of this act, who shall be guilty of being bribed

in any matter pertaining to his duties herein prescribed, shall be punished, on conviction, by imprisonment in the penitentiary not exceeding ten years.

JACOB G. VALE,
E. S. McCULLOCH,
J. P. KETCHAM,

Managers on the part of the Senate.

FRED. O'DONNELL,
CHARLES H. WILSON,

Managers on the part of the House.

Senator Fairall raised the point of order that the report was not in proper form.

The President decided the point of order not well taken.

The question being on agreeing with the report of the conference committee, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Richards, Shane, Vale, West, and Willett—25.

The nays were—

Senators Atkins, Bemis, Claussen, Crary, Fairall, Fitch, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, McCoid, Merrill, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Wonn, and Young—23.

Absent or not voting—

Senators Allen, and McIntyre—2.

So the motion to agree to the report of committee of conference not having received a constitutional majority (26), it was declared lost.

Senator West moved that a third committee of conference be appointed on the disagreeing votes of the two houses on the Senate amendment to substitute for H. F. No. 12.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—47.

The nays were—

Senator Havens—1.

Absent or not voting—

Senators Allen and McIntyre—2.

So the motion prevailed.

Senator McCoid offered the following resolution :

Resolved, That the Senate favor the following amendment to the Stone amendment to substitute for H. F. No. 12, and the amendments reported by the second committee of conference on said bill, to-wit: Limit the mileage to 500 miles, and strike out the proviso that no change of tariff shall have the effect to increase the rates above the maximum fixed in the bill. And with these amendments favor its passage.

Senator Beardsley moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Chambers, Claussen, Gault, Ketcham, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, West, and Willett—24.

The nays were—

Senators Bemis, Campbell, Converse, Dague, Dashiell, Dysart, Fairall, Havens, Howland, Hurley, Ireland, Kephart, Larrabee, Leavitt, Lowry, McCoid, Miles, Wonn, and Young—19.

Absent or not voting—

Senators Allen, Atkins, Crary, Fitch, Kinne, McIntyre, and Stuart—7.

So the motion was lost.

At 4 o'clock and 20 minutes, on motion of Senator Burke, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 18, 1872. }

Senate met pursuant to adjournment.

President in the chair.

Prayer by the Rev. L. M. Walters.

The reading of the journal was proceeded with, when on motion of Senator Fairall, the further reading was dispensed with.

The President announced Senators Campbell, Willett and Leavitt as members of the conference committee on the part of the Senate on the disagreeing votes of the two houses on Senate amendment to substitute for H. F. No. 12.

MESSAGE FROM THE HOUSE.

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 bill,

with amendment in which the concurrence of the Senate is asked:

S. F. No. 186, A bill for an act fixing the compensation of members of the General Assembly and of officers and employees thereof, as follows:

In section 1, second line, strike out the words "of member" and "to every member," "the General Assembly" and insert the words "future General Assemblies."

Strike out the 3d, 4th and 5th lines; strike out the word "eight" in sixth line and insert the word "seven;" strike out the word "seven" in the seventh line and insert the word "six;" strike out the word "members" in the first line of section two; also the title, strike out the words "of member" and "thereof" and add the words "and regulating the contingent expenses thereof."

Also S. F. No. 117, A bill for act to promote the science of medicine and surgery in the State of Iowa.

Strike out the 8th and 9th lines in the first section.

Strike out all after the word "provided" in the third proviso in first section to the word "traveler" in the 4th line and insert the words "that no."

Also add the following proviso to section 1:

"Provided that in all cases of bodies to be claimed under this act, the person whose body is so claimed shall have been a resident for six months of the county wherein the death took place."

JNO. J. SAFELY, *Chief Clerk.*

INTRODUCTION OF BILLS.

Senator Shane, from the committee on ways and means, introduced S. F. No. 274, A bill for an act to amend chapter 70 of the 14th General Assembly.

Read first and second time, and on motion of Senator Shane the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Converse, Cravy, Dague, Dashiell, Dycart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketchum, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—46.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, McCoid and McIntyre—4.

So the bill passed and the title was agreed to.

Senator Dashiell, from the committee on reform school, introduced S. F. No. 275, A bill for an act to repeal section 2, chapter

59, laws of the 12th General Assembly, and to enact a substitute therefor.

Read first and second time, and on motion of Senator Ketcham the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—46.

The nays were none.

Absent or not voting—

Senators Allen, McIntyre, Boomer and Larrabee—4.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

H. F. No. 158, A bill for an act to amend sec. 2, chap. 177 of the acts of the 13th General Assembly.

H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county.

H. F. No. 366, A bill for an act to authorize clerks of district and circuit courts to satisfy mortgages in certain cases.

H. F. No. 312, A bill for an act to allow appeals to the supreme court from Hardin and Franklin counties to Des Moines instead of Dubuque.

H. F. No. 427, A bill for an act making appropriation for the payment of the mileage of the members of the 14th General Assembly.

H. F. No. 305, A bill for an act to amend chapter 148 of the acts of the 9th General Assembly.

H. F. No. 175, A bill for an act providing for the organization of independent school districts.

H. F. No. 291, A bill for an act to repeal a part of section No. 1, of chapter 23, of the acts of the 9th General Assembly.

H. F. No. 129, A bill for an act to amend section 3 of chapter 158 of the laws of the 13th General Assembly in relation to the reading of wills.

H. F. No. 73, A bill for an act to amend section 2 of chapter 113, of the laws of the 9th General Assembly.

S. F. No. 268, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines & Minnesota Railroad, &c.

A. CONVERSE, *Chairman.*

Senator Chambers, from the committee on compensation of public officers, introduced S. F. No. 276, A bill for an act regulating the compensation of the deputy warden, physician and clerk of the penitentiary.

Read first and second time and passed on file.

RESOLUTIONS.

Senator West introduced the following resolution :

Whereas, The pay of the secretary, first and second assistant secretaries, enrolling and engrossing clerks, have been increased in no case by an increase of less than one dollar, and, *whereas*, the pay of doorkeeper and assistant door-keeper has on the other hand been reduced from what it was at the last session of the General Assembly, one dollar, without any just reason, and discrimination in favor of the former and against the latter,

Therefore, be it resolved, That the pay of the door-keeper and assistant door-keeper be five dollars per day.

Senator Stone moved to amend by adding the words "and sergeant-at-arms, \$6 per day."

Senator Howland moved to lay the resolution on the table, which did not prevail.

On the adoption of Senator Stone's amendment the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Burke, Claussen, Dague, Fairall, Havens, Howland, Ireland, Kephart, Kinne, Larrabee, Leavitt, McCoid, McKean, McNutt, Miles, Richards, Smith, Stone, Vale, Willett, and Young—23.

The nays were—

Senators Beardley, Bemis, Campbell, Chambers, Converse, Crary, Dashiell, Dysart, Fitch, Gault, Hurley, Ketcham, Maxwell, McCormack, McCulloch, Merrill, Read, Russell, Shane, Stuart, Taylor, West, and Wonn—23.

Absent or not voting:—

Senators Allen, Lowry, McIntyre and Murray—4.

The vote being a tie the President voted "yea."

So the amendment was adopted.

On the adoption of the resolution as amended the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Burke, Claussen; Dague, Dashiell, Fairall,

Havens, Howland, Kinne, Larrabee, Leavitt, McCoid, McKean, Merrill, Miles, Murray, Richards, Smith, Stone, Taylor, Vale, West and Young—23.

The nays were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Converse, Crary, Dysart, Fitch, Gault, Hurley, Ireland, Kephart, Ketcham, Lowry, Maxwell, McCormack, McCulloch, McNutt, Read, Russell, Shane, Stuart, Willett, and Wonn—25.

Absent or not voting—

Senators Allen, and McIntyre—2.

So the resolution was lost.

Senator Read offered the following:

Resolved, That the paper folders be allowed \$3 each in postage stamps for the session, and that the mail carrier be deemed an officer of the Senate.

On motion of Senator Ketcham the resolution was laid on the table.

Senator Vale introduced the following:

Resolved by the Senate, the House concurring, That H. O. Russell, the present mail carrier for the General Assembly, shall continue to carry the mail to the capitol for one week after the adjournment, and that he be allowed the same per diem which he now receives.

On motion of Senator Young the resolution was laid on the table.

HOUSE MESSAGES.

H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the 14th General Assembly, entitled an act authorizing the appropriation of money to build bridges, was taken up, read first and second time, and on motion of Senator McCulloch, the bill was referred to the committee on roads, with instructions to report to-morrow.

H. F. No. 438, A bill for an act to permanently locate the Iowa reform school, and to provide for the reception of girls, was taken up, read first and second time, and on motion of Senator Ketcham the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, West, Wonn, and Young—43.

The nays were—

Senators Vale and Willett—2.

Absent or not voting—

Senators Allen, Dysart, Gault, McIntyre, and Richards—5.

So the bill passed and the title was agreed to.

H. F. No. 437, A bill for an act to amend chapter 92 of the acts of the 11th General Assembly, was taken up, read first and second time, and on motion of Senator Stone the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—43.

The nays were—

Senators Campbell and McNutt—2.

Absent or not voting—

Senators Allen, Bemis, Burke, McCoid, and McIntyre—5.

So the bill passed and the title was agreed to.

H. F. No. 409, A bill for an act to legalize the acts of the Logan town company, was taken up, read first and second time, and referred to committee on incorporations.

H. F. No. 219, A bill for an act to pay John Garaghty for legal services performed for the State of Iowa, was taken up, read first and second time, and referred to committee on claims.

By leave, Senator Kephart offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Secretary of State be authorized to furnish to each member of the General Assembly all supreme court reports of this State issued during their term of office.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator McNutt, from the committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred substitute for H. F. No. 264, A bill for an act in relation to the equalization of assessments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

SAMUEL McNUTT, *for Committee.*

Ordered passed on file.

Senator Lowry, from the committee on railroads, submitted the following report :

MR. PRESIDENT :—Your committee on railroads, to whom was referred H. F. No. 298, A bill for an act regulating railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your committee on railroads, to whom was referred H. F. No. 417, A bill for an act to provide that taxes hereafter voted in aid of railroads shall not become delinquent until the roads so aided are constructed as herein prescribed, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ROBERT LOWRY, *Chairman.*

Ordered passed on file.

Senator McKean, from the committee on conference, reported S. F. No. 277, A bill for an act changing the weight of a bushel of sweet potatoes.

Read first and second times and passed on file.

Senator Beardsley, from the committee on schools, submitted the following report:

MR. PRESIDENT :—Your committee on schools, to whom was referred H. F. No. 208, A bill for an act providing for restoring territory for school purposes to township districts to which it geographically belongs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Leavitt, from committee on charitable institutions, submitted the following report :

MR. PRESIDENT :—Your committee on charitable institutions, to whom was referred H. F. No. 163, A bill for an act to protect the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. LEAVITT, *Chairman.*

On motion of Senator Read the bill and report were taken up and considered.

Senator Vale moved to amend by striking out all relating to mileage and insert the words "5 cents a mile for each mile actually traveled."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Chambers, Clausen, Crary, Dague, Fitch, Gault, Ireland, Ketcham, Larrabee, Merrill, Miles, Russell, Stone, Stuart, Taylor, Vale, West, Wonn and Young—23.

The nays were—

Senators Campbell, Converse, Dashiell, Dysart, Fairall, Havens, Howland, Hurley, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Murray, Read, Richards, Shane, Smith, and Willett—23.

Absent or not voting—

Senators Allen, Burke, McCoid, and McIntyre—4.

The vote being a tie, the President voted "nay."

So the amendment was lost.

Senator Larrabee moved to strike out all in relation to compensation.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Crary, Larrabee, McCoid, Merrill, Richards, Russell, Vale, West, Wonn and Young—15.

The nays were—

Senators Boomer, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, and Willett—31.

Absent or not voting—

Senators Allen, Burke, Gault, and McIntyre—4.

So the motion was lost.

Senator Beardsley moved to amend the first section after the word "three," by inserting "one or more of whom shall be members."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Campbell, Chambers, Claussen, Crary, Dague, Dysart, Ketcham, Larrabee, McCoid, McCormack, McCulloch, Richards, Vale, West, Wonn and Young—18.

The nays were—

Senators Atkins, Boomer, Converse, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Leavitt, Lowry, Maxwell, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, and Willett—28.

Absent or not voting—

Senators Allen, Burke, Gault, and McIntyre—4.

So the amendment was lost.

Senator Larrabee moved to amend the first section as follows:

“And that it is deemed proper that one of the trustees be a woman.”

The president decided the amendment out of order.

Senator Maxwell moved the previous question, which was seconded by the Senate and the main question ordered.

On the question “Shall the bill be engrossed for a third reading?”

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor and Willett—35.

The nays were—

Senators Beardsley, Bemis, Crary, Larrabee, McCoid, McKean, Merrill, Richards, Russell, Vale, West, Wonn and Young—13.

Absent or not voting—

Senators Allen, and McIntyre—2.

So the bill was ordered engrossed.

Senator Lowry moved that the rule be suspended, and the bill be read a third time.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Dagne, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, and Willett—34.

The nays were—

Senators Beardsley, Bemis, Crary, Gault, Larrabee, McCoid, McKean, Merrill, Richards, Russell, Vale, West, Wonn, and Young—14.

Absent or not voting—

Senators Allen, and McIntyre—2.

So the motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?”

The yeas were—

Senators Atkins, Boomer, Burke, Chambers, Clausen, Converse, Dagne, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, and Willett—32.

The nays were—

Senators Beardsley, Bemis, Campbell, Crary, Gault, Ketcham, Larrabee, McCoid, McCormack, Merrill, Richards, Russell, Vale, West, Wonn, and Young—16.

Absent or not voting—

Senators Allen, and McIntyre—2.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for signature the following bills which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House :

H. F. No. 805, A bill for an act to amend chapter 148 of the acts of the 9th General Assembly.

H. F. No. 175, A bill for an act providing for the organization of independent school districts.

H. F. No. 291, A bill for an act to repeal a part of section 1, of chapter 23, acts of 9th General Assembly.

H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the laws of the 13th General Assembly.

H. F. No. 73, A bill for an act to amend section 2, chapter 173, of the acts of the 9th General Assembly.

H. F. No. 158, A bill for an act to amend section 2, chapter 177 of the acts of the 13th General Assembly.

H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county.

H. F. No. 336, A bill for an act to authorize clerks of district and circuit courts of the State of Iowa, to satisfy mortgages foreclosed in said courts, etc.

H. F. No. 312, A bill for an act to allow all appeals to the supreme court from the counties of Hardin and Franklin, to the regular terms of said court, held at Des Moines instead of Dubuque, &c.

H. F. No. 427, A bill for an act making an appropriation for the payment of the mileage of the members of the 14th General Assembly.

S. F. No. 268, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines and Minnesota Railroad through Polk Co., Iowa, etc.

Joint resolution appointing trustees for the Iowa college for the blind.

BENJ. VAN STEINBURG, *Ass't. Clerk.*

Also, the following :

MR. PRESIDENT—I am directed to inform your honorable body

that the House of Representatives has concurred in Senate resolution for both houses to meet in joint convention Thursday, 18th inst., at 3 o'clock p. m., for the purpose of electing officers for the various State institutions.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Lowry moved that when the Senate adjourn it be until 2 o'clock p. m. which was agreed to.

REPORTS OF COMMITTEES.

Senator Leavitt, from the committee on charitable institutions, submitted the following report :

MR. PRESIDENT—Your committee on charitable institutions, to whom was referred H. F. No. 374, A bill for an act to amend chapter 109 of the acts of the Thirteenth General Assembly, providing for the appointment of a Steward for the Iowa Hospital for the Insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended by inserting the word "chaplain" after the word "physician," in the first section of the bill, and when thus amended, it do pass.

JOHN H. LEAVITT, *Chairman.*

Ordered passed on file.

Senator Havens, from the committee on county and township organizations, submitted the following report :

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, being an act for the relief of needy persons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 229, A bill for an act regulating the election of township trustees and fixing the fees therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also, the following :

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 383, A bill for an act relative to the change of boundary lines of civil townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 379, A bill for an act to legalize and confirm the sale of swamp lands of Pocahontas county, Iowa, which are now patented by said county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your committee on county and township organizations, to whom was referred H. F. No. 188, A bill for an act to amend chapter 175, laws of the 13th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman.*

Ordered passed on file.

Senator Converse from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 97, An act making corporations liable for the willful wrongs of their agents.

Also, joint resolution in relation to establishing a highway on the agricultural college farm.

Also, joint resolution appointing trustees for the Iowa hospital for the insane at Independence.

Also, joint resolution in relation to settlers on swamp lands or lands claimed as such.

Also, S. F. No. 46, An act creating the 13th judicial district.

Also, S. F. No. 227, An act for the relief of James Jordan and Matilda Carter.

Also, S. F. No. 111, An act to amend section 2800 of the Revision of 1860.

S. F. No. 145, An act to legalize the organization of the independent school district of Homer.

Also, S. F. No. 147, An act to empower the board of trustees of the agricultural college to grant diplomas to the students therein.

Also, S. F. No. 47, An act requiring conditional sales of personal property to be recorded.

A. CONVERSE, *Chairman*.

Also the following:

MR. PRESIDENT:—The committee on enrolled bills report that they have examined the following joint resolution and find the same correctly enrolled:

Joint resolution appointing trustees for the Iowa college for the blind.

A. CONVERSE, *Chairman*.

Senator Richards from the select committee to whom was referred H. F. No. 359, submitted the following report:

The select committee to whom was referred H. F. No. 359, have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it pass.

B. B. RICHARDS, *Chairman*.

On motion of Senator Richards the bill and report were taken up and considered.

On motion of Senator Richards, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were—

Senator McCoid—1.

Absent or not voting—

Senators Allen, Bemis, Converse, Fitch, McIntyre, and Miles—6.

So the bill passed and the title was agreed to.

By leave Senator Hurley presented a petition from citizens of Louisa county, asking for the formation of an independent school district.

Referred to committee on schools.

Senator Fitch, from the committee on roads, submitted the following report:

MR. PRESIDENT:—Your committee on roads, to whom was referred H. F. No. 429, A bill for an act to legalize the establishment of roads by county judges and auditors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WILLIAM H. FITCH, *Chairman.*

Ordered passed on file.

Senator McNutt, from the committee on elections, submitted the following report :

MR. PRESIDENT:—Your committee on elections, to whom was referred H. F. No. 302, A bill for an act to amend section four hundred and ninety-eight of the Revision of 1860, in relation to special elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SAMUEL McNUTT, *Chairman.*

Senator Chambers, from the committee on compensation of public officers, submitted the following report :

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred H. F. No. 136, A bill for an act to repeal section 4149 and 4152, of chapter 162, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be considered with Sub. for S. F. No. 118.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

Sub. for S. F. No. 84, A bill for an act to amend an act to protect game, passed April 7, 1868, was taken up.

The question being on concurring in House amendments, Senator West moved to amend the House amendment by inserting before the word "net," the words, "shoot, kill," which was agreed to.

On the question, "Shall the Senate concur in the House amendments as amended?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysert, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Richards, Shane, Smith, Stuart, West, Willett and Woon

The nays were—

Senators Dashiell, Hurley, Kinne, McCoid, Read, Russell, Stone, Taylor, Vale, and Young—10.

Absent or not voting—

Senators Allen, Atkins, Ketcham, McIntyre, and McNutt—5.

So the Senate concurred in the House amendments as amended.

On motion of Senator Hurley, S. F. No. 770, A bill for an act to repeal section 8275 of the Revision of 1860, and chapter 48 of the acts of the 18th General Assembly amending said section, and for the enactment of a new section in lieu thereof, providing for the collection and payment of judgments against municipal corporations, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

On motion of Senator Hurley the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—41.

The nays were—

Senators Beardley, Campbell, Chambers, and Richards—4.

Absent or not voting—

Senators Allen, McIntyre, McNutt, Murray and Shane—5.

So the bill passed and the title was agreed to.

Senator McCoid, from the committee on public lands, submitted the following report:

MR. PRESIDENT—Your committee on public lands, to whom was referred special message of the Governor relative to swamp lands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that as the determination of the question pointed out are solely within the province of the courts and legislative action could not affect them, it is inexpedient and impossible to remedy the evils past, in the General Assembly, and as to the second suggestion that sales limited to 320 acres, and actual settlers, as it involves legal and constitutional questions that it be referred to committee on judiciary.

M. A. McCOID, *Chairman.*

Report adopted.

Also, the following:

MR. PRESIDENT—Your committee on public lands to whom was referred H. F. No. 226, A bill for an act in relation to land

grant lands and to provide for a record title thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

M. A. McCOID, *Chairman*.

Ordered passed on file.

At 12 o'clock *m.* the President declared the Senate adjourned until 2 o'clock *p. m.*

TWO O'CLOCK *P. M.*

Senate met pursuant to adjournment.
President in the chair.

MESSAGE FROM THE HOUSE.

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:

H. F. No. 59, A bill for an act for the establishment of temporary county seats in newly organized counties, etc.

H. F. No. 181, A bill for an act for the relief of occupying claimants of lands granted to the State of Iowa.

H. F. No. 352, A bill for an act to enable counties to furnish justices of the peace with a copy of Wood's hand book for the use of their respective offices.

Also, the House has passed with amendments S. F. No. 28, A bill for an act to prevent frequent changes in school books.

Amendments noted in the bill.

BENJ. VAN STEINBURG, *Ass't Clerk*.

S. F. No. 241, A bill for an act to legalize the gifts, grant, sales, and conveyances, of certain lands located with scrip, issued to Johnson county as indemnity for swamp lands, and the acts and proceedings of the board of supervisors of said county, and of Jeptha Cowgill as agent and trustee of said county, and of the Iowa Northern Central Railroad Company, relative thereto, was taken up and considered.

The question being "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Burke, Campbell, Converse,

Orary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Wonn, and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, Chambers, Claussen, Fitch, Kephart, Ketcham, McCoid, McIntyre, and Willett—10.

So the Senate concurred in the House amendments.

S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa, was taken up.

The question being "Shall the Senate concur in the House amendment?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Ireland, Kephart, Kinne, Leavitt, Maxwell, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Taylor, Vale, West, Willett and Young—34.

The nays were—

Senators Campbell, McCormack, McCulloch, Russell and Wonn—5.

Absent or not voting—

Senators Allen, Chambers, Claussen, Fitch, Hurley, Ketcham, Larrabee, Lowry, McCoid, McIntyre and Stuart—11.

So the Senate concurred in the House amendment.

S. F. No. 28, A bill for an act to prevent frequent changes in school books, was taken up.

The question being "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Orary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett and Young—40.

The nays were—

Senators Larrabee and Wonn—2.

Absent or not voting—

Senators Allen, Chambers, Claussen, Fitch, Ketcham, McCoid, McIntyre and Murray—8.

So the Senate concurred in the House amendments.

S. F. No. 183, A bill for an act fixing the compensation of members of the 13th General Assembly and of officers and employees thereof, was taken up.

The question being "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Crary, Fitch, Gault, Kephart, Maxwell, McCulloch, McNutt, Miles, Read, Shane, Smith, Vale, West, Wonn and Young—18.

The nays were—

Senators Atkins, Campbell, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCormack, McKean, Merrill, Richards, Russell, Stone, Stuart, Taylor and Willett—27.

Absent or not voting—

Senators Allen, Burke, Chambers, McIntyre and Murray—5.

So the Senate refused to concur in the House amendment.

Senator Lowry moved that the Senate ask for a committee of conference on the disagreeing votes of the two houses on House amendments to S. F. No. 186, which was disagreed to.

BILLS ON SECOND READING.

Substitute for H. F. No. 49, A bill for an act to amend chapter 118 of the laws of the Eleventh General Assembly, was taken up and considered.

Senator Fairall moved to amend the 18th line of section 2 by striking out all after the word "made."

Senator Maxwell moved to amend the 1st section by adding thereto the following proviso :

Provided, One of the papers shall be published at the county seat.

The proviso was lost.

Senator Larrabee moved to lay the whole subject on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Claussen, Converse, Dague, Fairall, Fitch, Havens, Hurley, Ireland, Kinne, Larrabee, McCoid, McCormack, McNutt, Murray, Read, Stone, Stuart, and Taylor—19.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Crary, Dashiell, Dysart, Gault, Howland, Kephart, Ketcham, Lowry, Maxwell, McCulloch, McKean, Merrill, Miles, Richards, Shane, Smith, Vale, West, Willett, Wonn, and Young—27.

Absent or not voting—

Senators Allen, Leavitt, McIntyre, and Russell—4.

So the motion did not prevail.

Senator Burke offered the following substitute for section 4 :

It shall be the duty of the code commissioners to prepare a synopsis of the amendments which may be made by the Fourteenth General Assembly to the revision of 1860, at its adjourned

session, which synopsis shall be published in newspapers entitled to publish the laws; and no newspaper publication of the new code or any part thereof other than the aforesaid synopsis shall be authorized or paid for by the State, or any officer thereof.

Senator Richards offered the following amendment:

Strike out all of the enacting clause, and insert,

Sec. 1. That chapter 118, of the laws of 11th General Assembly, is hereby repealed.

Sec. 2. The secretary of state shall procure the publication of 100,000 copies of the laws of the 14th General Assembly, bound in paper; said publication to be made by the lowest responsible bidder after three weeks advertisement in three newspapers of the State of largest circulation, and shall distribute the same to the auditors of the different counties, according to the population of the same, to be given one to each elector of the county who shall call for the same.

Sec. 3. Publication clause.

Senator Murray moved the previous question, which was seconded by the Senate and the main question ordered.

The amendment offered by Senator Burke was adopted.

On the adoption of the amendment offered by Senator Richards the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Boomer, Crary, Dysart, Gault, McCulloch, Merrill, Miles, Richards, Shane, Stuart, Vale, West, Willett and Wonn—15.

The nays were—

Senators Atkins, Beardsley, Burke, Campbell, Claussen, Converse, Dagne, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, McNutt, Murray, Read, Russell, Smith, Stone, Taylor, and Young—32.

Absent or not voting—

Senators Allen, Chambers, and McIntyre—3.

So the amendment was lost.

On the adoption of the substitute reported by the Senate committee on printing the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Burke, Claussen, Converse, Dagne, Fairall, Fitch, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, McCoid, McCormack, McNutt, Murray, Read, Russell, Stone, Stuart, and Taylor—25.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Crary, Dashiell, Dysart, Gault, Howland, Larrabee, Maxwell, McCulloch, McIntyre, McKean, Merrill, Miles, Richards, Shane, Smith, Vale, West, Willett, Wonn, and Young—23.

Absent or not voting—

Senators Allen, Larrabee, and McIntyre—3.

So the substitute was adopted.

The bill was then ordered engrossed for a third reading.

On motion of Senator Murray, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Claussen, Converse, Dague, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Leavitt, Lowry, McCoid, McCormack, McKean, McNatt, Merrill, Murray, Read, Russell, Shane, Stone, Stuart, Taylor, and Young—30.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Crary, Dashfiell, Gault, Larrabee, Maxwell, McCulloch, Miles, Richards, Smith, Vale, West, Willett and Wonn—17.

Absent or not voting—

Senators Allen, Ireland, and McIntyre—3.

So the bill passed and the title was agreed to.

A committee from the House announced that the House was ready to receive the Senate in joint convention for the purpose of electing all officers to be elected by this General Assembly.

At 3:10, on motion of Senator McNutt, the Senate proceeded to the hall of the House of Representatives.

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES.

The President of the Senate called the joint convention to order, and announced the object for which the joint convention was convened, and announced as teller on the part of the Senate Samuel H. Fairall.

The Speaker announced as teller on the part of the House John Beresheim.

Mr. Irish moved that the convention proceed to elect regents of the state university, which was agreed to.

On motion of Mr. Leahy, it was agreed to "elect one regent at a time.

Mr. Ainsworth moved to reconsider the vote by which the convention determined to elect one at a time, which was agreed to.

The motion to elect one at a time was then lost.

Mr. Bergh nominated Austin Adams, of Dubuque.

Mr. Burke nominated N. J. Reeve, of Franklin county.

Mr. Campbell nominated P. M. Casady, of Polk county.

Mr. Keables nominated A. R. Campbell, of Jasper county.

Wm. Campbell nominated John F. Duncombe, of Webster county.

The roll was then called with the following result :

Whole number of votes cast was one hundred.

Necessary to a choice, fifty-one.

Of which

Mr. Adams received.....	100
Mr. Reeve received.....	100
Mr. Casady received.....	100
Mr. Campbell received.....	100
Mr. Duncombe received.....	100

So they were each declared duly elected regents for the university for the term of two years, and until their successors were elected and qualified.

Those voting for the above named gentlemen were—

Messrs. Ainsworth, Ballinger, Beardsley, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Boomer, Booth, Burke, Butler, Cadwell, Campbell, of Jasper; Campbell, of Jefferson; Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Clausen, Close, Converse, Crawford, Danforth, Dashiell, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Howland, Ireland, Irish, Keables, Kephart, Ketcham, Kinne, Leahy, Leavitt, Litsenberg, Lowry, Maxwell, of Story; McAllister, McClure, McCoid, McCormack, McCoy, McKean, McNutt, Merrell, of Clinton; Merrill, of Wapello; Miles, Miller, Murray, Newbold, Paul, Reed, of Jackson; Reuther, Rice, Richards, Rohlf, Rule, Schweer, Secur, Shane, Skillin, Stewart, of Lee; Stone, Stow, Tasker, Taylor, Tufts, Tuttle, Vale, Van Saun, West, Whitten, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Young.

On motion of Senator Maxwell the convention proceeded to elect trustees for the agricultural college and farm.

Senator Hurley nominated O. H. P. Buchanan, of Henry county.

Mr. Campbell nominated John A. Pearson, of Appanoose Co.

Senator Leavitt nominated Cicero Close, of Black Hawk county.

Mr. Butler nominated W. H. Morsman, of Page county.

Senator Lowry nominated Charles E. Leffingwell, of Clinton county.

Senator Willett nominated H. D. Noble, of Howard county.

Mr. Campbell nominated H. J. Heaton, of Fremont county.

The roll was then called with the following result:

Whole number of votes cast, 98.

Necessary to a choice, 45.

Of which Mr. Buchanan received.. .. .	98
Mr. Pearson received.....	98
Mr. Olose received.....	98
Mr. Moraman received.....	98
Mr. Leffingwell received.....	98
Mr. Noble received.....	98
Mr. Heaton received.....	98

They were each declared duly elected trustees of the agricultural college and farm.

Those voting for the above named gentlemen were—

Messrs. Ainsworth, Ballinger, Beardsley, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Burke, Butler, Cadwell, Campbell, of Jasper; Campbell, of Jefferson; Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Claassen, Crawford, Dagne, Danforth, Dashiell, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hal, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hurley, Ireland, Irish, Keables, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Story; McAllister, McClure, McCoid, McCormack, McCoy, McKean, Merrill, of Wapello; Newbold, Paul, Reed, of Jackson; Renther, Rice, Richards, Rule, Schweer, Secor, Shane, Skillin, Stone, Stow, Tasker, Taylor, Tufts, Tuttle, Vale, Van Saun, West, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Young.

Whole number of votes cast, 99.

On motion of Mr. Gear the convention proceeded to the election of commissioners for the new penitentiary.

Mr. Gear nominated Martin Heisy of Lee county.

Mr. Gear nominated Wm. Ure, of Linn county.

Mr. Campbell nominated John L. Downing, of Mahaska county.

The roll was then called with the following result :

Whole number of votes cast, 88.

Necessary to a choice, 45.

Of which Mr. Heisy received... .. .	88
Mr. Ure received.....	88
Mr. Downing received.....	88

The above named gentlemen were then declared duly elected commissioners for the new penitentiary.

Those voting for them were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Burke, Butler, Cadwell, Campbell, of Jasper; Campbell, of Jefferson; Cardell, Carver,

Clark, of Iowa; Claussen, Close, Crary, Crawford, Danforth, Dashiell, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Story; McAllister, McClure, McCoid, McCormack, McCoy, McKean, Miller, Newbold, O'Donnell, Paul, Reed, of Jackson; Reuther, Rice, Rule, Schweer, Secor, Skillin, Stedman, Stuart, Stone, Stow, Tasker, Taylor, Tufts, Tuttle, Vale, Van Sann, West, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Young.

On motion of Mr. Irish, the convention proceed to elect trustees for the insane asylum at Mt. Pleasant.

Mr. Campbell nominated L. E. Fellows, of Allamakee Co.

Senator Lowry nominated W. C. Evans, of Muscatine Co.

The roll was then called with the following result:

Whole number of votes cast 86.

Necessary to a choice, 44.

Of which L. E. Fellows and W. C. Evans, each received 86 votes.

Those voting for each were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper, Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Booth, Cadwell, Campbell, of Jasper, Campbell, of Jefferson, Cardell, Carver, Clark, of Benton, Clarke, of Iowa, Claussen, Close, Crary, Crawford, Dauforth, Dashiell, Davis, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Ireland, Irish, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Story, McAllister, McClure, McCoid, McCormack, McCoy, McKean, Merrill, of Wapello, Miller, Newbold, Paul, Reed, of Jackson, Reuther, Rice, Rule, Schweer, Secor, Skillin, Stewart, of Lee, Stow, Tasker, Tufts, Tuttle, Vale, Van Sann, West, Willett, Wilson, of Keokuk, Wilson, of Tama, Wilson, of Washington, Wood, of Story, Wright, of Mills, Wright, of Van Buren, and Young—96.

On motion of Senator Dashiell the convention proceeded to the election of a trustee for the reform school.

Senator West nominated Thos. E. Corkhill, of Wapello Co.

The roll was then called with the following result:

Whole number of votes cast, 77.

Necessary to a choice, 39.

Of which Thos. E. Corkhill received 77.

The President declared Thos. E. Corkhill duly elected trustee of the reform school.

Those voting for Mr. Corkhill were—

Messrs. Ballinger, Beatty, of Jasper, Beresheim, Bergh, Blake-ly, Bliss, Booth, Campbell, of Jasper, Cardell, Carver, Clarke, of Iowa, Claussen, Close, Converse, Crary, Crawford, Danforth, Dashiell, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Irish, Kephart, Ketcham, Leahy, Lee, Litzenberg, Maxwell, of Story, McAllister, McClure, McCoy, McNutt, Merrill, of Wapello, Newbold, O'Donnell, Paul, Reed, of Jackson, Renther, Rice, Secor, Stedman, Stewart, of Lee, Tasker, Tufts, Vale, Van Suan, West, Willett, Williams, Wilson, of Keokuk, Wilson, of Tama, Wilson, of Washington, Wood, of Story, Wright, of Mills, Wright, of Van Buren, and Young—77.

The following certificates were then read and signed in the presence of the joint convention:

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing regents of the State university, Austin Adams having received a majority of all the votes cast for said office, was declared duly elected regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,

Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of

electing regents of the State university, P. M. Casady having received a majority of all the votes cast for said office, was declared duly elected a regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing regents of the State university, A. T. Reeve having received a majority of all the votes cast for said office, was declared duly elected regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL. }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of

electing Regents of the State University, A. K. Campbell having received a majority of all the votes cast for said office, was declared duly elected for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,

Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing Regents of the State University, John F. Duncombe having received a majority of all the votes cast for said office, was declared duly elected regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,

Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of

electing Trustees for Agricultural College and Farm, John A. Pearson having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL,
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, Cicero Close having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL,
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on

Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, W. W. Morsman having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BEESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees of the Agricultural College and Farm, Charles E. Leffingwell having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BEESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on

Thursday, the 18th day of April, A. D., 1872, for the purpose of electing trustees of the Agricultural College and Farm, H. D. Noble, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing trustees for the Agricultural College and Farm, O. H. P. Buchanan, having received a majority of all the votes cast for said office was declared duly elected a trustee, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention,

on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing trustees of the Agricultural College and Farm, H. J. Heaton, having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing Commissioner of new Penitentiary, Foster L. Downing having received a majority of all the votes cast for said office, was declared duly elected Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on

Thursday, the 18th day of April, A. D. 1872, for the purpose of electing a commissioner of the penitentiary, at Anamosa, Martin Heisey having received a majority of all the votes cast for said office, was declared duly elected commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing commissioners for the new penitentiary, William Ure having received a majority of all the votes cast for said office, was declared duly elected commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS, .
President of the Senate.

JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM.
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on

Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees of the Insane Asylum at Mt. Pleasant, L. E. Fellows having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees of the Insane Asylum at Mt. Pleasant, W. C. Evans having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,
President of the Senate.
JAMES WILSON,
Speaker of the House of Representatives.

ATTEST :

SAM'L H. FAIRALL,
Teller of the Senate.

JOHN BERESHEIM,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
Des Moines, Iowa, April 18th, 1872. }

This is to certify, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on

Thursday, the 18th day of April, A. D. 1872, for the purpose of electing a trustee for the Reform School, Thomas E. Corkhill having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this, 18th day of April, A. D. 1872.

H. O. BULIS,

President of the Senate.

JAMES WILSON,

Speaker of the House of Representatives.

ATTEST:

SAM'L H. FAIRALL,

Teller of the Senate.

JOHN BERESHEIM,

Teller of the House of Representatives.

On motion of Senator Lowry the joint convention then dissolved.

—

At 4:15 the Senate returned to its chamber, and was called to order by the President.

Senator Maxwell moved that the Senate adjourn.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Burke, Crary, Fitch, Havens, Hurley, Ireland, Kinne, Larrabee, Leavitt, McCoid, McCulloch, Merrill, Miles, Richards, Stone, Taylor, Willett, and Wonn—19.

The nays were—

Senators Boomer, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Gault, Howland, Kephart, Lowry, Maxwell, McCormack, McKean, McNutt, Read, Shane, Smith, Vale, West, and Young—9.

Absent or not voting—

Senators Allen, Atkins, Bemis, Fairall, Ketcham, McIntyre, Murray, Russell, and Stuart—9.

So the motion to adjourn did not prevail.

On motion of Senator Ireland H. F. No. 343, A bill for an act to amend chapter 143 of the acts of the 11th General Assembly, in relation to schools, was taken up and referred to committee on schools.

Senator Leavitt moved that the Senate adjourn.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Crary, Dague, Fitch,

Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, Merrill, Miles, Read, Richards, Stone, Taylor, Willett, Wonn and Young—25.

The nays were—

Senators Campbell, Chambers, Claussen, Converse, Dashiell, Dysart, Gault, Howland, Kephart, Lowry, Maxwell, McCulloch, McNutt, Shane, Smith, Vale, and West—17.

Absent or not voting—

Senators Allen, Atkins, Bemis, Fairall, McIntyre, Murray, Russell, and Stuart—8.

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

SENATE CHAMBER, DES MOINES, IOWA, }
April 19, 1872. }

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

Prayer by the Rev. Mr. Mabee.

On motion of Senator Vale the reading of the journal was dispensed with.

INTRODUCTION OF BILLS.

Senator Beardsley, from the committee on schools, introduced S. F. No. 278, "A bill for an act to legalize certain acts of the board of directors of the district township of Dover, Pocahontas county, and of the board of supervisors of Pocahontas county.

Read a first and second times, and on motion of Senator Beardsley the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—40.

The nays were—

Senator Campbell—1.

Absent or not voting—

Senators Allen, Burke, Chambers, Dague, Howland, McCoid, McIntyre, McKean, McNutt—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 390, A bill for an act providing for the payment of bonds hereafter issued under chapter 58 of the laws of the Fourteenth General Assembly.

H. F. No. 435, A bill for an act making appropriations for the payment of the salaries of the State and judicial officers, interests on State bonds, and for other State purposes herein mentioned.

Also the following:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bill without amendment:

S. F. No. 263, A bill for an act to remove the disabilities of Mordecai Cropper, and to restore him to the rights of citizenship.

Also joint resolution instructing the Secretary of State to forward books and documents to members of the Fourteenth General Assembly.

Also, joint resolution instructing the Secretary of State to furnish paper to the Board of Immigration for pamphlets with the following amendment in which the concurrence of the Senate is respectfully asked, viz: "Provided the same be paid for out of the appropriations heretofore made for the use of the Board of Immigration.

JNO. J. SAFELY, *Chief Clerk.*

Also the following:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has appointed Messrs. Evans, Keables and Irish third conference committee on H. F. No. 12.

BENJ. VAN STEINBERG, *Asst. Clerk.*

RESOLUTIONS.

Senator Lowry introduced the following resolution:

Resolved by the Senate, the House concurring, That the Secretary of State be, and is hereby required and empowered to have printed 1500 copies of the Senate journal and 1500 copies of the House journal.

Senator Shane moved to amend by striking out "1500" whenever it occurs in the resolution, and inserting "1000," which was agreed to.

On motion of Senator Beardsley the resolution as amended was referred to committee on ways and means.

Senator Gault offered the following:

Resolved by the Senate, the House concurring, That the Fourteenth General Assembly adjourn on the 20th inst. at 12 o'clock M., to meet again as fixed by a former resolution.

The resolution was not adopted.

HOUSE MESSAGES.

H. F. No. 181, A bill for an act for the relief of occupying claimants of lands granted to the State of Iowa, was taken up, read first and second time, and on motion of Senator Maxwell the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young.—42.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Converse, Crary, Dague, McCoid, McIntyre, and Russell.—8.

So the bill passed and the title was agreed to.

H. F. N. 59, A bill for an act for the establishment of temporary county seats in newly organized counties, and in relation to the location of permanent county seats in such counties, was taken up, read first and second time, and referred to committee on county and township organizations.

H. F. No. 352, A bill for an act to enable counties to furnish justices of the peace with a copy of Wood's Hand Book, for the use of their respective offices, was taken up, read first and second time, and referred to committee on judiciary.

REPORTS OF COMMITTEES.

Senator Beardsley from committee on schools, submitted the following report:

MR. PRESIDENT:—Your committee on schools, to whom was referred H. F. No. 343, A bill for an act to amend chapter 143, of the acts of the Twelfth General Assembly in relation to schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended by inserting after the word "that" in the third line of the first section, the words "sections 6 and 8, of chapter 172, of the laws of the Ninth General Assembly, as amended by" and that when thus amended it do pass.

CHAS. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Fitch, from the committee on roads, submitted the following report :

MR. PRESIDENT—Your committee on roads, to whom was referred H. F. No. 353, A bill for an act to amend chapter 6, of the acts of the Fourteenth General Assembly, entitled an act authorizing the appropriation of money to build bridges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. H. FITCH, *Chairman.*

Ordered passed on file.

Senator Ketcham, from the committee on claims submitted the following report:

MR. PRESIDENT—Your committee on claims to whom was referred H. F. No. 219, A bill for an act to pay John Garaghty for legal services performed for the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. P. KETCHAM, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

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 with amendment, in which the concurrence of the Senate is asked:

S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains, and water courses. Amendment noted in the bill.

BENJ. VAN STEINBERG, *Aest. Clerk.*

BILLS ON SECOND READING.

H. F. No. 107, A bill for an act to enable townships, towns, and cities, to transfer taxes voted to aid in the construction of a railroad, to transfer such tax to some other railroad in certain cases, was taken up and considered.

On motion of Senator Murray the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Maxwell, McCulloch, McKean, McNutt, Merrill,

Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—41.

The nays were—

Senators Beardsley, McCoid, McCormack, Richards, Shane—5.

Absent or not voting—

Senators Allen, Crary, Lowry, and McIntyre—4.

So the bill passed and the title was agreed to.

By leave Senator Dashiell, from the committee on reform school, introduced S. F. No. 279, A bill for an act supplemental to an act, providing for the permanent location of the Iowa Reform School.

Read first and second time, and on motion of Senator Dashiell the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell, Shane, Smith, Stone, Taylor, Vale, West, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Crary, McIntyre, Stuart, and Willett—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 17, A bill for an act to amend chapter 8, laws of the Thirteenth General Assembly, relating to independent school districts.

H. F. No. 357, A bill for an act providing for the return of poll books to the county auditor.

H. F. No. 438, A bill for an act to permanently locate the Iowa Reform School, and to provide for the reception of girls.

H. F. No. 163, A bill for an act to protect the insane.

H. F. No. 296, A bill for an act to promote water power improvements.

Also the following without amendment:

S. F. No. 77, A bill for an act to repeal section 3275 of the Revision of 1860.

S. F. No. 278, A bill for an act to legalize certain acts of the board of directors of the district township of Dover, Pocahontas county, Iowa.

I am also directed to inform your honorable body that the House of Representatives has passed the following bills and concurrent resolution, in which the concurrence of the Senate is asked.

H. F. No. 441, A bill for an act supplementary to chapter 56, laws of 10th General Assembly relating to weigh master of public scales.

H. F. No. 442, A bill for an act in relation to legalization acts.

Concurrent resolution appointing trustees to the orphan's home.

BENJ. VAN STEINBURG, *Asst. Clerk.*

The consideration of bills on second reading was resumed.

S. F. No. 166, "A bill for an act to amend chapter 125 of the Revision of 1860," with report of committee recommending its passage, was taken up and considered.

Senator Read moved that the bill be indefinitely postponed.

Senator Claussen moved the previous question, which the Senate refused to second.

Senator Beardsley moved the previous question, which was seconded by the Senate and the previous question ordered.

On Senator Read's motion to indefinitely postpone the bill the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dugue, Dysart, Fitch, Gault, Havens, Ireland, Kephart, Ketcham, Lowry, Maxwell, McCulloch, McNutt, Miles, Read, Richards, Stuart, Vale, West, Willett, Wonn—28.

The nays were—

Senators Dashiell, Fairall, Howland, Hurley, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, Merrill, Murray, Russell, Shane, Smith, Stone, Taylor, Young—18.

Absent or not voting—

Senators Allen, Atkins, Bemis, and McIntyre—4.

So the motion prevailed.

Senator Howland asked and obtained leave to call up and consider H. F. No. 387, "A bill for an act to legalize the action of the board of supervisors of Emmet county in funding outstanding county warrants, and issuing bonds therefor," with report of committee recommending that it do pass.

On motion of Senator Howland the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Richards, Russell,

Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, Young—45.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Fitch, Hurley, and McIntyre—5.

So the bill passed and the title was agreed to.

By leave senator Ireland offered the following resolution :

Resolved by the Senate, the House concurring, that the hour for adjournment next Tuesday (23d instant) be fixed at 11 o'clock A. M.

Senator McCoid moved to strike out 11 and insert 10 which was disagreed to.

Senator Leavitt offered the following substitute for the resolution:

Resolved, That when the senate adjourn on Tuesday, the 23d inst., it be at 11 o'clock A. M.

The substitute was lost.

The resolution offered by Senator Ireland was then adopted.

Senator Campbell, from the third committee of conference, on the disagreeing votes of the two Houses on Senate amendments to substitute for H. F. No. 12, submitted the following report:

The third committee of conference on the disagreeing votes of the two houses, upon the Senate amendments to substitute for H. F. No. 12, having met, after full and free conference have agreed to report, and do report to their respective houses as follows:

That in place of the Senate amendments the following be adopted as a substitute, viz:

SEC. 17. That there shall be elected at the general election in 1872, and every two years thereafter three commissioners, who shall not in any manner, either as stockholder, employe, attorney or otherwise, be connected with any railroad in this state; who shall hold their offices for two years and until their successors are elected and qualified, unless sooner removed by the Governor for corruption in office, and who shall have a general supervision of railroad matters in the state; they shall see that this law is faithfully executed, and if after a fair trial, any of its rates of tariff shall be found grossly unjust toward either the railroads or the people, working serious injury to either, they shall so modify them as to make them just, giving notice of said change by publication in one newspaper published at the capital and also in some newspaper published on the line of road affected by such change, giving in full their reasons for such change; and said modified rates shall be posted up, by the railroad company so affected, as required in section 15, of this act. Any such change made by said commissioners shall be as valid and legal as if the same had been established by law.

SEC. 18. Said commissioners shall have full power, and it is hereby made their duty to examine into the management, operation and affairs of all railroad companies in this state, or any partly within or partly without this state, and they shall have the use of

all the legal means and process necessary for that purpose; and they shall make a full report of their doings under this act to the General Assembly.

SEC. 19. The commissioners may hold their sessions at such places as they may deem proper, taking into consideration the convenience of all parties concerned. Before they hold any meeting as above provided, they shall give at least ten days' notice by publication in three newspapers—one at the capital, and the other two at such places as they may select, changing the same according to the locality interested; which shall state the object, and the time and place at which such meeting shall be held. The expenses of publication of notices provided for in this act shall be paid for by the parties making complaint.

SEC. 20. The violation of any regulation or order of said commissioners, made in pursuance of the provisions of this act, shall be visited by the punishment and penalties prescribed in section 11 of this act.

SEC. 21. Said commissioners shall take the usual oath of office; and should any commissioner elected under the provisions of this act be guilty of taking a bribe, either directly or indirectly, in any matter pertaining to his duties herein prescribed, he shall upon conviction, be punished by imprisonment in the penitentiary for a term not exceeding ten years.

SEC. 22. The compensation of said commissioners shall be seven dollars per day for the time actually employed in the discharge of their duties, and also their actual traveling expenses, which are incurred in performance of said duties, which shall be paid out of the state treasury upon certified statements made to the state auditor.

F. T. CAMPBELL,
G. R. WILLETT,
Managers on part of Senate.

WM. C. EVANS,
JOHN. P. IRISH,
B. F. KEABLES,
Managers on part of House.

Senator Fairall moved to recommit the bill.

Senator Beardsley raised the point of order, that it was not within the power of the Senate to recommit the report of a conference committee.

The President *pro tem.* decided the point of order well taken.

Senator Ketcham moved the previous question, which was seconded by the Senate, and the main question ordered.

On the adoption of the report of the conference committee,

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers,

Converse, Dague, Dysart, Kephart, Kinne, Lowry, Maxwell, McCormack, McKean, McNutt, Miles, Read, Richards, Shane, Vale, West and Willett—23.

The nays were—

Senators Atkins, Claussen, Crary, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Larrabee, Leavitt, McCoid, McCulloch, Merrill, Murray, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—25.

Absent or not voting—

Senators Allen and McIntyre—2

So the Senate refused to adopt the report.

Senator West moved that the Senate recede from its amendment to substitute for H. F. No. 12.

Senator West moved the previous question, which was seconded by the Senate, and the main question ordered.

Senator McCoid raised the point of order to vote on the question of receding at the present stage of proceedings.

The President *pro tem.* decided the point of order not well taken.

On the question, shall the Senate recede from its amendment to substitute for H. F. No. 12,

The yeas were—

Senators Boardsley, Boomer, Burke, Campbell, Chambers, Converse, Dague, Dysart, Gault, Kephart, Ketcham, Kinne, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Read, Richards, Shane, Vale, West and Willett—24.

The nays were—

Senators Atkins, Bemis, Claussen, Crary, Dashiell, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Larrabee, Leavitt, Lowry, McCoid, Merrill, Murray, Russell, Smith, Stone, Stuart, Taylor, Wonn and Young—24.

Absent or not voting—

Senators Allen and McIntyre—2

So the motion to recede did not prevail.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. SPEAKER:—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:

H. F. No. 395, A bill for an act for the relief of the asylum for destitute and orphan children at Andrew, Iowa.

Also the following:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed with amendments

S. F. No. 270, A bill for an act to amend chapter 101 of the laws of the Fourteenth General Assembly, in relation to an additional

penitentiary, and to provide for the general support of the convicts therein, with amendments noted in the bill.

BENJ. VAN STEINBERG, *Asst. Clerk.*

At 12 M. the President declared the Senate adjourned until 2½ o'clock P. M.

TWO O'CLOCK AND THIRTY MINUTES P. M.

The Senate met pursuant to adjournment, President in the chair.

MESSAGE FROM THE HOUSE.

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 bill and joint resolution, in which the concurrence of the Senate is asked :

H. F. No. 414, A bill for an act for the relief of George W. Carver.

Also a joint resolution relative to the building of a bridge across the Big Sioux river.

Also the House has refused to concur in the Senate amendment to the House amendment to S. F. No. 84, A bill for an act to amend chapter 113 of the laws of the Twelfth General Assembly, and ask for a committee of conference, and has appointed Messrs. Kasson, Gear and Close on the part of the House.

Also H. F. No. 443, A bill for an act in relation to capital punishment.

BENJ. VAN STEINBERG, *Asst. Clerk.*

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 158, An act to amend section 2, chapter 177, acts of Thirteenth General Assembly.

Also H. F. 129, An act to amend section 3, chapter 158, Thirteenth General Assembly, in relation to the reading of wills.

Also H. F. No. 73, An act to amend section 2, chapter 173, Ninth General Assembly.

Also H. F. No. 175, An act providing for the organization of independent school districts.

Also H. F. No. 291, An act to repeal a part of section 1, chapter 23, Ninth General Assembly.

Also H. F. No. 100, An act to legalize the sale of school lands in Lucas county.

Also H. F. No. 366, An act to authorize clerks of the district and circuit courts to satisfy mortgages, foreclosures, etc.

S. F. No. 208, An act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines & Minnesota R. R.

Also H. F. No. 435, An act making an appropriation for the salaries of the State and judicial officers, etc.

Also H. F. No. 390, An act providing for the payment of bonds issued under chapter 58, laws of the Fourteenth General Assembly.

Also H. F. No. 312, An act to allow all appeals to the supreme court from the counties of Franklin and Hardin.

Also H. F. No. 427, An act making an appropriation for the payment of the mileage of members of the Fourteenth General Assembly.

Also joint resolution appointing trustees for the Iowa college for the blind.

A. CONVERSE, *Chairman.*

Also the following :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

H. F. No. 296, A bill for an act to promote water power improvements.

H. F. No. 163, A bill for an act to protect the insane.

H. F. No. 438, A bill for an act to permanently locate the Iowa reform school.

H. F. No. 357, A bill for an act to provide for the return of poll books to the county auditor.

Sub. H. F. No. 17, A bill for an act to amend chapter 8, of the laws of the Thirteenth General Assembly.

H. F. No. 435, A bill for act making appropriations for the salaries of the State officers, and for other State expenses.

H. F. No. 359, A bill for an act authorizing the construction of water works.

H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the Fourteenth General Assembly.

A. CONVERSE, *Chairman.*

Senator Kephart offered the following resolution :

Resolved, That no Senator shall speak more than five minutes, on any question before the Senate.

The resolution was adopted.

BILLS ON SECOND READING.

Substitute for H. F. No. 80, A bill for an act amendatory of sections 4188 and 4192, of the Revision of 1860, was taken up, and considered.

On motion of Senator Vale the rule was suspended, and the bill read a third time.

Senator Dysart moved a call of the Senate.

The call was sustained.

Senators Crary and Richards were excused.

The Secretary proceeded to call the roll with the following result: Absent without leave, Senator Shane.

Senator McCoid moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-arms presented Senator Shane at the bar of the Senate.

On motion of Senator Chambers, Senator Shane was excused.

Further proceedings under the call were dispensed with.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Clausen, Converse, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Leavitt, McCormack, Merrill, Miles, Murray, Read, Shane, Smith, Stone, Taylor, Vale, and Young—29.

The nays were—

Senators Boomer, Burke, Crary, Fitch, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, Russell, Stuart, West, Willett, and Wonn—17.

Absent or not voting—

Senators Allen, McIntyre, and McNutt—3.

So the bill passed and the title was agreed to.

H. F. No. 343, A bill for an act to amend chapter 143, of the acts of the Eleventh General Assembly, in relation to schools, was taken up and considered.

The amendments reported by committee were adopted.

On motion of Senator Ireland the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Miles, Russell, Shane, Smith, Stuart, Vale, West, Willett, Wonn, and Young—37.

The nays were—

Senators Bemis, Ketcham, McNutt, and Taylor—4.

Absent or not voting—

Senators Allen, Fitch, McIntyre, McKean, Merrill, Murray, Read, Richards, and Stone—9.

So the bill passed and the title was amended by adding the words "sections 7 and 8, of chapter 172, of the acts of the Ninth General Assembly as amended by section 2 of," and was agreed to.

By leave Senator Leavitt offered the following resolution:

Resolved, That the sum of fifty dollars, or so much thereof as may be necessary, be appropriated for the payment of the postage on the mail matter that will be forwarded to members after adjournment, said amount to be drawn to the order of the postmaster.

On motion of Senator Dysart the resolution was laid on the table.

On motion of Senator Stuart, H. F. No. 395, A bill for an act for the relief of the asylum for destitute and orphan children at Andrew, Iowa, was taken up and considered.

On motion of Senator Stuart the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Claussen, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were—

Senators Campbell, Dysart, Larrabee—3.

Absent or not voting—

Senators Allen, Burke, Chambers, McIntyre Merrill, and Richards—6.

So the bill passed and the title was agreed to.

On motion of Senator Leavitt, H. F. No. 226, "A bill for an act in relation to land grant lands and to provide for a record title thereto," with report of committee recommending its passage, was taken up and considered.

On motion of Senator Leavitt the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Miles, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, McIntyre, Merrill, Murray, Richards and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Hurley, S. F. No. 271, "A bill for an act providing for the revision and amendment of the statutes by a commission and providing for the publication thereof," with the report of the committee recommending amendments, was taken up and considered.

Senator Stone moved to amend the first section by inserting the name of William H. Seevers, W. J. Knight and William G. Hammond, which was agreed to.

Senator Hurley offered the following substitute for section 2:

SEC. 2. Such statutes shall be prepared in bill form so as to show clearly and distinctly the existing law as re-written or amended. The amendments or changes incorporated into the existing law in their proper places, but in different type, so as to distinguish the same. The bills so prepared shall be in such form as the commissioners recommended the same shall be passed by the General Assembly. Provided that such bills shall have therein such reference as to show from what code, revision or statute each section was obtained or derived.

The substitute was adopted.

Senator Hurley offered the following substitute for section 3:

SEC. 3. Such commissioners shall cause four hundred copies of the bills so prepared to be printed from time to time, as fast as the same are made up, and the secretary of state shall cause one copy thereof to be sent to each member of the General Assembly, and deliver each member another copy at the opening of the adjourned session, provided that all such bills shall be prepared by the first day of January, 1873, and forwarded before that time as rapidly as prepared.

The substitute was adopted.

Senator Hurley moved to add the following as an additional section:

SEC. 7. Said commissioners shall have power to employ one or more clerks, when, in their judgment it is necessary to facilitate the work thereby placed in their hands. Provided the amount so paid shall not exceed three dollars per day.

Senator Hurley moved to add the following section:

SEC. 8. This act being deemed by the General Assembly to be of immediate importance, shall take effect and be in force from and after its publication in the *Iowa Daily State Register* and the *State Leader*, newspapers published in Des Moines, Iowa.

The substitute was adopted.

Senator Burke moved to re-consider the vote by which section 7 was adopted, which was agreed to.

Senator Burke moved to amend by striking out the words, "or more."

Senator McCoid moved to amend the amendment by inserting "not to exceed two," which was disagreed to.

Senator Burke's amendment was then agreed to, and the amendment was adopted.

On motion of Senator Hurley, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNut, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, Young—46.

The nays were none.

Absent or not voting—

Senators Allen, Howland, McIntyre, and Richards—4.

So the bill passed and the title was agreed to.

Senator Hurley, from the committee on judiciary, introduced S. F. No. 280, "A bill for an act to repeal chapter 88 of the laws of the Fourteenth General Assembly, being an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the revision of 1860, as amended by chapter 192, of the acts of the Thirteenth General Assembly."

Read a first and second time, and on motion of Senator Fairall the bill was considered.

Senator Beardsley moved to refer to the committee on incorporations, which was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 395, A bill for an act for the relief of the asylum for destitute and orphan children at Andrew, Iowa.

H. F. No. 437, A bill for an act to amend chapter 92 of the acts of the Eleventh General Assembly.

H. F. No. 359, A bill for an act authorizing cities, incorporated towns and villages to construct or cause to be constructed water works.

BENJ. VAN STEINBERG, *Asst. Clerk.*

Also the following :

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 :

H. F. No. 412, A bill for an act fixing the compensation for publishing delinquent tax lists.

H. F. No. 444, A bill for an act to repeal section 4, chapter 62, acts of the Fourteenth General Assembly, and to enact a substitute therefor.

Also the following bills with amendments :

S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa.

Also S. F. No. 137, A bill for an act to prevent the unlawful driving away of stock, etc., without amendments.

BENJ. VAN STEINBERG, *Asst. Clerk.*

Senator Converse from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 296, An act to promote water power improvements.

Also H. F. No. 163, An act to protect the insane.

Also H. F. No. 438, An act to locate the Iowa reform school.

Also H. F. No. 357, An act providing for return of poll books.

Also H. F. No. 17, An act to amend chapter 8, laws of Thirteenth General Assembly.

Also the following :

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

H. F. No. 437, A bill for an act to amend chapter 92 of the acts of the Eleventh General Assembly.

H. F. No. 395, A bill for an act for the relief of the orphan asylum at Andrew, Jackson county, Iowa.

A. CONVERSE, *Chairman.*

On motion of Senator Kinne, H. F. No. 414, A bill for an act for the relief of George W. Carver, of Allamakee county, State of Iowa, was taken up, read first and second times and referred to committee on claims.

Senator McKean, from the sifting committee submitted the following report :

MR. PRESIDENT—Your sifting committee beg leave to report the following classification of the bills on file, as shown by the annexed schedule, all of which is respectfully submitted.

JOHN McKEAN, *Chairman.*

FIRST CLASS.

1. House File No. 251.
2. House File No. 208.
3. House File No. 229.
4. Senate File No. 276.
5. House File No. 222.
6. House File No. 353.
7. House File No. 148.
8. House File No. 374.
9. House File No. 383.
10. House File No. 188.
11. House File No. 136.
12. Senate File No. 269.
13. House File No. 379.
14. House File No. 302.
15. Substitute for House File No. 176.
16. House File No. 413.
17. House File No. 288.
18. Senate File No. 272.
19. House File No. 428.
20. House File No. 430.
21. House File No. 194.
22. Substitute for House File No. 205.
23. House File No. 77.
24. Senate File No. 273.
25. Senate File No. 138.
26. House File No. 152.
27. House File No. 199.
28. House File No. 431.
29. House File No. 365.
30. House File No. 75, transferred from third class to first class.

SECOND CLASS.

1. Senate File No. 267.

THIRD CLASS.

1. House File No. 417.
2. Senate File No. 277.
3. House File No. 298.
4. House File No. 210.
5. House File No. 415.
6. House File No. 250.
7. House File No. 167.
8. House File No. 394.
9. Substitute for House File 264.

S. F. No. 228, A bill for an act establishing a board of inspectors of State Institutions, and to define their duties and the duty of the Governor under this act, with report of committee recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

S. F. No. 234, A bill for an act apportioning the State of Iowa into Senatorial Districts, with report of committee recommending amendments was taken up and considered.

Senator Converse, moved to refer the bill and amendments to a special committee, of which Senator Leavitt should be chairman.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Burke, Clausen, Converse, Crary, Dysart, Hurley, Leavitt, Lowry, Maxwell, McKean, McNutt, Miles, Read, Shane, Taylor, West, and Willett—19.

The nays were—

Senators Atkins, Campbell, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Kinne, Larrabee, McCoid, McCormack, McCulloch, Merrill, Murray, Russell, Smith, Stone, Stuart, Wonn, and Young—24.

Absent or not voting—

Senators Allen, Bemis, Chambers, Ketcham, McIntyre, Richards, and Vale—7.

So the motion to refer was lost.

Senator Hurley, moved to amend the second line of the first section, by striking out "thirty," and inserting "twenty-four," which was disagreed to.

Senator Hurley, moved to amend section 15, by striking out "Keokuk," and inserting "Louisa," which did not prevail.

Senator Hurley, moved to amend by striking out "Louisa," in the sixteenth section, and inserting the same word after "Des Moines," in the eleventh section.

The amendment was lost.

The hour for adjournment having arrived, on motion of Senator Stuart, it was postponed until the bill under discussion was disposed of.

On motion the amendments reported by the committee were adopted.

On motion of Senator Murray the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Ireland, Ketcham, Kinne, Larrabee, Maxwell, McCoid, McCormack, McCulloch, Merrill, Murray, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Wonn, and Young—33.

The nays were—

Senators Burk, Claussen, Converse, Dysart, Hurley, Kephart, Leavitt, Lowry, McKean, McNutt, Miles, Shane, and Willett—13.

Absent or not voting—

Senators Allen, McIntyre, and Read—3.

So the bill passed and the title was agreed to.

The President *pro tem* declared the Senate adjourned, until 9 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
April 20, 1872. }

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

Prayer by the Rev. Mr. Nash.

On motion of Senator Crary the reading of the journal was dispensed with.

PETITIONS.

The President *pro tem* presented a petition from Harry White, of Missouri, in relation to restoration of rights of citizenship.

Referred to committee on federal relations.

By leave Senator Kephart offered the following resolution :

Resolved by the Senate, the House concurring, That the Attorney General of the State of Iowa is hereby instructed to examine all bonds and contracts entered into between the State of Iowa and all parties employed on the new State capital building foundation, under the laws of the 13th General Assembly and commence suit against said parties for damages sustained by the State for neglect of duty under said bonds and contract.

Senator Campbell moved to amend by inserting after the word "foundation" the words "including the commissioners."

Senator Dysart moved to amend the amendment by adding "and other parties."

The amendment to the amendment was adopted and the amendment as amended was agreed to.

Senator Fairall moved to amend by striking out the word "employed" and inserting "connected with," which was agreed to.

Senator Campbell moved to refer the resolution as amended to the committee on public buildings.

The motion was lost.

Senator Read moved to amend by striking out the words "dam-

ages sustained" and inserting "for any damages that may have been sustained."

Senator Fairall moved to amend the amendment by adding thereto "if in his opinion any damages are recoverable."

The amendment to the amendment was agreed to and the amendment as amended was adopted.

On the adoption of the resolution as amended the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Boomer, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Lowry, Maxwell, McCormack, McCulloch, Miles, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett and Wonn--33.

The nays were—

Senators Atkins, Bemis, Leavitt, McCoid and McKean--5.

Absent or not voting--

Senators Allen, Burke, Chambers, Hurley, Larrabee, McIntyre, McNutt, Merrill, Murray, Richards, West and Young--12.

So the resolution was adopted.

On motion of Senator McCulloch, S. F. No. 204, A bill for an act for the extension and improvement of the Iowa state penitentiary at Fort Madison, with report of committee recommending a substitute, was taken up and considered, and substitute adopted.

Senator McNutt moved to reconsider the vote by which the substitute was adopted, which motion prevailed.

Senator McNutt moved to amend by adding after the word "dollars" the words "or so much thereof as may be necessary," which was agreed to.

Senator McNutt moved to strike out all of 1st section relating to paint-shop, which prevailed.

On motion of Senator McNutt, "\$11,000" was stricken out, and "\$9,600" inserted.

The substitute as amended was then adopted.

On motion of Senator McCulloch, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, and Wonn--41.

The nays were—

Senators Converse, and Willett--2.

Absent or not voting—

Senators Allen, Atkins, Burke, Fairall, McIntyre, Richards, and Young—7.

So the bill passed and the title was amended by striking out the words "extension and," and thus amended agreed to.

On motion of Senator Ketcham, H. F. No. 219, A bill for an act to pay John Garahty for legal services performed for the State of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Ketcham moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Fitch, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, Merrill, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—39.

The nays were—

Senators Dysart and Shane—2.

Absent or not voting—

Senators Allen, Burke, Fairall, Kephart, McCulloch, McIntyre, McNutt, Miles, and Richards—9.

So the bill passed and the title was agreed to.

Senator Russell, from the committee on judicial districts, introduced S. F. No. 281, A bill for an act fixing the times of holding district and circuit courts in the 13th judicial district, and providing that the judges of said district may change the time herein fixed for holding such courts.

Read first and second time, and on motion of Senator Russell, the rule was suspended and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Clausen, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCormack, Merrill, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—35.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Burke, Chambers, Converse, Crary, Fairall, Maxwell, McCulloch, McIntyre, McKean, McNutt, Miles, Murray, and Richards—15.

So the bill passed and the title was agreed to.

Senator Russell, from the committee on judicial districts, introduced S. F. No. 282, A bill for an act to amend chapter 138 of the

14th General Assembly, and attaching Webster county to the 11th judicial district.

Read first and second time, and on motion of Senator Fitch the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Boomer, Fairall, McIntyre, Murray, Richards, and Shane—8.

So the bill passed and the title was agreed to.

On motion of Senator Dague, S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the regular session of the 14th General Assembly, was taken up and considered.

Senator Dague moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Campbell, Chambers, Clausen, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—37.

The nays were—

Senator Miles—1.

Absent or not voting—

Senators Alien, Bemis, Boomer, Burke, Crary, Fairall, McIntyre, McNutt, Merrill, Murray, Richards, and Russell—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 with amendment S. F. No. 236, a bill for an act apportioning the State of Iowa into representative districts. Amendment noted in the bill.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also the following :

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

H. F. No. 367, A bill for an act to amend chapter 26, Laws of the 18th General Assembly.

Also, House has adopted Senate concurrent resolution relating to the adjournment of the General Assembly, and indefinitely postponed Senate resolution, authorizing the Secretary of State to furnish supreme court reports to the General Assembly.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following :

MR. PRESIDENT :—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House :

H. F. No. 107, A bill for an act to enable townships, incorporated towns and cities, &c.

H. F. No. 226, A bill for an act in relation to land grand lands, and to provide for a record title thereto.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has returned S. F. No. 30, A bill for an act to repeal chapter 118 of the Laws of the 11th General Assembly, with an amendment in form of a substitute, in which the concurrence of Senate is asked.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also the following :

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

Joint resolution authorizing Census Board to exchange certain lots in Des Moines.

BENJ. VAN STEINBERG, *Assistant Clerk.*

By leave, Senator Read introduced S. F. No. 283, A bill for an act to legalize the sale of certain school lands in Wayne county by the clerk of the board of supervisors.

Read first and second times.

Senator Read moved that the rule be suspended and the bill be

read a third time now, which prevailed, and the bill was read a third time ?

On the question, " Shall the bill pass ? "

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Orary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Sturt, Taylor, Vale, West, Willett, Wonn and Young—43.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Dague, Ketcham, Leavitt, McIntyre and Richards—7.

So the bill passed and the title was agreed to.

Senator West moved that a committee of conference be appointed on the disagreeing votes of the two houses on Senate amendments to House amendments to S. F. No. 84, which motion prevailed.

BILLS ON THIRD READING.

S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains and water-courses, with House amendments, was taken up.

On the question, " Shall the Senate concur in House amendments ? "

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Orary, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Murray, Read, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn, and Young—38.

The nays were—

Senators Gault, McCoid, McCormack, and Stuart—4.

Absent or not voting—

Senators Allen, Atkins, Burke, Dague, McIntyre, Miles, Richards, and Russell—8.

So the Senate concurred in House amendments.

S. F. No. 270, A bill for an act to amend chapter 101, laws of the Fourteenth General Assembly, in relation to an additional penitentiary, and to provide for the general support of the convicts therein, with House amendments, was taken up.

On the question, " Shall the Senate concur in House amendments ? "

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch,

Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Dague, McIntyre, Read, and Richards—6.

So the Senate concurred in House amendments.

S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa, with House amendments, was taken up.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Burke, Dague, McIntyre, and Richards—6.

So the Senate concurred in House amendments.

The Senate also concurred in the House amendments to the concurrent resolution in relation to paper for the use of the board of immigration.

S. F. No. 236, A bill for an act apportioning the State of Iowa into representative districts, with House amendments, was taken up.

On the question, "Shall the Senate concur in House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Fairall, McIntyre, McNutt, and Richards—6.

So the Senate concurred in the House amendments.

Senator Lowry moved that when the Senate adjourn it be until 2:30 o'clock P. M.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Chambers, Converse, Crary, Dague, Dysart, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Shane, Smith, Stuart, Vale, Wonn, and Young—26.

The nays were—

Senators Atkins, Beardsley, Bemis, Campbell, Claussen, Dashiell, Fairall, Havens, Ireland, Leavitt, McCormack, Merrill, Miles, Murray, Read, Russell, Stone, Taylor, West, and Willett—20.

Absent or not voting—

Senators Allen, Burke, McIntyre, and Richards—8.

So the motion did not prevail.

On motion of Senator McCoid, S. F. No. 267, A bill for an act to amend section 1, chapter 6, acts of the 14th General Assembly, relative to bridges, was taken up and considered.

Senator McCoid moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Campbell, Claussen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, and Young—34.

The nays were—

Senators Beardsley, Boomer, Chambers, Dague, Kephart, Ketcham, and Miles—7.

Absent or not voting—

Senators Allen, Bemis, Burke, McIntyre, McNutt, Murray, Richards, Willett, and Wonn—9.

So the bill passed and the title was agreed to.

On motion of Senator Claussen, substitute for H. F. No. 238, A bill for an act to provide for the exemption of land owners to pay taxes on land which they have conveyed to railroad companies, with report of committee recommending that it do pass, was taken up and considered.

Senator McKean moved to strike out the words "in this State," which did not prevail.

Senator Claussen moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Wonn—40.

The nays were—

Senator Young—1.

Absent or not voting—

Senators Allen, Bemis, Burke, Lowry, McCoid, McIntyre, McNutt, Read, and Richards—9.

So the bill passed and the title was agreed to.

On motion of Senator Ireland, S. F. No. 165, A bill for an act to provide for the further collection of taxes by township collectors in certain cases, with report of committee recommending that it do pass, was taken up and considered.

Senator Ireland moved to amend by inserting the following after the word "assembly" in the 8th line:

Provided, That said township collector shall file a satisfactory bond with the county treasurer for an amount 50 per cent greater than the amount of taxes to be collected.

The proviso was adopted.

Senator Ireland moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

The nays were none.

Absent or not voting—

Senators Allen, Burke, McIntyre, Read, and Richards—5.

So the bill passed and the title was agreed to.

By leave, Senator Shane offered the following resolution:

Resolved, That the committee on ways and means, be and are hereby instructed to furnish for the use of the Senate an itemized account of the books, stationery, newspapers and magazines furnished to each member of the Senate and to each officer and employee thereof by W. F. Heywood or others.

The resolution was adopted.

Senator McNutt, from the committee on ways and means, introduced S. F. No. 284, A bill for an act making appropriations for

the *per diem* and expenses of the 14th General Assembly, and other purposes.

Read first and second times.

Senator McNutt moved to suspend the rule and read the bill a third time now.

Senator Shane moved that the further consideration of the bill be postponed until 9:30 A. M. Monday next.

Senator McNutt moved that the bill be considered now and by sections, which was agreed to, and consideration proceeded with, pending which Senator West moved to postpone the further consideration of the bill until 9:30 A. M., on Monday next.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Chambers, Crary, Dague, Dysart, Fitch, Kephart, McCormack, Shane, Vale, and West—13.

The nays were—

Senators Atkins, Burke, Campbell, Claussen, Converse, Dashiell, Fairall, Gault, Havens, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McKean, McNutt, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Willett and Young—29.

Absent or not voting—

Senators Allen, Howland, Hurley, McCulloch, McIntyre, Merrill, Richards, and Wonn—8.

So the motion did not prevail.

Senator Leavitt moved to suspend the rule by which the Senate adjourns at 12 M., until the bill under consideration was disposed of.

The motion was disagreed to.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Dysart, Gault, Kephart, Maxwell, McCormack, Shane, Smith, Vale, West, Willett, and Young—16.

The nays were—

Senators Atkins, Burke, Claussen, Converse, Crary, Dashiell, Fairall, Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Stone, Stuart, Taylor, and Wonn—28.

Absent or not voting—

Senators Allen, Dague, Fitch, Howland, McIntyre and Richards—6.

So the motion did not prevail.

Senator Leavitt moved that the Senate continue in session until 1 o'clock P. M.

The motion was lost.

The President *pro tem* announced Senators West, Read and Fairall as the conference committee on the part of the Senate on the

disagreeing votes of the two houses on the Senate amendments to House amendments to S. F. No. 84.

REPORTS OF COMMITTEES.

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT :—The committee on enrolled bills respectfully report that they did on the 19th day of April, present to the Governor for his approval the following bills, to-wit :

H. F. No. 437, An act to amend chapter 92 of the acts of the 11th General Assembly.

Also, H. F. No. 395, An act for the relief of the asylum at Andrew.

Also, H. F. No. 359, An act authorizing cities and incorporated towns to construct water-works.

A. CONVERSE, *Chairman.*

Also the following:

MR. PRESIDENT :—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 107, A bill for an act to provide for the transfer of taxes levied for railroad purposes.

Also, H. F. No. 226, A bill for an act in relation to land grant lands, and to provide a record thereto.

A. CONVERSE, *Chairman.*

At 11:59, on motion of Senator Lowry, the Senate adjourned until 2½ o'clock P. M.

TWO O'CLOCK AND THIRTY MINUTE

Senate met pursuant to adjournment, and was called to order the President *pro tem*

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for signature the following bills which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House :

S. F. No. 77, A bill for an act to repeal section §275 of the revision of 1860, and chapter 43 of the acts of the Thirteenth General Assembly, amending said section, and for the enactment of a new section in lieu thereof, providing for the collection and payment of judgment.

S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

S. F. No. 278, A bill for an act to legalize certain acts of the board of directors of the district township of Dover, Pocahontas county, and of the board of supervisors of Pocahontas county.

S. F. No. 187, A bill for an act to prevent the unlawful driving of any cattle or other stock from the premises of any citizen of this State, or from their lawful range.

S. F. No. 28, A bill for an act to prevent frequent changes in school books.

S. F. No. 241, A bill for an act to legalize the gift, grant, sales and conveyances of certain lands located with the scrip issued to Johnson county, &c.

S. F. No. 263, A bill for an act to remove the disabilities of Mordecai Cropper, and to restore him to the rights of citizenship.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also the following :

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 :

H. F. No. 445, A bill for an act to legalize the acts of the mayor, trustees and recorder of the town of Osage.

Also, the House has passed :

S. F. No. 219, A bill for an act providing for the acknowledgment and recording of deeds in certain cases, &c., with amendment. Strike out section 3, in which concurrence of Senate is asked.

H. F. No. 446, A bill for an act authorizing the appointment of short-hand reporters in district and circuit courts.

BENJ. VAN STEINBERG, *Ass't. Clerk.*

Also, the following :

MR. PRESIDENT :—I herewith present for your signature the following bills which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 181, A bill for an act for the relief of occupying claimants of lands granted to the State of Iowa.

H. F. No. 343, A bill for an act to amend sections 6 and 8 of chapter 172, acts of the 9th General Assembly.

H. F. No. 287, A bill for an act to legalize the action of the board of supervisors of Emmet county, Iowa, etc.

H. F. No. 219, A bill for an act to pay John Garraty for legal services performed for the State of Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, without amendment:

S. F. No. 248, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa.

Also, the House has passed with amendment the following:

S. F. No. 161, A bill for an act to amend chapter 172, acts of the 9th General Assembly.

S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the Iowa Reform School.

Amendments noted in the bills.

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

BENJ. VAN STEINBURG, *Assistant Clerk.*

The consideration of S. F. No. 284 was resumed.

Senator Shane moved to strike out section 20, which was disagreed to.

Senator Shane moved to strike out section 27.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Chambers, Crary, Dysart, McCold, Shane, and Wonn—7.

The nays were—

Senators Atkins, Beardsley, Bemis, Claussen, Converse, Dague, Dashiell, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, and Young—38.

Absent or not voting—

Senators Allen, Burke, Campbell, McIntyre, and Richards—5.

So the motion did not prevail.

Senator Shane moved to strike out section 22.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Crary, Gault, Ketcham and Shane—5.

The nays were—

Senators Atkins, Beardsley, Bemis, Burke, Chambers, Claussen,

Converse, Dague, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—40.

Absent or not voting—

Senators Allen, Campbell, Dashiell, McIntyre and Richards—5.

So the motion was lost.

Senator McKean moved that the further reading of the bill be dispensed with, and that the rule be suspended and the bill read a third time.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Burke, Chambers, Claussen, Converse, Fairall, Havens, Howland, Hurley, Kinne, Leavitt, Maxwell, McKean, Murray, Read, Russell and Stone—17.

The nays were—

Senators Beardsley, Bemis, Boomer, Orary, Dague, Dysart, Fitch, Gault, Ireland, Kephart, Ketcham, Larrabee, Lowry, McCormack, McCulloch, McNutt, Merrill, Miles, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—27.

Absent or not voting—

Senators Allen, Campbell, Dashiell, McCoid, McIntyre and Richards—6.

So the motion was lost.

At 4:35 Senator McKean moved that the Senate adjourn, which was disagreed to.

Senator Shane moved to strike out section 44.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Chambers, Orary, Dysart, Fitch, Gault, Howland, Ireland, Kephart, Ketcham, Lowry, Maxwell, McCormack, McCulloch, Miles, Shane, Smith, Stuart, Taylor, Vale, West, Wonn and Young—25.

The nays were—

Senators Atkins, Burke, Claussen, Converse, Fairall, Havens, Hurley, Kinne, Larrabee, Leavitt, McKean, McNutt, Merrill, Murray, Read, Russell, Stone and Willett—18.

Absent or not voting—

Senators Allen, Campbell, Dagne, Dashiell, McIntyre, McCoid and Richards—7.

So the motion prevailed.

Senator McKean moved to add the following section:

Section 14. There shall be paid to John Garraty the sum of one thousand dollars in full of his claim against the State of Iowa, as per chapter one hundred and sixty-four of the laws of the Fourteenth General Assembly.

The section was adopted.

Senator Fairall moved to suspend the rule, and read the bill a third time now, which was agreed to, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Stuart, Taylor, West, Willett, Wonn and Young—39.

The nays were—

Senators Campbell, Maxwell, McCormack, Shane, and Vale—5.

Absent or not voting—

Senators Allen, Dashiell, McCoid, McIntyre, Richards, and Stone—6.

So the bill passed and the title was agreed to.

Senator McNutt, from the committee on ways and means, submitted the following report :

MR. PRESIDENT:—Your committee on ways and means, to whom was referred S. F. No. 265, A bill for an act to amend chapter 138 and 173, of the 12th General Assembly, to regulate insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SAMUEL McNUTT, *for Committee.*

On motion of Senator Leavit the bill and report was taken up and considered.

Senator Lowry moved to amend the 2d line of the 4th section by inserting after the words "fees" the words "which fees shall be paid into the State treasury as collected."

The amendment was adopted.

Senator Boomer moved to amend the 6th section by inserting after the word "State," in the second line, the words "and mutual life insurance companies."

The amendment was lost.

On motion of Senator McKean the bill was ordered engrossed for a third reading.

On motion of Senator Leavitt the rule was suspended and the bill read a third time.

Senator Leavitt moved a call of the Senate, which was sustained by the Senate.

On motion of Senator Shane, Senator Campbell was excused.

On motion of Senator Ketcham, Senator Dashiell was excused.

On motion of Senator Russell, Senator McCoid was excused.

The roll was then called, with the following result:

Absent without excuse—Senator Burke.

On motion of Senator Leavitt further proceedings under the call were dispensed with.

Senator Fairall moved to reconsider the vote by which the bill was ordered to a third reading, which was agreed to.

Senator Fairall moved to reconsider the vote by which the bill was ordered engrossed, which prevailed.

Senator Fairall moved to reconsider the vote by which Senator Boomer's amendment was lost, which was agreed to.

The question being on the adoption of Senator Boomer's amendment, it was lost.

Senator Leavitt moved to suspend the rule and read the bill a third time, which was agreed to, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bemis, Burke, Chambers, Converse, Crary, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Shane, Smith, Stuart, Taylor, West, Wonn and Young—31.

The nays were—

Senators Beardsley, Boomer, Claussen, Dague, Howland, Ireland, Lowry, Miles, Stone, Vale, and Willett—11.

Absent or not voting—

Senators Allen, Atkins, Campbell, Dashiell, McCoid, McIntyre, Richards, and Russell—8.

So the bill passed and the title was agreed to.

Senator McNutt, from the committee on ways and means, submitted the following report:

MR. PRESIDENT—Your committee on ways and means, to whom was referred House concurrent resolution relating to stationery, paper and postage for the Board of Immigration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

SAMUEL McNUTT, *for Committee.*

Report adopted.

On motion of Senator Claussen, S. F. No. 219, "A bill for an act providing for the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgments of deeds and instruments in writing," with House amendments, was taken up.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Chambers, Clausen, Converse, Crary, Dague, Dycart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—39.

The nays were—

Senators Read and Shane.

Absent or not voting—

Senators Allen, Atkins, Campbell, Dashiell, McCoid, McIntyre, Miles, Richards and Russell—9.

So the House amendments were concurred in.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers, done while acting justice of the peace in Holland Twp., Sioux Co., Iowa.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following :

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

S. F. No. 275, A bill for an act to repeal sec. 2. chap. 59, laws of the 12th General Assembly.

Amendment noted in the bill.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following :

MR. PRESIDENT :—I am directed to inform your honorable body that the House of Representatives has passed, without amendment, S. F. No. 282, A bill for an act to amend chapter 138 of the Laws of the 14th General Assembly, etc.

Also, the following :

Resolution giving power to the board of capitol commissioners to cancel the contract with Messrs. Tuttle and Robertson, in which the concurrence of the Senate is asked.

BEN. VAN STEINBURG, *Ass't Clerk.*

Senator Converse, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 226, An act in relation to land grant lands.

Also, H. F. No. 107, An act to enable townships to transfer tax voted in aid of railroads.

Also, H. F. No. 219, An act to pay John Garaghty for legal service.

Also, H. F. No. 387, An act to legalize the action of board of supervisors of Emmet county.

S. F. No. 117, An act to promote the science of medicine and surgery in the State of Iowa.

S. F. No. 77, An act to repeal section 3275, of the revision of 1860, etc.

S. F. No. 263, An act to remove the disabilities of Mordecai Cropper, &c.

S. F. No. 241, An act to legalize the gift, grant, sale and conveyance of certain lands located with the scrip of Johnson county, etc.

S. F. No. 28, An act to prevent frequent changes in school books.

S. F. No. 137, An act to prevent the unlawful driving off any cattle or other stock from the premises of any citizen of this State or from their lawful range.

H. F. No. 181, An act for the relief of occupying claimants of lands.

Also, S. F. No. 278, An act to legalize certain acts of the board of directors.

Also, H. F. No. 443, An act to amend section 6 and 8, of chapter 172, acts of 9th General Assembly.

A. CONVERSE, *Chairman.*

Also, the following :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled.

Sub. for H. F. No. 238, A bill for an act to provide for the exemption of land owners from paying taxes on lands conveyed to railroad companies.

A. CONVERSE, *Chairman.*

Senator Fitch, from the same committee, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 387, A bill for an act to legalize the doings of the board of supervisors of Emmet county, Iowa.

H. F. No. 343, A bill for an act to amend chapter 143, of the acts of the 11th General Assembly in relation to schools.

H. F. No. 181, A bill for an act for the relief of occupying claimants of the lands granted to the State of Iowa.

H. F. No. 219, A bill for an act for the relief of John Garaghty.

Also the following :

S. F. No. 28, A bill for an act to prevent frequent changes in school books.

S. F. No. 241, A bill for an act to legalize the gift, grant, sales, and conveyances of certain lands located with the scrip issued to Johnson county as indemnity for swamp lands.

S. F. No. 263, A bill for an act to remove the disabilities of Mordecai Cropper, and to restore him to the rights of citizenship.

S. F. No. 77, A bill for an act to repeal section 3275 of the Revision, and chapter 43, acts of 13th General Assembly, and enact a new section in lieu thereof.

S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

S. F. No. 278, A bill for an act to legalize certain acts of the board of directors of the district township of Dover, Pocahontas county, Iowa, etc.

S. F. No. 137, Bill for an act to prevent the unlawful driving off of stock.

WM. H. FITCH, *for Committee.*

On motion of Senator Murray, House messages were taken up.

H. F. No. 444, A bill for an act to repeal section 4, chapter 62, acts of the 14th General Assembly, and to enact a substitute therefor, was taken up, read first and second time, and referred to committee on judiciary.

H. F. No. 445, A bill for an act to legalize the acts of the mayor, trustees, and recorder of the town of Osage, was taken up and read first and second time.

On motion of Senator Converse the rule was suspended and the bill read a third time.

On the question " Shall the bill pass ?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, Campbell, Dashiell, McCoid, McIntyre, and Richards—6.

So the bill passed and the title was agreed to.

The joint resolution appointing trustees of the Iowa Soldiers' Orphan's Homes, was taken up, read first and second time, and on motion of Senator Lowry the rule was suspended and the joint resolution read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardley, Bemis, Boomer, Burke, Claussen, Crory, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Campbell, Chambers, Converse, Dashiell, McCoid, McIntyre and Richards—8.

So the joint resolution passed and the title was agreed to.

H. F. No. 412, A bill for an act fixing the compensation for publication of delinquent tax lists, was taken up, read first and second time and on motion of Senator Fitch was referred to committee on printing.

H. F. No. 443, A bill for an act in relation to capital punishment, was taken up and read first and second time.

Senator West moved that the Senate adjourn, which did not prevail.

Senator Willett moved to amend by striking out the words "hereby requested to," and insert "shall not" which was agreed to.

On motion of Senator Shane the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardley, Bemis, Boomer, Campbell, Chambers, Claussen, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Leavitt, McCormack, Miles, Murray, Read, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, Wonn and Young—31.

The nays were—

Senators Burke, Crory, Fairall, Gault, Kinne, Larrabee, Lowry, Maxwell, McCulloch, McKean, McNutt, Merrill, Russell and West—14.

Absent or not voting—

Senators Allen, Converse, McCoid, McIntyre and Richards—5.

So the bill passed and the title was, on motion of Senator Wil-

lett, amended by adding thereto the words "and regulating pardons," and then agreed to.

Joint resolution relative to the building of a bridge across the Big Sioux river, in Lyon county, Iowa, was taken up, read first and second time, and, on motion of Senator Atkins, the rule was suspended, and the joint resolution read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Claussen, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett, Wonn, and Young—39.

The nays were—

Senators Beardsley and Burke—2.

Absent or not voting—

Senators Allen, Campbell, Chambers, Converse, Dashiell, McCoid, McIntyre, Richards, and West—9.

So the joint resolution passed and the title was agreed to.

H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers, done while acting as justice of the peace in Holland township, Sioux county, Iowa, was taken up, read first and second time, and, on motion of Senator Kephart, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Converse, Crary, Dague, Dysart, Fairall, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—37.

The nays were—

Senators Claussen and Gault—2.

Absent or not voting—

Senators Allen, Burke, Campbell, Chambers, Dashiell, Fitch, McCoid, McCulloch, McIntyre, McKean, and Richards—11.

So the bill passed and the title was agreed to.

H. F. No. 442, A bill for an act in relation to legalizing acts, was taken up, and read first and second time.

Senator Fairall moved to suspend the rule and read the bill a third time now.

Senator Willett moved to postpone the further consideration of the bill until Monday next at 9:30, and that it be made a special order for that hour, which was agreed to.

Senator Leavitt moved to suspend the rule by which the Senate

adjourns at 5 P. M., and that the Senate continue in session until 12 o'clock, midnight.

The motion did not prevail.

The concurrent resolution authorizing the commissioners of the new state capital to modify or cancel the contract with Messrs. Tuttle & Robertson, was taken up and concurred in.

On motion of Senator Beardsley, the Senate adjourned.

SENATE CHAMBER, DES MOINES, IOWA, }
April 22, 1872. }

Senate convened pursuant to adjournment, and was called to order by the President *pro tem*.

Prayer by the Rev. Mr. Kephart.

On motion of Senator Vale the reading of the journal was dispensed with.

By leave Senator Murray, from the committee on federal relations, submitted the following report :

MR. PRESIDENT—Your committee on federal relations, to whom was referred a joint resolution relating to homestead settlers on the public lands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, without recommendation.

B. F. MURRAY, *Chairman*.

Ordered passed on file.

On motion of Senator Kephart, S. F. No. 91, A bill for an act to amend section 1, chapter 23, laws of 9th General Assembly, with report of committee recommending that it do pass, was taken up and considered.

Senator Kephart moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Haven, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, and Wonn—41.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Boomer, Dasbiell, McCoid, McIntyre, Richards, Willett, and Young—9.

So the bill passed and the title was agreed to.

Senator Russell offered the following resolution, which was adopted.

Resolved, That there is hereby allowed the paper-folders of the Senate, and the mail carrier, twelve dollars in postage. Said postage having been issued to them by the postmaster in misconstruing a resolution concerning the officers of the Senate.

On motion of Senator Fitch, H. F. No. 379, A bill for an act to legalize and confirm the sale of the swamp lands of Pocahontas county, Iowa, which are now patented to said county, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Fitch moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Dysart, Fairall, Fitch, Gault, Havens, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Dasbiell, Howland, Kephart, Lowry, McCoid, McIntyre, Richards, Russell and Shane—10.

So the bill passed and the title was agreed to.

Senator Campbell presented petitions from D. D. Piper and one thousand others, citizens of Jasper county, protesting against the repeal of chapter 156 of the laws of the 14th General Assembly, which was read and passed on file.

Senator Lowry presented the following resolution which was adopted:

WHEREAS, There has been constantly in attendance on the Senate and House of this General Assembly, from the commencement of the session to the present time, four gentlemen professing to represent the great agricultural interest of the State of Iowa, known as the Grange; and—

WHEREAS, These gentlemen appear entirely destitute of any visible means of support; therefore be it—

Resolved, By the Senate, the House concurring, that the janitors permit aforesaid gentlemen to gather up all the waste papers, old newspapers, &c., from under the desks of the members, and they

be allowed one postage stamp each, The American Agriculturist, What Greeley Knows about Farming, and that they be permitted to take with them to their homes, if they have any, all the rejected railroad tariff bills, including Richards' and O'Donnell's tariff commission bills, Duncombe's speech on railroad tariffs, Beardsley's speech on female suffrage, Claussen's reply, Kasson's speech on barnacles, Blakely's dog bill, Teale's liquor bill, and be given a pass over the Des Moines Valley railroad, with the earnest hope that they will never return to Des Moines.

Senator McCulloch offered a joint resolution for an adjustment of certain claims of the contractors for the labor of penitentiary convicts.

Senator McNutt moved to refer the resolution to committee on ways and means. Lost.

Senator McCulloch moved to suspend the 11th rule and read the joint resolution the third time now, which prevailed, and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—42.

The nays were—

Senators Converse and McNutt—2.

Absent or not voting—

Senators Allen, Dashiell, McCoid, McIntyre, Murray and Richards—6.

So the joint resolution passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 448, A bill for an act to amend chapter 74, acts of the 14th General Assembly.

Also the following :

Joint resolution to amend section 18, article 5, constitution of the State of Iowa.

Also the following :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed without amendment:

S. F. No. 76, A bill for an act to amend sections 1 and 2 of chapter 54, acts of the 13th General Assembly.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Senator Beardsley moved to take up special order, H. F. No. 442, A bill for an act in relation to legalizing acts.

Motion prevailed.

Senator Beardsley moved to lay the bill on the table.

Carried.

HOUSE MESSAGES.

Substitute for H. F. No. 441, A bill for an act supplementary to chapter 56, laws of the 10th General Assembly, relative to weigh-masters of public scales, was read first and second time, and referred to committee on agriculture.

Substitute for H. F. No. 367, A bill for an act supplementary to chapter 26, laws of the 13th General Assembly, being an act to restrain stock from running at large, and also supplemental to section 6, chapter 169, laws of the 9th General Assembly, in relation to railroad fences, was read first and second time and referred to committee on agriculture.

MESSAGE FROM THE HOUSE.

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 bill with amendment, in which the concurrence of the Senate is asked:

S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes by a commission, and providing for a publication thereof.

Amendments noted in the bill.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Joint resolution authorizing the census board to exchange certain lots in Des Moines, was read first and second time, and referred to committee on capitol buildings.

H. F. No. 446, A bill for an act authorizing the appointment of short-hand reporters in district and circuit courts, was read first and second time.

Senator Hurley moved that the bill be engrossed.

Carried.

Senator Hurley moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Claussen, Converse, Dague, Dysart, Fairall, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, McCormack,

McKean, Merrill, Murray, Russell, Shane, Smith, Stone, Taylor, Willett, Wonn, and Young—30.

The nays were—

Senators Boomer, Crary, Fitch, Gault, Ireland, Maxwell, McCulloch, McNutt, Miles, Read, Stuart, Vale, and West—13.

Absent or not voting—

Senators Allen, Bemis, Chambers, Dashiell, McCoid, McClosyre, and Richards—7.

So the bill passed and the title was agreed to.

H. F. No. 448, A bill for an act amending chapter 74, acts of the 14th General Assembly, was read first and second time.

On motion, the rule was suspended, and the bill read a third time.

On the question ' Shall the bill pass? '

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dyaart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larabee, Leavitt, Lowry, Maxwell, McCormack, McKean, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, Willett and Young—39.

The nays were—

Senator West.

Absent or not voting—

Senators Allen, Chambers, Dashiell, Fitch, McCoid, McCulloch, McIntyre, Murray, Richards, and Wonn—10.

So the bill passed and the title was agreed to.

Joint resolution in relation to constitutional amendments was read first and second time.

Senator Burke moved to refer the resolution to committee on constitutional amendments.

Lost.

Senator Shane moved to suspend the rule, and read the joint resolution the third time now, which prevailed, and the joint resolution was read a third time.

On the question, " Shall the joint resolution pass? "

The yeas were—

Senators Beardsley, Bemis, Chambers, Claussen, Converse, Crary, Dague, Dyaart, Fairall, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, McCormack, McKean, Merrill, Murray, Read, Russell, Shane, Smith, Stone, Taylor, Willett, and Wonn—29.

The nays were—

Senators Atkins, Burke, Campbell, Fitch, Gault, Howland, Maxwell, McCulloch, McNutt, Miles, Stuart, Vale, West, and Young—14.

Absent or not voting—

Senators Allen, Boomer, Dashiell, Larrabee, McCoid, McIntyre, and Richards—7.

So the joint resolution passed and the title was agreed to.

Senator Burke, from the committee on judiciary, submitted the following report :

MR. PRESIDENT:—Your committee on judiciary, to whom was referred S. F. No. 22, A bill for an act to amend sec. 3875 of the revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BURKE, *for Committee.*

On motion of Senator Burke the bill and report was taken up and considered.

Senator Burke moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Atkins, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Russell, Shane, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—40.

The nays were—

Senator Read—1.

Absent or not voting—

Senators Allen, Beardsley, Bemis, Boomer, Dashiell, Ireland, McCoid, McIntyre and Richards—9.

So the bill passed and the title was agreed to.

Senator Burke from the committee composed of Senators of the 12th judicial district submitted the following :

MR. PRESIDENT:—Your committee composed of Senators of the 12th judicial district, to whom was referred S. F. No. 103, A bill for an act fixing the times for holding terms of the district court in certain counties in the 12th judicial district, beg leave to report the same back to the Senate with the recommendation that it do pass.

BURKE, *for Committee.*

On motion of Senator Burke the bill and report were taken up and considered.

Senator Burke moved that the rule suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Atkins, Boomer, Burke, Campbell, Chambers, Converse, Crary, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Read, Shane, Smith, Stone, Taylor, Vale, West, Willett, Wonn and Young—36.

The nays were—

Senator Murray—1.

Absent or not voting—

Senators Allen, Beardsley, Bemis, Claussen, Dague, Dashiell, Ireland, McIntyre, Merrill, Miles, Richards, Russell and Stuart—13.

So the bill passed and the title was agreed to.

Senator Hurley, from the committee on judiciary, submitted the following report :

MR. PRESIDENT :—Your committee on judiciary, to whom was referred H. F. No. 444, A bill for an act to repeal section 4, of the acts of the 14th General Assembly and to enact a substitute, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the following amendments as an additional section thereto, with the recommendation that the amendments be adopted, and that the bill so amended do pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Hurley the bill and report were taken up and considered.

The amendments proposed by the committee were adopted.

Senator Hurley moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question " Shall the bill pass ? "

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Shane, Smith, Stone, Taylor, Vale, Willett, Wonn, and Young—39.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Converse, Dashiell, Lowry, McIntyre, Miles, Richards, Russell, Stuart, and West—11.

So the bill passed and the title was agreed to.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT :—Your committee on judiciary, to whom was referred H. F. No. 303, A bill for an act to authorize county surveyors to issue subpoenas for witnesses, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Willett the bill and report were taken up and considered.

Senator Willett moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—41.

The nays were—

Senators Read—1.

Absent or not voting—

Senators Allen, Chambers, Dashiell, and McIntyre—4.

So the bill passed and the title was agreed to.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT :—Your committee on judiciary, to whom was referred H. F. No. 102, A bill for an act to protect the use of the telegraph, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it pass on file.

JAMES S. HURLEY, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

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 bill without amendment :

S. F. No. 287, A bill for an act to legalize the sale of certain lands in Wayne county, Iowa, etc.

Also the following:

S. F. No. 381, A bill for an act fixing the time of holding district and circuit court in the 13th judicial district, etc.

S. F. No. 204, A bill for an act for the improvement of the penitentiary at Fort Madison.

Also, the House insists on its amendment to

S. F. No. 186, A bill for an act fixing the compensation of members and officers of future General Assemblies, and ask committee of conference, and has appointed Messrs. Kassen, Rohlf and Ainsworth on part of House.

Also, that the House has passed Senate concurrent resolution instructing the Attorney-General to examine bonds and contracts of parties connected with the new capitol.

Also, joint resolution authorizing the census board to procure a portrait of the late Gov. J. W. Grimes.

BENJ. VAN STEINBERG, *Ass't Clerk.*

Senator Leavitt moved to take up substitute for H. F. No. 367, A bill for an act supplemental to chapter 26, laws of the 13th General Assembly, &c.

Carried.

Senator Vale offered the following amendment:

Strike out the words and figures "provision of chapter sixty-one of the revision of 1860, in relation to partition fences," and insert the words "lawfulness of partition fences existing at the time of the taking effect of the act aforesaid."

Amendment lost.

Senator Leavitt moved to suspend the rule, and read the bill the third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNatt, Miles, Murray, Smith, Stuart, Vale, West, Willett, and Wenn—34.

The nays were—

Senators Atkins, Beardale, Dysart, Fitch, Read, Russell, Shane, Stone, Taylor, and Young—10.

Absent or not voting—

Senators Allen, Dashiell, McCoid, McIntyre, Merrill, and Richards—6.

So the bill passed and the title was agreed to.

Senator Havens, from the committee on county and township organizations, submitted the following report:

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 127, A bill for an act in relation to the organization of townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman*.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your committee on county and township organizations, to whom was referred H. F. No. 59, A bill for an act providing for the establishment of temporary county seats in newly organized counties, and in relation to the permanent location of county seats in such counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. W. HAVENS, *Chairman*.

Ordered passed on file.

Senator Ketcham, from the committee on claims, submitted the following report:

MR. PRESIDENT—Your committee on claims, to whom was referred the memorial of S. B. Lindsay, late 2d Lieutenant Company H, 48th Iowa Bat., claiming pay as 2d Lieutenant, also the memorial of S. H. Davis, late 2d Lieutenant Company F, 9th Iowa Cavalry, claiming pay for certain military services, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that, as the Adjutant-General of the State, under the law, has the power to settle such claims, that the memorialists have leave to withdraw the papers before the Senate, for the purpose of presenting the same to said Adjutant-General.

J. P. KETCHAM, *Chairman*.

On motion of Senator Ketcham the report was adopted.

Also, the following:

MR. PRESIDENT—Your committee on claims, to whom was referred the claim of W. D. Bray, for subsistence furnished First Reg. Iowa Vol. Militia, Western Div., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that, as the Auditor of State, by virtue of chapter 14, acts of the 11th General Assembly, has full power to settle such claims, that the memorialist have leave to withdraw his claim, for the purpose of presenting the same to said auditor.

J. P. KETCHAM, *Chairman*.

On motion of Senator Ketcham the report was adopted.

Senator Dysart, from the committee on State library, submitted the following report :

MR. PRESIDENT—Your committee on state library, to whom was referred H. F. No. 111, A bill for an act relative to the State library and the duties of State Librarian, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding a publication clause, and as so amended that the bill do pass.

J. DYSART, *Chairman.*

On motion of Senator Dysart, the bill and report were taken up and considered.

Senator Dysart moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Crary, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McOoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Woan and Young—41.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Burke, Dague, Dashiell, McIntyre, Richards, Russell and Stone—9.

So the bill passed and the title was agreed to.

Senator Merrill, from the committee on capitol building, submitted the following report:

MR. PRESIDENT—Your committee on capitol building, to whom was referred House resolution entitled, Joint resolution authorizing census board to exchange certain lots in Des Moines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. MERRILL, *Chairman.*

Ordered passed on file.

The President pro tem., appointed Senators Fairall, Young, and Lowry as a committee of conference on disagreement of the Houses to S. F. No. 186.

MESSAGE FROM THE HOUSE.

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 bill and resolution :

S. F. No. 22, A bill for an act to repeal section 3876 of Revision of 1860.

Joint resolution for an adjustment of certain claims of the contractors for the labor of penitentiary convicts.

Also, the House has adopted the report of the conference committee on S. F. No. 84, an act to amend chapter 113, laws of the 12th General Assembly.

BENJ. VAN STEINBURG, *Ass't Clerk.*

BILLS ON THIRD READING.

S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the Iowa Reform School, with the House amendments, was taken up and considered.

On the question " Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Bemis, Boomer, Campbell, Chambers, Clausen, Converse, Orary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kiene, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were none.

Absent or not voting—

Senators Allen, Beardsley, Burke, Dashiell, Lowry, McIntyre, Miles, Richards, and Stone—9.

So the House amendments were concurred in.

S. F. No. 275, A bill for an act to repeal sec. 2, chap. 59, laws of the 12th General Assembly, with the House amendments, was taken up and considered.

On the question " Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Clausen, Converse, Orary, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kiene, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Chambers, Dashiell, McIntyre, McNutt, Miles, Richards, and Stone—8.

So the House amendments were concurred in.

S. F. No. 151, A bill for an act to amend chapter 172 of the laws of 9th General Assembly, with the House amendments was taken up and considered.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—37.

The nays were—

Senators Campbell, Chambers, Read, Russell and Shane—5.

Absent or not voting—

Senators Allen, Burke, Dashiell, Fitch, McIntyre, McNutt, Richards, and Stone—8.

So the bill passed and the title was agreed to.

S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes by a commission, and providing for publication thereof, with the House amendments was taken up and considered.

Senator Hurley offered an amendment to strike out "page" and insert "bill," in first line, and in second line strike out the words "without side numbers."

Adopted.

On the question "Shall the Senate concur in the House amendments as amended?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dysart, Fairall, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Smith, Stone, Stuart, Taylor, Vale, West, Willett, Wonn and Young—41.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Dashiell, Fitch, Howland, McIntyre, McNutt, Richards, and Shane—8.

So the bill passed and the title was agreed to.

Senator Ketcham, from the committee on claims, submitted the following report:

MR. PRESIDENT:—Your committee on claims, to whom were referred H. F. No. 414, A bill for an act for the relief of George W. Carver of Allamakee county Iowa, beg leave to report that they have had the same under consideration and have instructed me to

report the same back to the Senate with the recommendation that it do pass.

J. P. KETCHAM, *Chairman.*

On motion of Senator Kinne the bill and report were taken up and considered.

Senator Kinne moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Chambers, Claussen, Converse, Crary, Dague, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Russell, Smith, Stone, Stuart, Taylor, Vale, Willett, Wonn and Young—34.

The nays were—

Senator Beardsley, Boomer, Campbell, Dysart, Fitch, Maxwell, McNutt and West—8.

Absent or not voting—8.

Senators Allen, Burke, Dashiell, Lowry, McIntyre, Read, Richards and Shane—

So the bill passed and the title was agreed to.

Substitute for S. F. No. 30, A bill for an act amending an act entitled an act to provide for the publication of general and certain local laws, and of the proceedings of the board of supervisors of the several counties, was taken up and considered.

Senator Havens moved to refer the bill to committee on printing.

Senator West moved to amend by striking out "printing" and inserting "ways and means."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Chambers, Crary, Dysart, Fitch, Gault, Howland, Maxwell, McCulloch, McKean, Miles, Shane, Smith, Vale, West, and Willett—16.

The nays were—

Senators Atkins, Beardsley, Campbell, Claussen, Converse, Dague, Fairall, Havens, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Lowry, McCoid, McCormack, McNutt, Murray, Read, Russell, Stone, Stuart, Taylor, Wonn, and Young—26.

Absent or not voting—

Senators Allen, Bemis, Burke, Dashiell, Ketcham, McIntyre, Merrill, and Richards—8.

So the motion did not prevail.

On the question on Senator Haven's motion the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Beardsley, Claussen, Converse, Dague, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McNutt, Murray, Read, Russell, Stone, Taylor, and Wonn—24.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Crary, Dysart, Gault, Maxwell, McCoid, McCulloch, McKean, Merrill, Miles, Shane, Smith, Vale, West, Willett, and Young—20.

Absent or not voting—

Senators Allen, Burke, Dashiell, Lowry, McIntyre, Richards, and Stuart—7.

So the motion prevailed.

Senator West from the committee of conference on the disagreeing vote of the two houses on substitute for S. F. No. 84, submitted the following report :

MR. PRESIDENT.—The committee of conference on the disagreeing votes of the two houses on substitute for S. F. No. 84, having met, after full and free conference, have agreed to report and do report to their respective houses as follows :

That the House recede from its disagreement to the Senate amendment, and agree to the same, with the following amendment: Insert after the word "year" in the 18th line of Sec. 1, the following: Except that it shall be lawful to shoot quail on the premises of another within the time designated in the act to which this act is an amendment, with the consent of the owner or occupant thereof.

J. P. WEST,
SAM'L H. FAIRALL,
MARTIN READ,

Committee on the part of the Senate.

JOHN A. KASSON,
C. CLOSE,
JNO. H. GEAR,

Committee on the part of the House of Representatives.

On the question, "Shall the Senate adopt the report of the committee on conference?"

The yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Claussen, Crary, Dague, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Larrabee, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—31.

The nays were—

Senators Beardsley, Ketcham, Kinne, McCoid, Read, Russell, Shane and Stone—8.

Absent or not voting—
 Senators Allen, Atkins, Burke, Converse, Dashiell, Dysart, Leavitt, McIntyre, Miles, Murray and Richards—11.
 So the report was adopted.

UNFINISHED BUSINESS.

S. F. 262, A bill for an act to repeal the laws authorizing taxation in aid of railroads, was taken up and considered, and on motion of Senator Fairall was indefinitely postponed.

S. F. 214, A bill for an act defining and limiting the number of trustees of state institutions and state university was taken up and considered, and on motion of Senator Merrill was indefinitely postponed.

Sub. for H. F. No. 42, A bill for an act to amend sec. 781 of the Rev. of 1860, was, with the report of the committee that it do pass, taken up and considered.

Senator Leavitt moved to suspend the rule and read the bill the third time now, which prevailed, and the bill was read the third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bemis, Campbell, Chambers, Dague, Dysart, Gault, Havens, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, Murray, Read, Shane, Smith, West and Willett—21.

The nays were—

Senators Atkins, Beardsley, Boomer, Burke, Claussen, Orary, Fairall, Fitch, Hurley, Ireland, Lowry, Maxwell, McCulloch, Russell, Stone, Stuart, Vale and Wonn—18.

Absent or not voting—

Senators Allen, Converse, Dashiell, Howland, McIntyre, McNutt, Merrill, Murray, Richards, Taylor and Young—11.

So the bill was lost.

Senator Fairall moved to reconsider the vote by which the bill was lost.

Senator Stuart moved to lay the motion on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Burke, Claussen, Orary, Fitch, Hurley, Ireland, Ketcham, Maxwell, McCulloch, Russell, Stone, and Stuart—18.

The nays were—

Senators Atkins, Bemis, Campbell, Chambers, Converse, Dague, Dysart, Fairall, Gault, Havens, Kinne, Larrabee, Leavitt, McCoid, McKean, Merrill, Miles, Murray, Read, Shane, Smith, Taylor, Vale, West, Willett, Wonn, and Young—27.

Absent or not voting—

Senators Allen, Boomer, Dashiell, Howland, Kephart, Lowry, McCormack, McIntyre, McNutt, Richards—10.

So the motion to lay on the table was lost.

Senator Fairall's motion was then adopted.

On the question "Shall the bill pass?"

The yeas were—

Senators Boomer, Campbell, Chambers, Converse, Dague, Dysart, Fairall, Fitch, Gault, Havens, Howland, Kephart, Kinne, Larabee, Leavitt, Lowry, McCoid, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Shane, Smith, West, Willett, Wonn, and Young—30.

The nays were—

Senators Beardsley, Burke, Clausen, Crary, Hurley, Ireland, Ketcham, Maxwell, Russell, Stuart, Taylor, and Vale—12.

Absent or not voting—

Senators Allen, Atkins, Bemis, Dashiell, McIntyre, McNutt, Richards, and Stone—8.

So the bill passed and the title was agreed to.

Senator West moved to reconsider the vote by which the bill was passed.

The President *pro tem* decided the motion out of order.

Senator West appealed from the decision of the chair, and the Senate sustained the decision of the chair.

Senator Fairall moved that when the Senate adjourn it be until two o'clock P. M.

Senator Beardsley moved to amend by striking out "2" and insert "1½ P. M."

Amendment lost.

Senator Fairall's motion adopted.

REGULAR ORDER.

S. F. No. 173, A bill for an act to amend chapter 100, acts of the 12th General Assembly, prescribing the duties of township trustees and road supervisors, with the report of the committee that it do pass, was taken up and considered.

Senator Fitch moved that the rule be suspended, and the bill be read the third time now, which prevailed, and the bill was read the third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Converse, Fairall, Fitch, Gault, Hurley, Kinne, Leavitt, Lowry, Miles, Read, Shane, Smith, Taylor, Wonn, and Young—16.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Crary, Dague, Dysart, Kephart, Ketcham, Maxwell, McCulloch, McKean, Merrill, Vale, and Willett—18.

Absent or not voting—

Senators Allen, Dashiell, Havens, Howland, Ireland, Larrabee, McCoid, McCormack, McIntyre, McNutt, Murray, Richards, Russell, Stone, Stuart, and West—16.

So the bill was lost.

Senator Fairall moved that Senator Campbell have leave to record his vote in the affirmative on the bill abolishing capital punishment.

Motion adopted, and his vote so recorded.

At 12 o'clock *m.*, the Senate stood adjourned until 2 o'clock *p. m.*

TWO O'CLOCK *P. M.*

Senate met pursuant to adjournment.
The President *pro tem* in the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 445, A bill for an act to legalize the acts of the trustees, mayor and recorder of the town of Osage, Iowa.

H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers while acting as justice of the peace in Holland township, in Sioux county, Iowa.

H. F. No. 443, A bill for an act in relation to capital punishment and regulating pardons.

H. F. No. 238, A bill for an act to provide for the exemption of land owners to pay taxes on land which they have conveyed to railroad companies.

Joint resolution appointing trustees of the Iowa soldier's orphans home.

Joint resolution giving power to the board of new capitol commissioners, etc.

Joint resolution relative to the building of a bridge across the Big Sioux River.

BENJ. VAN STEINBURG, *Ass't Clerk.*

UNFINISHED BUSINESS.

S. F. No. 246, A bill for an act defining the office of adjutant general, paymaster general, and quarter-master general, fixing

the salary of said officer and providing for the number of employes in the arsenal, and providing postage stamps and stationery for said officer, with the report of the committee recommending amendments and its passage, was taken up and considered.

The amendments were adopted.

Senator Dysart moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question " Shall the bill pass? "

The yeas were—

Senators Bemis, Burke, Campbell, Crary, Dague, Dashiell, Dysart, Kinne, McCormack, McKean, Smith, Stuart, Vale, West, Willett, and Wonn—16.

The nays were—

Senators Atkins, Boomer, Converse, Gault, Havens, Howland, Hurley, Ireland, Leavitt, Lowry, Merrill, Murray, Read, Shane and Taylor—15.

Absent or not voting—

Senators Allen, Beardsley, Chambers, Claussen, Fairall, Fitch, Kephart, Ketcham, Larrabee, Maxwell, McCoid, McCulloch, McIntyre, McNutt, Miles, Richards, Russell, Stone and Young—19.

So the bill was lost.

Senator McKean moved a call of the Senate.

Call sustained.

The roll was called, and Senators Allen, Beardsley, Chambers, Claussen, Fairall, McCoid, McCulloch, Russell and Stone were found absent without leave.

On motion of Senator Kephart, Senators Claussen and Stone were excused.

The Sergeant-at-Arms was dispatched after the absentees.

Senator West moved that further proceedings under the call be dispensed with. Lost.

Sergeant-at-Arms brought Senator Beardsley before the bar of the Senate. On motion, he was excused.

Senator Shane moved that further proceedings under the call be dispensed with.

Motion prevailed.

Senator Shane moved to reconsider the vote by which S. F. 246 was lost.

Senator Murray moved to lay the motion to reconsider on the table.

On this motion the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Converse, Dague, Havens, Howland, Hurley, Ireland, Kephart, Leavitt, Lowry, Maxwell, Merrill, Murray, Read, Taylor and Willett—16.

The nays were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Crary, Dashiell, Dysart, Fitch, Gault, Ketcham, Kinne, McCormack, McKean, Miles, Shane, Smith, Stuart, Vale, West, Wonn and Young—23.

Absent or not voting—

Senators Allen, Claussen, Fairall, Larrabee, McCoid, McCulloch, McIntyre, McNutt, Richards, Russell and Stone—11.

So the motion was not agreed to.

On the question to reconsider the vote the yeas and nays were demanded, and,

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Kephart, Ketcham, Kinne, McCormack, McCulloch, McKean, Shane, Smith, Stuart, Vale, West, Willett and Wonn—24.

The nays were—

Senators Atkins, Claussen, Converse, Havens, Howland, Hurley, Ireland, Leavitt, Lowry, Maxwell, Merrill, Miles, Murray, Read, Taylor and Young—16.

Absent or not voting—

Senators Allen, Burke, Fairall, Larrabee, McCoid, McNutt, McIntyre, Richards, Russell, and Stone—10.

So the motion prevailed.

Senator Young moved to reconsider the vote by which the bill was ordered to a third reading.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Converse, Fairall, Havens, Hurley, Ireland, Ketcham, Leavitt, Lowry, Merrill, Murray, and Young—11.

The nays were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Kephart, Kinne, Maxwell, McCoid, McCormack, McCulloch, McKean, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett, and Wonn—28.

Absent or not voting—

Senators Allen, Bemis, Burke, Howland, Larrabee, McIntyre, McNutt, Miles, Richards, Russell, and Stone—11.

So the motion was lost.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Kephart, McCormack, McCulloch, McKean, Shane, Smith, Stuart, Vale, West, Willett, and Wonn—24.

The nays were—

Senators Atkins, Converse, Fairall, Havens, Howland, Hurley,

Ireland, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, Merrill, Miles, Murray, Read, Taylor, and Young--19.

Absent or not voting---

Senators Allen, Larrabee, McIntyre, McNutt, Richards, Russell and Stone--7.

So the bill was lost.

Senator West, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred substitute for H. F. No. 441, A bill for an act supplementary to chapter 56, laws of 10th General Assembly, relating to weighmasters of public scales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. P. WEST, *Chairman.*

On motion of Senator West the bill and report were taken up and considered.

On motion of Senator West the bill was ordered engrossed.

Senator West moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Shane, Smith, Stuart, Vale, West, Willett, Wonn and Young--37.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Chambers, Larrabee, McCoid, McIntyre, McNutt, Murray, Read, Richards, Russell, Stone and Taylor--18.

So the bill passed and the title was agreed to.

On motion of Senator Howland, S. F. No. 242, A bill for an act amendatory to chapter 45, sections 799 and 800, of article 1, of the Revision of 1860, was taken up and considered.

Senator McKean moved that the rule be suspended and the bill read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Clausen, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault,

Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—38.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Chambers, Dague, Kephart, McCormack, McIntyre, McNutt, Merrill, Richards, Russell, and Stone—12.

So the bill passed and the title was agreed to.

Senator Lowry moved that when the Senate adjourn it be until 7½ o'clock P. M.

Senator Leavitt moved to amend by inserting "when they meet this P. M. the session continues until six o'clock to-morrow morning." Lost.

On Senator Lowry's motion the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Campbell, Dashiell, Dysart, Fairall, Fitch, Howland, Ireland, Ketcham, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Smith, Stuart, West, and Young—28.

The nays were—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Clausen, Converse, Crary, Gault, Havens, Hurley, Kephart, Leavitt, Miles, Murray, Read, Russell, Shane, Taylor, Vale, Willett, and Wonn—22.

Absent or not voting—

Senators Allen, Dague, McIntyre, Richards, and Stone—5.

So the motion prevailed.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 445, An act to legalize the acts of the trustees, mayor, and recorder of the town of Osage.

H. F. No. 172, An act to legalize the acts of Henry Hospers, while acting as justice of the peace.

H. F. No. 448, An act in relation to capital punishment and regulating pardons.

H. F. No. 288, An act to provide for the exemption of land owners.

Also, joint resolution appointing trustees of the Iowa soldiers' orphans' homes.

Also, joint resolution authorizing commissioners to cancel contract.

Also, joint resolution in relation to building bridges.

A. CONVERSE, *Chairman.*

Also the following :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following Senate bills and find the same correctly enrolled :

S. F. No. 236, A bill for an act apportioning the State into representative districts, etc.

S. F. No. 243, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa.

S. F. No. 76, A bill for an act to amend sections 1 and 2 of chapter 54, acts of the 13th General Assembly, etc.

S. F. No. 270, A bill for an act to amend chapter 101, laws of the 14th General Assembly, etc.

S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa.

S. F. No. 282, A bill for an act to amend chapter 188, acts of the 14th General Assembly, attaching Webster county to the 11th judicial district.

S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains, and water courses.

Also the following :

H. F. No. 448, A bill for an act in relation to capital punishment, and regulating pardons.

H. F. No. 172, A bill for an act to legalize the acts of Henry Hoopers, acting as justice of the peace in Holland township, Sioux county, Iowa.

H. F. No. 445, A bill for an act to legalize the acts of the mayor, trustees and recorder of the town of Osage, Iowa.

And a joint resolution appointing trustees of the soldiers' orphans' homes.

Joint resolution giving power to the new capitol commissioners.

Joint resolution relative to bridging the Big Sioux river.

A. CONVERSE, *Chairman.*

On motion of Senator Fairall, S. F. No. 243, A bill for an act in relation to land grant lands, and to provide for a record title thereto, was indefinitely postponed.

On motion of Senator Howland, H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock county, Iowa, to B. L. Patch, with report of committee recommending the bill do pass, was taken up and considered.

Senator Howland moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? "

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Chambers, Clausen, Converse, Crary, Dashiell, Dycart, Fairall, Fitch, Gault, Havens,

Howland, Hurley, Ireland, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Miles, Read, Russell, Smith, Stuart, Taylor, Vale, West, Willett, and Young—85.

The nays were—

Senator Campbell—1.

Absent or not voting—

Senators Allen, Beardsley, Dague, Kephart, Kinne, Larrabee, McIntyre, McNutt, Merrill, Murray, Richards, Shane, Stone, and Wonn—14.

So the bill passed and the title was agreed to.

On motion of Senator Leavitt, H. F. No. 413, A bill for an act to repeal chap. 132 of the acts of the 8th General Assembly with report of committee recommending the bill do pass, was taken up and considered.

Senator Leavitt moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bemis, Campbell, Chambers, Claussen, Converse, Dague, Dashiell, Dysart, Fairall, Havens, Howland, Hurley, Ireland, Kinne, McKean, Murray, and Russell—18.

The nays were—

Senators Beardsley, Boomer, Orary, Fitch, Gault, Kephart, Leavitt, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Read, Shane, Stuart, Vale, West, Willett, Wonn and Young—21.

Absent or not voting—

Senators Allen, Atkins, Burke, Ketcham, Larrabee, McCoid, McIntyre, McNutt, Richards, Stone and Taylor—11.

So the bill was lost.

Senator Leavitt moved to reconsider the vote by which the bill was lost.

Senator Lowry moved to lay the motion to reconsider on the table.

Senator Leavitt moved a call of the Senate, which was sustained.

Senator Beardsley moved that further proceedings under the call be dispensed with.

Carried.

The question being on the motion to lay the motion to reconsider on the table the yeas and nays were demanded, and

The yeas were—

Senators Allen, Beardsley, Boomer, Campbell, Orary, Dague, Dysart, Fitch, Gault, Kephart, Lowry, Maxwell, McCormack, McCulloch, McNutt, Miles, Read, Shane, Stuart, Vale, West, Willett, Wonn and Young—24.

The nays were—

Senators Bemis, Burke, Chambers, Claussen, Converse, Dash-

iell, Fairall, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Leavitt, McCoid, McKean, Murray, Russell, Smith, and Taylor—20.

Absent or not voting—

Senators Allen, Larrabee, McIntyre, Merrill, Richards, and Stone—6.

So the motion prevailed.

H. F. No. 374, A bill for an act to amend chapter 109 of the acts of the 13th General Assembly, providing for the appointment of a steward for the Iowa Hospital for the Insane, with report of committee recommending amendments, and its passage as amended, was taken up and considered.

Senator Leavitt, from committee on charitable institutions, offered a substitute for the bill, which was adopted.

Senator West moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Burke, Fairall, Hurley, McCormack, McIntyre, McKean, McNutt, Richards, and Stone—10.

So the bill passed and the title was agreed to.

H. F. No. 251, A bill for an act to amend section 3040, revision of 1860, with report of committee recommending it do pass, was taken up and considered.

Senator Claussen moved that the rule be suspended, and the bill be read a third time now, which prevailed, and bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Vale, Wonn, and Young—38.

The nays were—

Senators Fitch, McCoid, and Willett—3.

Absent or not voting—

Senators Allen, Atkins, Burke, McIntyre, McNutt, Richards, Stone, Taylor, and West—9.

So the bill passed and the title was agreed to.

H. F. No. 208, A bill for an act to restore territory set off for school purposes, with report of committee recommending the bill do pass, was taken up and considered.

Senator Beardsley moved that the rule be suspended, and the bill be read a third time, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Clausen, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McKean, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, and Young—38.

The nays were none.

Absent or not voting—

Senators Allen, Bemis, Burke, Converse, Havens, Ireland, McCormack, McIntyre, McNutt, Richards, Stone and Wonn—12.

So the bill passed and the title was agreed to.

H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors, with report of committee recommending the bill do pass, was taken up and considered.

Senator Fitch moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Campbell, Chambers, Clausen, Converse, Cray, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett and Young—40.

The nays were none.

Absent or not voting—

Senators Allen, Boomer, Burke, Havens, Ireland, McIntyre, McKean, Richards, Stone and Wonn—10.

So the bill passed and the title was agreed to.

S. F. No. 276, A bill for an act regulating the compensation of the deputy warden, physician, and clerk of the penitentiary, was taken up and considered.

Senator Chambers moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, and Young—34.

The nays were—

Senator Willett—1.

Absent or not voting:—

Senators Allen, Bemis, Burke, Gault, Havens, Ireland, Kephart, Ketcham, Larrabee, McIntyre, McKean, Merrill, Richards, Stone, and Wonn—15.

So the bill passed and the title was agreed to.

H. F. No. 222, A bill for an act regulating the election of township trustees and fixing the fees thereof, with report of committee recommending its indefinite postponement, was taken up and considered.

Senator Fitch moved to adopt the report of the committee.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Converse, Crary, Dague, Dashiell, Fitch, Gault, Howland, Ireland, Larrabee, McCoid, McCulloch, Merrill, Miles, Read, Shane, Smith, Willett, Wonn and Young—20.

The nays were—

Senators Beardsley, Campbell, Chambers, Claussen, Dysart, Fairall, Hurley, Kephart, Ketcham, Kinne, Lowry, Maxwell, McNutt, Murray, Russell, Stuart, Vale, and West—18.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Havens, Leavitt, McCormack, McIntyre, McKean, Richards, Stone, and Taylor—12.

So the report was adopted.

H. F. No. 253, A bill for an act to amend chapter 6 of the laws of the 14th General Assembly, with report of committee recommending the bill do pass, was taken up and considered.

Senator McCulloch moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bemis, Boomer, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCulloch, McNutt, Merrill, Miles, Murray, Shane, Smith, Stuart, Vale, West, Willett, and Young—24.

The nays were—

Senators Chambers and Read—2.

Absent or not voting—

Senators Allen, Atkins, Beardsley, Burke, Havens, Ireland, McCormack, McIntyre, McKean, Richards, Russell, Stone, Taylor, and Wonn—14.

So the bill passed and the title was agreed to.

On motion of Senator Russell memorial and joint resolution to congress relative to homestead settlers on land claimed by railroads in Iowa, was taken up and considered.

Senator Russell moved that the rule be suspended and the resolution read a third time now, which prevailed, and the resolution was read a third time.

On the question "Shall the resolution pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Olanzen, Converse, Crary, Dashiell, Dysart, Hurley, Kephart, Kinne, Lowry, McCoid, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Vale, West, Willett, and Young—24.

The nays were—

Senators Campbell, Gault, Howland, Ireland, Ketcham, Larabee, Leavitt, Maxwell, McCormack, Murray, Stuart, and Wonn—12.

Absent or not voting—

Senators Allen, Atkins, Burke, Chambers, Dague, Fairall, Fitch, Havens, McCulloch, McIntyre, McKean, Richards, Stone, Taylor—14.

So the joint resolution was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for signature the following bills which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House :

S. F. No. 288, A bill for an act to legalize the ordinances of the city of Waverly, Iowa.

S. F. No. 289, A bill for an act to amend chap. 188 acts of the 14th General Assembly, and attaching Webster county to the 11th judicial district.

S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains and water courses.

S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the Iowa reform school.

S. F. No. 275, A bill for an act to repeal section 2, of chapter 59 of the laws of the 12th General Assembly, and enact a substitute therefor.

S. F. No. 204, A bill for an act for the improvement for the Iowa State penitentiary at Fort Madison.

S. F. No. 283, A bill for an act to legalize the sale of certain school lands in Wayne county, by the clerk of the board of supervisors.

S. F. No. 181, A bill for an act to amend chapter 172 of the acts of the 9th General Assembly, passed April 8th, 1868, in relation to schools; also, chapter 57, laws of the 10th General Assembly.

Also, the following :

S. F. No. 286, A bill for an act apportioning the State into representative districts and declaring the ratio of representation.

S. F. No. 248, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa.

S. F. No. 76, A bill for an act to amend sections 1 and 2, of chapter 54, of the acts of the 18th General Assembly.

S. F. No. 270, A bill for an act to amend chapter 101, of the laws of the 14th General Assembly, in relation to an additional penitentiary, and to provide for the general support of the convicts therein.

JNO. J. SAFELY, *Chief Clerk.*

H. F. No. 148, A bill for an act to amend chap. 95, acts 12th General Assembly, with report of committee recommending its indefinite postponement, was taken up and considered.

Senator Leavitt moved to amend by adding after the words "soldiers, or children under sixteen years of age."

Senator Reed moved the previous question which was seconded and the main question ordered put.

The amendment was lost.

On the question of adopting the report of the committee, the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Clauseen, Dashiell, Ireland, Larrabee, Leavitt, Lowry, McCoid, McCormack, Miles, Murray, Read, Russell, Shane, Smith, Willett, Wonn, and Young—22.

The nays were—

Senators Crary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Kephart, Ketcham, Kiune, Maxwell, McCulloch, Merrill, Stuart, Vale, and West—16.

Absent or not voting—

Senators Allen, Atkins, Burke, Converse, Havens, Hurley, McIntyre, McKean, McNutt, Richards, Stone, and Taylor—12.

So the motion prevailed.

MESSAGE FROM THE HOUSE.

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 bill:

S. F. No. 284, A bill for an act making appropriations for the per diem and expenses of the 14th General Assembly, and for other purposes, with the following amendments, in which the concurrence of the Senate is respectfully asked.

JNO. J. SAFELY, *Chief Clerk.*

On motion of Senator Shane, S. F. No. 284, A bill for an act making appropriations for the per diem and expenses of the 14th General Assembly, and other purposes, with the House amendments were taken up and considered.

Senator Miles moved to consider the amendments in their order, one at a time.

Adopted.

On the question, "Shall the Senate concur in the first House amendment?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Crary, Dashiell, Dysart, Fitch, Gault, Lowry, Maxwell, Merrill, Shane, West, and Willett—15.

The nays were—

Senators Atkins, Chambers, Claussen, Converse, Dague, Fairall, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, McCoid, McCormack, McCulloch, McNutt, Miles, Murray, Read, Russell, Smith, Stuart, Vale, Wonn, and Young—26.

Absent or not voting—

Senators Allen, Burke, Havens, Larrabee, McIntyre, McKean, Richards, Stone, and Taylor—9.

So the Senate refused to concur in the House amendment.

On the question, "Shall the second amendment be concurred in?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Crary, Dague, Dysart, Fairall, Fitch, Gault, Howland, Kinne, Maxwell, McCormack, McCulloch, Merrill, Miles, Shane, Smith, Stuart, Vale, West, Willett, and Wonn—25.

The nays were—

Senators Atkins, Claussen, Converse, Hurley, Ireland, Kephart, Ketcham, Leavitt, Lowry, McCoid, McNutt, Murray, Read, Russell, and Young—15.

Absent or not voting—

Senators Allen, Burke, Dashiell, Havens, Larrabee, McIntyre, McKean, Richards, Stone, and Taylor—10.

So the amendment was not concurred in.

At 5 o'clock P. M. the Senate stood adjourned until 7½ o'clock P. M.

SENATE CHAMBER, 7½ o'clock P. M.

Senate met pursuant to adjournment.

President *pro tem* in the chair.

Senator Leavitt asked and obtained leave to record his vote in the negative, on the vote concurring in the House amendment, sec. 17.

His vote was so recorded.

Consideration of S. F. No. 284 resumed.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Shane, Smith, Stuart, Taylor, Vale, Wonn and Young—37.

The nays were—

Senators Converse, McKean, and Willett—3.

Absent or not voting—

Senators Allen, Claussen, Havens, Kephart, McCoid, McIntyre, Richards, Russell, Stone and West—10.

So the amendment was concurred in.

On the question, "Shall the Senate concur in the House amendment to sec. 32?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Crary, Dysart, Gault, Kephart, Maxwell, Miles, Shane, Stuart, West, Willett and Wonn—16.

The nays were—

Senators Atkins, Burke, Claussen, Converse, Dague, Dashiell, Fairall, Fitch, Howland, Hurley, Ireland, Ketcham, Kinne, Leavitt, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Murray, Read, Russell, Taylor, Vale and Young—26.

Absent or not voting—

Senators Allen, Havens, Larrabee, Lowry, McIntyre, Richards, Smith and Stone—8.

So the Senate refused to concur in the House amendment.

On the question, "Shall the Senate concur in the House amendments to sections 33 and 34?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Maxwell, McCoid, McCormack, McKean,

McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

The nays were none.

Absent or not voting—

Senators Allen, Havens, Larrabee, Lowry, McCulloch, McIntyre, Richards and Stone—8.

So the amendment was concurred in.

On the question "Shall the Senate concur in House amendment to section 37?"

The yeas were—

Senators Campbell and Willett—2.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Wonn and Young—42.

Absent or not voting—

Senators Allen, Havens, Larrabee, McIntyre, Richards, and Stone—6.

So the amendment was not concurred in.

On the question, "Shall the Senate concur in House amendment to section 42?"

The yeas were—

Senators Crary and Read—2.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—42.

Absent or not voting—

Senators Allen, Havens, Larrabee, McIntyre, Richards and Stone—6.

So the Senate refused to concur in the House amendments.

On the question, "Shall the Senate concur in the House amendments to sections 24, 25, 26?"

The yeas were—

Senators Atkins, Beardsley, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McNutt, Merrill, Miles, Murray, Read, Russell, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—38.

The nay was Senator Shane.

Absent or not voting—

Senators Allen, Bemis, Boomer, Burke, Havens, Kinne, Larrabee, McIntyre, McKean, Richards and Stone—11.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

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 bill, in which the concurrence of the Senate is asked :

H. F. No. 121, A bill for an act to amend sections 8360, 8363, and 8364 of the revision of 1860.

Also, the following :

MR. PRESIDENT :—I herewith present for your signature the following bills and concurrent resolution which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

Concurrent resolution in regard to procuring a portrait of the late Gov. James W. Grimes.

S. F. No. 219, A bill for an act providing for the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgments of deeds and instruments in writing.

S. F. No. 22, A bill for an act to repeal section 3875 of the revision of 1860, and enact a substitute therefor.

S. F. No. 281, A bill for an act fixing the time of holding district and circuit courts in the 13th judicial district, and providing that the judges of said district may change the time herein fixed for holding such courts.

Also, the following :

Joint resolution for an adjustment of certain claims of the contractors for the labor of penitentiary convicts.

Also the following :

H. F. No. 367, A bill for an act to restrain stock from running at large, also in relation to railroad fences.

H. F. No. 444, A bill for an act to repeal section 4 of the acts of the 14th General Assembly, and to enact a substitute therefor.

H. F. No. 414, A bill for an act for the relief of George W. Carver, of Allamakee county, Iowa.

H. F. No. 303, A bill for an act authorizing county surveyors to issue subpoenas, and administer oaths.

H. F. No. 448, A bill for an act amending chapter 74 of the acts of the 14th General Assembly.

H. F. No. 379, A bill for an act to legalize and confirm the conveyance of the swamp lands of Pocahontas county.

H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock county to B. L. Patch.

H. F. No. 441, A bill for an act supplemental to chapter 56, laws of the 10th General Assembly, relating to weigh masters of public scales.

H. F. No. 42, A bill for an act to amend section 781 of the Revision of 1860.

Also, joint resolution proposing an amendment to the constitution of the State of Iowa, in relation to electing a prosecuting attorney.

JOHN J. SAFELY, *Chief Clerk.*

Also, the following :

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

S. F. No. 234, A bill for an act apportioning the State of Iowa into senatorial districts.

Also, without amendment :

■ S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, etc.

BENJ. VAN STEINBURG, *Ass't Clerk.*

MR. PRESIDENT: The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

Sub. S. F. No. 84, A bill for an act to amend chap. 113 of the 12th General Assembly, entitled an act to protect game.

W. H. FITCH, *for Committee.*

Senator Russell moved to reconsider the vote by which memorial and joint resolution in relation to homesteads, was lost.

Senator Leavitt moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Campbell, Crary, Fairall, Howland, Ketcham, Leavitt, McCormack, Murray, Wonn and Young—10.

The nays were—

Senators Atkins, Beardsley, Bemis, Boomer, Claussen, Converse, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Kephart, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West and Willett—33.

Absent or not voting—

Senators Allen, Burke, Chambers, Ireland, McIntyre, Richards and Stone—7.

So the motion to lay on the table did not prevail.

Motion to reconsider was adopted,

On the question, "Shall the joint resolution pass?"

The yeas were—

Senators Atkins, Beardsley, Boomer, Burke, Claussen, Converse, Dague, Dysart, Fitch, Kephart, Larrabee, Lowry, Maxwell, McCoid, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Taylor, Vale, West, Willett and Young—26.

The nays were—

Senators Campbell, Dashiell, Fairall, Gault, Havens, Howland, Hurley, Ketcham, Kinne, Leavitt, McCormack, McCulloch, McKean, Murray, Stuart and Wonn—16.

Absent or not voting—

Senators Allen, Bemis, Chambers, Crary, Ireland, McIntyre, Richards, and Stone—8.

So the joint resolution passed and the title was agreed to.

H. F. No. 383, A bill for an act relative to the change of boundary lines of civil townships, with report of committee recommending the bill do pass, was taken up and considered.

Senator Shane moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Havens, Howland, Ireland, Hurley, Kephart, Kinne, Larrabee, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, Merrill, Murray, Shane, Smith, Vale, West, Willett, Wonn and Young—34.

The nays were—

Senators Beardsley, Gault, Ketcham, Leavitt, Read, Stuart and Taylor—7.

Absent or not voting—

Senators Allen, Chambers, Fitch, McIntyre, McNutt, Miles, Richards, Russell, and Stone—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 353, A bill for an act to amend chap. 6, of the acts of the 14th General Assembly of the State of Iowa, entitled, "An act authorizing the appropriation of money to build bridges," approved January 31, 1872.

H. F. No. 208, A bill for an act providing for restoring territory for school purpose to township districts to which it geographically belongs.

BENJ. VAN STEINBERG, *Ass't. Clerk.*

Also the following :

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 :

H. F. No. 418, A bill for an act to repeal chap. 837 and chap. 46 of the revision of 1860.

H. F. No. 420, A bill for an act to amend sec. 1, chap. 39, acts of the 14th General Assembly.

H. F. No. 451, A bill for an act to provide for the distribution of the supreme courts reports, etc.

BENJ. VAN STEINBURG, *Ass't Clerk.*

On motion of Senator Burke, S. F. No. 284, A bill for an act apportioning the Senate into senatorial districts, with House amendments, was taken up and considered.

On the question " Shall the Senate concur in the House amendments ?"

The yeas were none.

The nays were—

Senators Atkins, Beardsley Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—45.

Absent or not voting—

Senators Allen, Bemis, McIntyre, Richards, and Stone—5.

So the Senate refused to concur in House amendments.

On motion of Senator Smith, S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances, with the House amendments, was taken up and considered.

On the question " Shall the Senate concur in the House amendments ?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, McNutt, Merrill, Miles, Read, Russell,

Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—44.

The nays were none.

Absent or not voting—

Senators Allen, McCulloch, McIntyre, Murray, Richards, and Stone—6.

So the Senate concurred in the House amendments.

H. F. No. 188 A bill for an act to amend chapter 175, acts 13th General Assembly, with report of committee recommending its passage, was taken up and considered.

Senator Bemis moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Chambers, Claussen, Crary, Dague, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Shane, Smith, Taylor, Vale and Young—33.

The nays were—

Senators Campbell, Converse, Dysart, Read, Russell, Stuart, West, Willett and Wonn—9.

Absent or not voting—Senators Allen, Burke, Dashiell, Havens, Larrabee, McIntyre, Richards and Stone—8.

So the bill passed and the title was agreed to.

Senator McNutt moved to reconsider the vote by which the bill passed.

Senator Beardsley moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Bemis, Chambers, Claussen, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Leavitt, Maxwell, McCoid, McCulloch, Merrill, Miles, Murray, Smith, Taylor, Vale, Willett, Wonn and Young—28.

The nays were—

Senators Atkins, Boomer, Campbell, Dysart, Lowry, McKean, McNutt, Read, Shane, Stuart and West—11.

Absent or not voting—

Senators Allen, Burke, Converse, Dague, Havens, Larrabee, McCormack, McIntyre, Richards, Russell and Stone—11.

So the motion prevailed.

Senator Ireland moved a recess of five minutes.

Adopted.

Senate called to order by President *pro tem*.

Senator Fitch from the committee on enrolled bills submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors.

WM. H. FITCH, *for Committee.*

H. F. No. 186, A bill for an act to repeal section 4149 and 4152 of chapter 162 of the Revision of 1860, with report of committee recommending it do pass, was taken up and considered.

Senator Fairall moved to suspend the rule, and read the bill the third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Burke, Campbell, Chambers, Clausen, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Hurley, Ireland, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McKean, McNutt, Merrill, Miles, Russell, Smith, Taylor, West and Young—30.

The nays were—

Senators Boomer, Orary, Gault, Ketcham, McCulloch, Read, Shane, Stuart, Vale, Willett, and Wonn—11.

Absent or not voting—

Senators Allen, Bemis, Converse, Howland, Larrabee, McIntyre, Murray, Richards and Stone—9.

So the bill passed and the title was agreed to.

The President *pro tem.* appointed as a committee of conference on the part of the Senate on the disagreeing votes of the two houses on S. F. No. 284, Senators McNutt, McKean and Hurley.

On motion of Senator Fairall, S. F. No. 118, A bill for an act to repeal section 4152, chapter 162, of the Revision of 1860, relating to fees of justices of the peace, with substitute recommended by the committee, was indefinitely postponed.

MESSAGE FROM THE HOUSE.

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 joint resolution, in which the concurrence of the Senate is asked:

Joint resolution relating to the readjustment of the claims of the State against R. G. Orwig.

Also, the House has refused to concur in Senate amendment to S. F. No. 284, and ask a committee of conference, and has appointed Messrs. Williams, Close and Tuttle.

Also, the following:

MR. PRESIDENT:—I am directed to inform your honorable body

that the House of Representatives has changed the committee of conference on H. F. No. 284, for the per diem and expenses of the 14th General Assembly, and has appointed Mr. Leahy in place of Mr. Williams.

BENJ. VAN STEINBERG, *Ass't Clerk.*

REPORT OF COMMITTEE.

Senator Fitch, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled.

S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances.

WILLIAM H. FITCH, *for Committee.*

H. F. No. 302, A bill for an act entitled an act to amend sec. 498 of the Rev. of 1860, in relation to special elections, with report of committee recommending that it do pass, was taken up and considered.

Senator Willett moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill?"

The yeas were—

Senators Atkins, Boomer, Burke, Chambers, Claussen, Dagne, Dysart, Fairall, Fitch, Gault, Havens, Howland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Miles, Murray, Read, Russell, Shane, Smith, Stuart, West, Willett and Young—31.

The nays were—

Senators Beardsley, Campbell, Crary, Dashiell, Merrill, Taylor, Vale, and Wonn—8.

Absent or not voting—

Senators Allen, Bemis, Converse, Hurley, Ireland, Larrabee, McIntyre, McKean, McNutt, Richards and Stone—11.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 176, A bill for an act to amend section 1317, chapter 55, of the Revision, with report of committee recommending it do pass, was taken up and considered.

Senator Fairall moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Ireland, Kephart, Kinne, Lowry, McCoid, McCormack, Murray, Russell, Shane, Vale, Willett, Wonn, and Young—26.

The nays were—

Senators Beardsley, Boomer, Gault, Leavitt, McCulloch, Merrill, Miles, Read, Smith, Stuart, and West—11.

Absent or not voting—

Senators Allen, Bemis, Converse, Hurley, Ketcham, Larrabee, Maxwell, McIntyre, McKean, McNutt, Richards, Stone, and Taylor—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 383, A bill for an act relative to the change of the boundary lines of civil townships.

S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances.

H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors.

S. F. No. 84, A bill for an act to amend chapter 113, acts of the 12th General Assembly, entitled an act to protect game.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Fitch from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

H. F. No. 383, A bill for an act in relation to the change of the boundary lines of civil townships.

WM. H. FITCH, *for the Committee.*

H. F. No. 413, A bill for an act to repeal chapter 139 of the acts of the 8th General Assembly, with report of the committee recommending that it do pass, was taken up and considered.

Senator Shane moved to indefinitely postpone the bill.
Carried.

Senator Murray moved to adjourn.

Lost.

H. F. No. 288, A bill for an act to provide for the payment of the claims of D. E. Lyon for foreclosing a certain school fund mortgage in behalf of the State, with the report of the committee recommending amendments, was taken up.

Senator Kephart moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Beardsley, Chambers, Crary, Dague, Dysart, Gault, Kephart, Ketcham, Maxwell, Merrill, Miles, Read, Shane, Smith, Stuart, West, and Willett—17.

The nays were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Clausen, Dashiell, Fairall, Fitch, Havens, Howland, Kinne, Leavitt, Lowry, McCoid, McCormack, McCulloch, Murray, Russell, Taylor, Vale, Wonn, and Young—23.

Absent or not voting—

Senators Allen, Converse, Hurley, Ireland, Larrabee, McIntyre, McKean, McNutt, Richards, and Stone—10.

So the motion did not prevail.

The amendments to the bill were lost.

Senator Fairall moved to amend by making the bill one hundred and five dollars.

Carried

Senator Fairall moved to engross the bill.

Lost.

S. F. 272, A bill for an act providing for the revision and amendments of the statutes by a commission, and providing for the publication thereof, with the report of the committee that it do pass, was taken up and considered.

Senator Fairall moved to suspend the rule and read the bill the third time now

Lost.

Senator Fairall moved the bill be ordered engrossed.

Motion Lost.

Senator Chambers from the committee on compensation of public officers, submitted the following report:

MR. PRESIDENT:—Your committee on compensation of public officers, to whom was referred H. F. No. 375, A bill for an act to amend sec. 8, chap. 160, laws of the 12th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAMBERS, *Chairman.*

Ordered passed on file.

On motion of Senator _____, H. F. No. 421, A bill for an

act to reorganize the State Historical Society with report of committee recommending it do pass, was taken up and considered.

Senator Kephart moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Claussen, Dague, Dashiell, Dysart, Fairall, Gault, Havens, Howland, Ireland, Kephart, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Vale, Willett and Young—81.

The nays were—

Senators Crary, Fitch, McCoid, Merrill, Taylor and Wonn—8.

Absent or not voting—

Senators Allen, Atkins, Converse, Hurley, Ketcham, Larrabee, McIntyre, McKean, McNutt, Richards and Stone—11.

So the bill passed and the title was agreed to.

H. F. No. No. 430, A bill for an act to amend sec. 187, chap. 14, of the revision of 1860, with report of committee recommending it do pass, was taken up and considered.

Senator Beardsley moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett and Young—37.

The nays were—

Senator Crary—1.

Absent or not voting—

Senators Allen, Burke, Converse, Hurley, Larrabee, McIntyre, McKean, McNutt, Read, Richards, Stone and Wonn—12.

So the bill passed and the title was agreed to.

H. F. No. 194, A bill for an act to amend sec. 40, chap. 138, of the 12th General Assembly, to regulate insurance companies, with report of committee recommending it do pass, was taken up and considered.

Senator West moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Bemis, Boomer, Burke, Campbell, Cham-

bers, Claussen, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCormack, McCulloch, Murray, Russell, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—35.

The nays were—

Senators Beardsley, McCoid, Merrill, and Shane—4.

Absent or not voting—

Senators Allen, Converse, Hurley, Larrabee, McIntyre, McKean, McNutt, Miles, Read, Richards, and Stone—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

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 bill with amendment, in which the concurrence of the Senate is asked:

S. F. No. 265, A bill for an act to amend chaps. 138 and 173, of the 12th General Assembly to regulate insurance companies.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also the following :

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

H. F. No. 452, A bill for an act to amend an act entitled an act authorizing the appointment of short-hand reporters of district and circuit courts.

Also, the following :

H. F. No. 318, A bill for an act to provide information concerning the deaf and dumb.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Sub. for H. F. No. 205, A bill for an act to amend sec. 799, revision 1860, and to change the time of making semi-annual payments to the state treasurer by county treasurers, with report of committee recommending it do pass, was taken up and considered.

Senator Fitch moved to indefinitely postpone the bill.

Motion prevailed.

Senator Taylor moved to adjourn. On this motion the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Burke, Claussen, Crary, Gault, Havens, Ireland, Ketcham, Leavitt, McCoid, Miles, Murray, Shane, Taylor, Vale, West and Wonn—18.

The nays were—

Senators Beardsley, Campbell, Chambers, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, Merrill, Russell, Smith, Stuart, Willett, and Young—21.

Absent or not voting—

Senators Allen, Bemis, Converse, Hurley, Larrabee, McIntyre, McKean, McNutt, Read, Richards and Stone—11.

So the motion did not prevail.

H. F. No. 380, A bill for an act to change the name of the village plat of Flood Creek, Floyd county, Iowa, was taken up, and on motion of Senator Shane, was indefinitely postponed.

Senator Murray moved to adjourn.

On this motion the yeas and nays were demanded, and

The yeas were—

Senators Atkins, Boomer, Burke, Claussen, Crary, Gault, Havens, Ireland, Ketcham, Miles, Murray, Taylor, Vale, West, and Wonn—15.

The nays were—

Senators Beardsley, Bemis, Campbell, Chambers, Dague, Dashiell, Dysart, Fairall, Fitch, Howland, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, Merrill, Russell, Shane, Smith, Stuart, Willett, and Young—23.

Absent or not voting—

Senators Allen, Converse, Hurley, Larrabee, Leavitt, McCoid, McIntyre, McKean, McNutt, Read, Richards, and Stone—12.

So the motion did not prevail.

Senator Taylor moved a call of the Senate.

Lost.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases, with report of committee that it do pass, was taken up and considered.

Senator Fairall moved to suspend the rule and read the bill the third time now.

Motion prevailed, and the bill was read the third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Gault, Kephart, Ketcham, Kinne, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn and Young—33.

The nays were—

Senators Beardsley, Fitch, Howland, and Leavitt—4.

Absent or not voting—

Senators Allen, Atkins, Converse, Havens, Hurley, Ireland, Larrabee, McIntyre, McKean, McNutt, Read, Richards and Stone—13.

So the bill passed and the title was agreed to.

Senator Murray moved a call of the Senate.

Motion sustained.

Roll called, and Senator Reed found absent without leave.

Senator Beardsley moved that further proceedings under the call be dispensed with.

Carried.

S. F. No. 273, A bill for an act to abolish the penalty of death, was taken up and considered.

Senator Beardsley moved that the bill be indefinitely postponed.

Carried.

MESSAGE FROM THE HOUSE.

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 bill, with amendment, in which the concurrence of the Senate is asked:

S. F. No. 374, A bill for an act to amend sections 3, 6, 10, 12 and 44, chapter 109, acts of 13th General Assembly.

Also, without amendment:

S. F. No. 103, A bill for an act fixing the time of holding courts in certain counties.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Beardsley moved to take up House message.

Carried.

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies, and other incorporated bodies, for violation of the criminal laws of the State, with report of committee recommending amendments, and that it do pass, was taken up and considered.

The amendments were adopted.

Senator Wonn moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Campbell, Chambers, Claussen, Crary, Dague, Fairall, Gault, Havens, Kephart, Kinne, Lowry, Maxwell, McCormack, McCulloch, Merrill, Miles, Murray, Russell, Shane, Smith, Stuart, Taylor, Vale, Willett, Wonn, and Young—28.

The nays were—

Senators Bemis, Boomer, Burke, Dysart, Fitch, Howland, Ireland, Ketcham, Leavitt, and McCoid—10.

Absent or not voting—

Senators Allen, Converse, Dashiell, Hurley, Larrabee, McIntyre, McKean, McNutt, Read, Richards, Stone, and West—12.

So the bill passed and the title was agreed to.

H. F. No. 450, A bill for an act to amend section 1, chapter 39, laws of the 14th General Assembly, was read first and second time.

Senator Shane moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Atkins, Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Claussen, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, Merrill, Murray, Shane, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—36.

The nays were—

Senators Atkins and Fitch—2.

Absent or not voting—

Senators Allen, Converse, Hurley, Larrabee, McIntyre, McKean, McNutt, Miles, Read, Richards, Russell, and Stone—12.

So the bill passed and the title was agreed to.

At eleven o'clock and ten minutes, P. M., on motion of Senator Gault, the Senate adjourned until 8 o'clock to-morrow morning.

SENATE CHAMBER, DES MOINES, IOWA, }
April 23, 1872. }

Senate called to order at 8 o'clock by President *pro tem*.

Prayer by Rev. Dr. Murphy.

On motion of Senator Dysart the reading of the journal was dispensed with.

Senator McNutt, from the committee on conference, on the disagreeing votes of the two houses on S. F. No. 284, submitted the following report, which was adopted:

MR. PRESIDENT:—The undersigned, appointed a committee to meet a similar committee appointed by the House to consider the disagreement of the two houses on S. F. No. 284, have discharged that duty, and beg leave to report that they are not able to agree and return the bill.

SAMUEL McNUTT,
JAMES S. HURLEY,
JOHN McKEAN,

Committee on the part of the Senate. }

O. CLOSE,
J. M. TUTTLE,
M. A. LEAHY,

Committee on the part of the House of Representatives.

On motion of Senator McCormack, H. F. No. 240, A bill for an act to amend chap. 172, of the laws of the 9th General Assembly, with report of committee recommending it do pass, was taken up and considered.

Senator Vale moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Hurley, Ireland, Kephart, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Shane, Smith, Vale, West, Willett, Wonn, and Young—28.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Burke, Chambers, Clausen, Fairall, Havens, Howland, Ketcham, Kinne, Larrabee, Leavitt, McCoid, McIntyre, McKean, Murray, Read, Richards, Russell, Stone, Stuart, and Taylor—22.

So the bill passed and the title was agreed to.

Senator Lowry moved to take up bills on third reading.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 271, A bill for an act providing for the revision and amendment by a commission and providing for a publication thereof.

Also, House has concurred in S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes by a commission, and providing for publication thereof.

Senate amendments of House amendment concurred in.

BENJ. VAN STEINBURG, *Assistant Clerk.*

Substitute for H. F. No. 374, A bill for an act to amend sections 3, 6, 10, 12, and 44, of chapter 129, laws 13th General Assembly, with House amendments, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Dysart, Gault, Hurley, Ireland, Kephart, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Read, Russell, Shane, Smith, Vale, West, Willett, Wonn and Young—31.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Burke, Claussen, Fairall, Fitch, Havens, Howland, Ketcham, Kinne, Larrabee, McCoid, McIntyre, McKean, Murray, Richards, Stone, Stuart, and Taylor—19.

So the bill passed and the title was agreed to:

S. F. No. 265, A bill for an act to amend chapters 138 and 173 of the 12th General Assembly, to regulate insurance companies, with House amendments, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Dysart, Fairall, Fitch, Gault, Hurley, Ireland, Kephart, Ketcham, Larrabee, Maxwell, McCormack, McCulloch, McKean, Shane, West, Willett, Wonn, and Young—25.

The nays were—

Senators Boomer, Claussen, Leavitt, Lowry, McCoid, McNutt, Merrill, Miles, Read, Russell, Smith, and Vale—12.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Havens, Howland, Kinne, McIntyre, Murray, Richards, Stone, Stuart, and Taylor—13.

So the Senate refused to concur in the House amendments.

Senator Leavitt moved to reconsider the vote by which the Senate refused to concur.

Senator Lowry moved to lay the motion to reconsider on the table.

Senator Campbell moved a call of the Senate, which was sustained.

Roll called.

Senator Campbell moved to dispense with further proceedings under the call.

Carried.

Senator Lowry's motion was lost.

The motion to reconsider prevailed.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Campbell, Converse, Crary, Dashiell, Dysart, Fairall, Fitch, Gault, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Murray, Read, Shane, Smith, West, Willett, Wonn and Young—27.

The nays were—

Senators Boomer, Chambers, Claussen, Ireland, Lowry, McCoid, Merrill, Miles, Russell, Taylor, and Vale—11.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Dagne, Havens, Howland, Hurley, McIntyre, Richards, Stone, and Stuart—12.

So the House amendments were concurred in.

REPORTS OF COMMITTEES.

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT:—Your committee on judiciary, to whom was referred H. F. No. 352, A bill for an act to enable counties to furnish justices of the peace with a copy of Wood's Hand Book for the use of their respective offices, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Beardsley the bill was indefinitely postponed.

Senator Fitch, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 103, A bill for an act fixing the times for holding terms of the district court in certain counties in the 12th judicial district.

WM. H. FITCH, *for Committee.*

H. F. No. 431, A bill for an act to provide for taking testimony on applications for pardons, with report of committee recommending it do pass, was taken up and considered.

Senator Lowry moved to suspend the rule and read the bill the third time now, which prevailed, and the bill was read the third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Campbell, Claussen, Converse, Orary, Dagne, Dashiell, Dysart, Fitch, Gault, Havens, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCoid, McCormack, McCulloch, McKean, McNutt,

Merrill, Miles, Murray, Read, Russell, Shane, Smith, Taylor, Vale, West, Willett, and Wonn—38.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Chambers, Fairall, Howland, McIntyre, Richards, Stone, Stuart, and Young—12.

So the bill passed and the title was agreed to.

H. F. No. 152, A bill for an act to amend sec. 3782, Revision of 1860, in relation to the vacation and modification of injunctions, with report of committee recommending it do pass, was taken up and considered.

Senator Hurley moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Campbell, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Miles, Murray, Read, Russell, Smith, Taylor, Vale, West, Willett and Wonn—33.

The nays were—

Senators Boomer and Chambers—2.

Absent or not voting—

Senators Allen, Atkins, Bemis, Burke, Fairall, Ireland, Kephart, McCoid, McIntyre, Merrill, Richards, Shane, Stone, Stuart and Young—15.

So the bill passed and the title was agreed to.

H. F. No. 418, A bill for an act for the relief of Joseph Metz, with report of committee recommending it do pass, was taken up and considered.

Senator Maxwell moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Burke, Campbell, Chambers, Claussen, Converse, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Maxwell, McCulloch, McKean, Morrill, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale, West, Willett and Wonn—36.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Bemis, Fairall, Ketcham, Lowry, McCoid, McCormack, McIntyre, McNutt, Miles, Richards, Stone and Young—14.

So the bill passed and the title was agreed to.

Senator Dysart offered the following resolution, which was adopted:

Resolved by the Senate, the House concurring. That the Secretary of State be authorized to forward at the expense of the county, to each county auditor, two copies of parts one and two of the code, as prepared by the codifying commissioners.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has appointed second committee of conference on disagreeing votes of both houses to S. F. No. 284, Messrs. Tufts, Wilson, of Washington, and Williams.

BEN. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bill without amendment:

S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the regular session of the 14th General Assembly.

Also the following:

H. F. No. 251, A bill for an act to amend section 3040 of the revision of 1860.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Hurley, from the committee on judiciary, submitted the following report:

MR. PRESIDENT—Your committee on judiciary, to whom was referred H. F. No. 199, A bill for an act for the protection of innkeepers, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JAMES S. HURLEY, *Chairman.*

On motion of Senator Beardsley, the bill was indefinitely postponed.

Senator McNutt offered the following resolution, which was adopted:

Resolved by the Senate, the House concurring. That the Secretary of State be instructed to have printed and bound, and distributed in the usual manner, ten hundred copies of the Senate journal and ten hundred copies of the House journal.

Adopted.

REPORTS OF COMMITTEES.

Senator Converse, from committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. Nos. 238, 282, 160, 275, 283, 236, 76, 281, 279, 204, 157, 248, 270, 22, 219, H. F. Nos. 379, 448, 367, 353, 383, 262, 303, 444, 208, 414, and Subs for H. F. Nos. 441 and 42.

A. CONVERSE, *Chairman.*

Also the following:

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the 14th General Assembly.

H. F. No. 136, A bill for an act to repeal sections 4149 and 4152 of chapter 162 of the Revision, establishing fees of justices of the peace and constables.

H. F. No. 430, A bill for an act to amend section 187, chapter 14, of the Revision of 1860.

H. F. No. 196, A bill for an act to amend section 40, of chapter 138, of the laws of the 12th General Assembly, to regulate insurance companies.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases.

H. F. No. 188, A bill for an act to amend chapter 175 of the acts of the 13th General Assembly.

H. F. No. 111, A bill for an act in relation to the State library and the duties of the State librarian.

H. F. No. 302, A bill for an act to amend section 498 of the Revision, in relation to special elections.

Substitute for H. F. No. 176, A bill for an act to amend section 1317 of chapter 55 of the Revision of 1860.

S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes by a commission.

H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the 14th General Assembly, in relation to building bridges.

H. F. No. 208, A bill for an act providing for restoring territory for school purposes to township districts to which it geographically belongs.

CONVERSE, *Chairman.*

On motion of Senator Lowry, Senators Lowry, Murray and Gault were appointed a new committee of conference on S. F. No. 284.

Senator Taylor moved a recess of ten minutes.

Carried.

The Senate called to order by President *pro tem.*, when Senator Shane introduced the following resolution, which was adopted.

Resolved by the Senate, the House concurring, That the Secretary of State be and is hereby instructed to deliver to each member of the General Assembly three copies each, and one copy to the State University, of all the session laws of the United States; *Provided,* He has so many on hand which are not otherwise disposed of by law.

Adopted.

On motion of Senator Willett, H. F. No. 452, A bill for an act authorizing the appointment of short-hand reporters in the district and circuit courts, laws of the 14th General Assembly, was taken up and considered.

Senator Willett moved that the rule be suspended, and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question " Shall the bill pass? "

The yeas were—

Senators Beardsley, Bemis, Burke, Chambers, Clausen, Dashiell, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, McCormack, McKean, Murray, Russell, Shane, and West—18.

The nays were—

Senators Boomer, Campbell, Crary, Dysart, Fitch, Gault, Howland, Maxwell, McCulloch, McNutt, Read, Smith, Stuart, Willett, and Wonn—15.

Absent or not voting—

Senators Allen, Atkins, Converse, Dague, Fairall, Havens, Kephart, Lowry, McCoid, McIntyre, Merrill, Miles, Richards, Stone, Taylor, Vale, and Young—17.

So the bill was lost.

H. F. No. 451, A bill for an act authorizing secretary of state to transfer to trustees of state library all copies of the supreme court reports not distributed by him according to law, was taken up and read first and second times.

Senator Dysart moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass? "

The yeas were—

Senators Beardsley, Bemis, Burke, Clansseu, Crary, Dague, Dashiell, Dysart, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Miles, Murray, Read, Russell, Shane, Smith, Stuart, West, Willett and Wonn—34.

The nays were—

Senators Boomer, Campbell, Gault, Taylor and Vale—5.

Absent or not voting—

Senators Allen, Atkins, Chambers, Converse, Fairall, Kephart, McCoid, McIntyre, Richards, Stone and Young—11.

So the bill passed and the title was agreed to.

H. F. No. 365, A bill for an act to amend sec. 3555 revision of 1860, with report of committee recommending it do pass, was taken up and considered.

Senator Stuart moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third.

On the question, "Shall the bill pass?"

The yeas were—

Senators Beardsley, Bemis, Burke, Campbell, Claussen, Crary, Dague, Dashiell, Dysart, Gault, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McKean, McNutt, Miles, Murray, Read, Russell, Shane, Smith, Stuart, Taylor, Vale and Wonn—33.

The nays were—

Senators Boomer and Chambers—2.

Absent or not voting:

Senators Allen, Atkins, Converse, Fairall, Fitch, Kephart, McCoid, McCormack, McIntyre, Merrill, Richards, Stone, West, Willett and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Hurley, sub. for H. F. No. 121, A bill for an act to amend an act entitled an act to amend sec. 3362 and 3363 revision 1860, was taken up.

Read first and second times.

Senator Hurley moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Boomer, Burke, Campbell, Claussen, Crary, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Ireland, Kephart, Kinne, Larrabee, Leavitt, Maxwell, McCoid, McCormack, McCulloch, Merrill, Miles, Russell, Shane, Smith, Taylor, Vale, West, Willett, Wonn and Young—31.

The nays were—

Senators Beardsley, Chambers, McKean, McNutt, and Read—5.

Absent or not voting—

Senators Allen, Atkins, Bemis, Converse, Dague, Gault, Havens, Ketcham, Lowry, McIntyre, Murray, Richards, Stone and Stuart—14.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

Senate File No. 239.

Senate File No. 84.

Senate File No. 271.

Also, concurrent resolution authorizing census board to procure portrait of late Governor Grimes.

Also, joint resolutions for an adjustment of certain claims.

Also, joint resolution proposing an amendment to the constitution.

House File No. 136.

Senate File No. 103.

Senate File No. 269.

Senate File No. 374.

A. CONVERSE, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House:

S. F. No. 103, A bill for an act fixing the time for holding the terms of the district court in certain counties in the 12th judicial district.

S. F. No. 374, A bill for an act to amend section 3, 6, 10, 12 and 44, of chapter 109, of the acts of the 13th Gen'l Assembly.

S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the regular session of the 14th General Assembly.

H. F. No. 186, A bill for an act to repeal sections 4139 and 4152, of chapter 162, of the revision of 1860, fees of justice of the peace and constables.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also the following:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in conference report to disagreeing votes of both houses on Senate File No. 186.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following :

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has receded from its amendment to S. F. No. 234, A bill for an act apportioning the State of Iowa into senatorial districts.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following :

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

H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors.

Also, the following with amendment in which the concurrence of the Senate is asked :

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies.

BENJ. VAN STEINBERG, *Ass't Clerk.*

REPORTS OF COMMITTEES.

Senator Fitch, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

Sub. for S. F. No. 374, A bill for an act to amend sections 3, 6, 10, 12 and 44, of chapter 109, acts of the 13th Gen'l Assembly.

WM. H. FITCH, *for Committee.*

Also the following :

MR. PRESIDENT:—The committee on enrolled bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 428, A bill for an act to reorganize the State historical society.

H. F. No. 450, A bill for an act to amend section 1, chapter 39, laws of the 14th General Assembly.

H. F. No. 240, A bill for an act to amend chapter 172, laws of the 9th General Assembly.

H. F. No. 152, A bill for an act to amend section 3782 of the revision of 1860.

H. F. No. 418, A bill for an act for the relief of Joseph Metz.

H. F. No. 365, A bill for an act to amend section 3555 of the revision of 1860.

W. H. FITCH, *for Chairman.*

Senator Fairall, from the committee of conference on the disagreeing votes of the two houses on S. F. No. 186, fixing the compensation of members of the General Assembly, and of the officers and employees thereof, submitted the following report:

The committee of conference on the disagreeing votes of the two houses on S. F. No. 186, having met, after full and free conference have agreed to report, and do report to their respective houses the following:

That the first paragraph of the first section of said bill be amended so as to read as follows: "That the compensation of members, officers and employees of future General Assemblies shall be as follows: To every member for each regular session five hundred and fifty dollars, and for each extra and adjourned session the same compensation per diem while in session, to be ascertained by the rate per diem of the compensation of the members of the General Assembly at the next preceding regular session; and for every twenty miles in going to and returning from the place where the General Assembly is held, by the nearest traveled route, three dollars." That the House recede from its amendments to the second and third paragraphs of the first section, and to the second section.

JOHN A. KASSON,
M. J. ROHLFS,

Committee on part of the House.

SAM. H. FAIRALL,
JAMES A. YOUNG,
ROBERT LOWRY,

Committee on part of the Senate.

On the question, Shall the report of the committee be adopted?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Burke, Campbell, Chambers, Clausen, Converse, Crary, Dagne, Dashiell, Dysart, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McKean, McNutt, Merrill, Read, Russell, Shane, Smith, Stuart, Vale, West, Willett, and Young—38.

The nays were—

Senators McCoid, Miles, Taylor, and Wonn—4.

Absent or not voting—

Senators Allen, Atkins, Gault, Lowry, McIntyre, Murray, Richards, and Stone—8.

So the report was adopted.

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies and other incorporated bodies for violation of

the criminal laws of this State, with House amendments, was taken up and considered.

On the question "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Beardsley, Bemis, Boomer, Campbell, Chambers, Claussen, Converse, Crary, Dagne, Dashiell, Dysart, Fitch, Howland, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCulloch, McKean, McNutt, Merrill, Miles, Russell, Shane, Smith, Stuart, Vale, West, Willett, Wonn, and Young—32.

The nays were none.

Absent or not voting—

Senators Allen, Atkins, Burke, Fairall, Gault, Havens, Hurley, Ireland, Ketcham, Leavitt, Lowry, McCormack, McIntyre, Murray, Read, Richards, Stone, and Taylor—18.

So the House amendments were concurred in.

On motion of Senator Fairall, H. F. No. 396, A bill for an act legalizing the sale and conveyance made by foreign executors, was taken up.

Read first and second time.

Senator Fairall moved that the rule be suspended, and the bill be read third time now, which prevailed, and the bill was read the third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Claussen, Crary, Dagne, Fairall, Fitch, Havens, Howland, Hurley, Ireland, Ketcham, Kinne, Leavitt, Maxwell, McCulloch, McKean, Merrill, Miles, Russell, Smith, Stuart, Taylor, Vale, West, Wonn, and Young—29.

The nays were—

Senator Willett—1.

Absent or not voting—

Senators Allen, Atkins, Beardsley, Burke, Converse, Dashiell, Dysart, Gault, Kephart, Larrabee, Lowry, McCoid, McCormack, McIntyre, McNutt, Murray, Read, Richards, Shane, and Stone—20.

So the bill passed and the title was agreed to.

On motion of Senator Chambers, House messages were taken up.

H. F. No. 348, A bill for an act to provide for information concerning deaf and dumb.

Read first and second time.

Senator West moved that the rule be suspended and the bill be read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Beardsley, Boomer, Campbell, Chambers, Claussen,

Crary, Dashiell, Dysart, Fairall, Fitch, Howland, Hurley, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Maxwell, McCormack, McCulloch, McNutt, Merrill, Miles, Russell, Shane, Smith, Stuart, Vale, West, Willett, and Young--32.

The nays were---

Senator Read--1.

Absent or not voting---

Senators Allen, Atkins, Bemis, Burke, Converse, Dague, Gault, Havens, Lowry, McCoid, McIntyre, McKean, Murray, Richards, Stone, Taylor, and Wonn--17.

So the bill passed and the title was agreed to.

Senator Willett moved to reconsider the vote by which H. F. No. 452 was lost.

On this question the yeas and nays were demanded, and

The yeas were--

Senators Bemis, Boomer, Campbell, Converse, Dague, Dysart, Fairall, Havens, Hurley, Kephart, Kinne, Leavitt, McCoid, McCormack, McKean, Merrill, Miles, Russell, Shane, Taylor, Vale, West, Willett and Young--24.

The nays were--

Senators Chambers, Crary, Fitch, Howland, Ireland, Ketcham, McCulloch, McNutt, Read, Stuart and Wonn--11.

Absent or not voting--

Senators Allen, Atkins, Beardsley, Burke, Claussen, Dashiell, Gault, Larrabee, Lowry, Maxwell, McIntyre, Murray, Richards, Smith and Stone--15.

So the motion prevailed.

On the question, "Shall the bill pass?"

The yeas were--

Senators Beardsley, Bemis, Burke, Campbell, Claussen, Converse, Dague, Dashiell, Havens, Hurley, Kephart, Ketcham, Kinne, Larrabee, Leavitt, McCoid, McCormack, McKean, Merrill, Miles, Russell, Shane, Smith, Taylor, Vale, Willett and Young--27.

The nays were--

Senators Boomer, Crary, Dysart, Fitch, Howland, Maxwell, McCulloch, McNutt, Read, Stuart, and Wonn--11.

Absent or not voting--

Senators Allen, Atkins, Chambers, Fairall, Gault, Ireland, Lowry, McIntyre, Murray, Richards, Stone and West--12.

So the bill passed and the title was agreed to.

Senator Beardsley moved to indefinitely postpone all bills on file. Carried.

Senator Fairall moved to reconsider the vote.

Carried.

Senator Fairall moved to indefinitely postpone all bills except bills in the hands of the conference committee.

Carried.

Senator McNutt offered the following resolution which was adopted :

Resolved, That the thanks of the Senate are eminently due and are hereby tendered to the President of the Senate, Lieutenant Governor Bulis, for the courteous, impartial and able manner in which he has discharged his duties as presiding officer of the Senate.

Senator Willett offered the following resolution, which was adopted :

Resolved, That the thanks of the Senate are hereby tendered to Capt. Hull, Secretary of the Senate, and his corps of assistants, for the able and efficient manner in which they have performed the duties of their respective positions.

Senator Fitch, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT: The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

H. F. No. 348, A bill for an act to provide information concerning the deaf and dumb.

Joint resolution to Congress relative to homestead settlers.

H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors.

W. H. FITCH, *for Committee.*

Senator Lowry, from the committee on conference on the disagreeing votes of the two houses on S. F. No. 284, submitted the following report :

Your committee on conference on the disagreeing votes of the two houses on S. F. No. 284, report as follows :

That the two houses adopt the following as amendment to section 3, instead of House amendment :

Provided, however, That the time for which said officers and employees of the two houses shall be paid, shall be reckoned from the day of their appointment to the last day of the present session inclusive; *and provided further*, that the amounts to be paid to each shall be computed at the following rates per day to each, namely :

To the chief clerks of the Senate and House, ten dollars per day each.

To the assistant secretaries of the Senate and assistant secretaries of the House, eight dollars per day, each.

To the enrolling clerks and engrossing clerks of the Senate and House, six dollars per day, each.

To the sergeant-at-arms of the Senate and House, five dollars per day.

To the post-master and assistant post-master, and mail carrier, six dollars per day, each.

To the door-keepers of the Senate and House, each five dollars per day.

To the janitors of the Senate and House, each five dollars per day.

To the paper-folders of the Senate and House, each four dollars per day.

To the messengers of the Senate and House, three dollars per day, each.

And that the House recede from its vote by which it voted to strike out section 17.

That Senate concur in House amendment to section 42, 9th line.

That the House recede from its amendment to section 32.

And that section 29 be amended by striking out "\$5,625.25" and insert "\$5,946.25."

J. Q. TUFTS,
C. H. WILSON,
J. L. WILLIAMS,

On the part of the House.

ROB'T LOWRY,
B. F. MURRAY,
E. J. GAULT,

On the part of the Senate.

On the question "Shall the report of the committee be adopted?"

The yeas were—

Senators Atkins, Bemis, Burke, Campbell, Claussen, Chambers, Crary, Dague, Dashiell, Dysart, Fitch, Gault, Havens, Howland, Ireland, Kephart, Ketcham, Kinne, Larrabee, Leavitt, Lowry, Maxwell, McCulloch, McNutt, Murray, Smith, Stuart, Taylor, Vale, West, Willett, Wonn, and Young—33.

The nays were—

Senators Beardsley, Boomer, Fairall, Hurley, McCoid, McCormack, McKean, Merrill, Miles, Read, Russell and Shane—12.

Absent or not voting—

Senators Allen, Converse, McIntyre, Richards and Stone—5.

So the report was adopted.

Senator McNutt offered the following resolution which was adopted:

Resolved, That the thanks of the Senate are hereby tendered to the Hon. William Larrabee for the able and impartial manner in which he has discharged his duties as President *pro tem* of this body.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the fol-

lowing bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has adopted the report of the second conference committee to disagreeing votes, S. F. No. 284.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1860, in relation to the vacation and modification of injunctions.

H. F. No. 418, A bill for an act for the relief of Joseph Metz.

H. F. No. 457, A bill for an act to provide for disposing of the supreme court reports, and to increase the law department of the State Library.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

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

Joint resolution requesting capitol commissioners to cause the word "Iowa" to be engraved on the corner stone of the new capitol.

Also, has adopted concurrent resolutions.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 450, A bill for an act to amend section 1, chapter 39, laws of the 14th General Assembly.

H. F. No. 365, A bill for an act to amend section 3555 of the Revision of 1860.

H. F. No. 418, A bill for an act to reorganize the State Historical Society.

H. F. No. 240, A bill for an act to amend chapter 172, laws of

the 9th General Assembly, and the acts amendatory thereto, in relation to the voting and levying of school taxes.

S. F. No. 265, A bill for an act to amend chapters 138 and 173 of the 12th General Assembly, to regulate insurance companies.

Memorial and joint resolution relative to homestead settlers.

H. F. No. 348, A bill for an act to provide information concerning the deaf and dumb.

H. F. No. 121, A bill for an act to amend an act entitled an act to amend sections 3362 and 3363 of the Revision of 1860, being chapter 51, etc.

H. F. No. 431, A bill for an act to provide for taking testimony in applications for pardon.

Also the following:

H. F. No. 176, A bill for an act to amend sec. 137 of chapter 55 of the Revision.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases.

H. F. No. 430, A bill for an act to amend sec. 187 chapter 14 of the Revision of 1860.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Senator Beardsley moved that a committee of two be appointed to wait upon the Governor and ask him if he has any further communications for the Senate.

Carried.

The chair appointed Senators Beardsley and McCormack.

REPORTS OF COMMITTEES.

Senator Beardsley, from the committee to wait upon the Governor, reported that the Governor had no further communication to make.

Committee from House reported the House ready to adjourn.

Senator Fitch, from committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

S. F. No. 198, A bill for an act authorizing the punishment of railroad companies and other incorporate bodies for violation of the criminal laws of this State.

WILLIAM H. FITCH, *for Committee.*

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—The committee on enrolled bills ask leave to

report that they have examined the following bills, and find the same correctly enrolled:

saH. F. No. 451, A bill for an act providing for the disposal of the supreme court reports.

H. F. No. 431, A bill for an act providing for taking testimony on application for pardons.

Substitute for H. F. No. 121, A bill for an act entitled an act to amend sections 3662 and 3663 of the Revision of 1860.

Also the following:

S. F. No. 186, A bill for an act fixing the compensation of members of the General Assembly, and of officers and employees thereof.

H. F. No. 265, A bill for an act to amend chapter 138 and 173 of the Twelfth General Assembly, to regulate insurance companies, &c.

H. F. No. 452, A bill for an act to amend an act entitled an act to authorize the appointment of short-hand reporters.

H. F. No. 446, A bill for an act authorizing the appointment of short hand reporters in circuit and district courts.

A. CONVERSE, *Chairman.*

RESOLUTIONS.

Senator Dague introduced the following resolution, which was adopted:

Resolved, That the thanks of the Senate are due, and are hereby tendered to the newspaper reporters of the Senate for the courteous, efficient and impartial manner in which they have reported the proceedings of this body.

Senator Fairall moved that a committee of two be appointed to notify the House that the Senate was ready to adjourn.

Senators Fairall and Kephart were appointed as that committee.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 138, A bill for an act authorizing, etc.

House File No. 446.

House File No. 452.

JOHN J. SAFELY, *Chief Clerk.*

Also, the following:

MR. PRESIDENT:—I am directed to inform your honorable body

that the House of Representatives has passed the following bill without amendment.

S. F. No. 235, A bill for an act to provide for the disposal of property held by the State.

BENJ. VAN STEINBURG, *Ass't Clerk.*

Also, the following:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 234, A bill for an act apportioning the State of Iowa into senatorial districts.

S. F. No. 284, A bill for an act making appropriations for the per diem and expenses of the 14th General Assembly and for other purposes.

S. F. No. 267, A bill for an act amendatory of the school laws, etc.

Also the following:

H. F. No. 194, A bill for an act to amend section 40 of chapter 138 of the laws of the 12th General Assembly to regulate insurance companies.

H. F. No. 111, A bill for an act in relation to the State library and the duties of State librarian.

H. F. No. 188, A bill for an act to amend chapter 175 of the laws of the 13th General Assembly.

H. F. No. 302, A bill for an act to amend section 498 of the revision of 1860, in relation to special elections.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following bill, without amendment, S. F. No. 267.

JNO. J. SAFELY, *Chief Clerk.*

Senator Converse, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills, respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 188, H. F. No. 77, H. F. No. 176, H. F. No. 302, S. F. No. 186, H. F. No. 152, H. F. No. 451, H. F. No. 365, H. F. No. 450, H. F. No. 240, H. F. No. 418, S. F. No. 265, H. F. No. 348, H. F. No. 121, H. F. No. 431, H. F. No. 111, H. F. No. 430.

Joint resolution relative to homestead settlers,

H. F. No. 346, H. F. No. 446, S. F. No. 138, H. F. No. 452, S. F. No. 284, S. F. No. 267, S. F. No. 234, S. F. 235.

A. CONVERSE, *Chairman.*

Also the following:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have examined S. F. No. 267, An act amendatory of the school laws of the State and relative to the formation of independent school districts in certain cases, and find the same correctly enrolled.

A. CONVERSE, *Chairman.*

Senator Fairall from the committee to notify the House that the Senate was ready to adjourn, reported that he had discharged that duty.

At eleven o'clock A. M. the President *pro tem* declared the Senate adjourned until the third Wednesday in January, 1873, at 9 o'clock A. M.

ATTEST:

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

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